

# City of Fayetteville, Arkansas

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



## City Council Meeting

**October 3, 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:**

1. 2017-0537 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

2. 2017-0562 NOMINATING COMMITTEE REPORT - HOUSING AUTHORITY BOARD

Legislation Text

NOMINATING COMMITTEE REPORT - HOUSING AUTHORITY BOARD

**Agenda Additions:**

**A. Consent:**

- A. 1 2016-0584 APPROVAL OF THE SEPTEMBER 19, 2017 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2017-0526 MISSY GIPSON LEASE AGREEMENT: A RESOLUTION TO APPROVE A SHORT-TERM LEASE AGREEMENT WITH MISSY GIPSON FOR THE DRAKE FIELD TERMINAL BUILDING BANQUET AREA FOR RENT IN THE AMOUNT OF \$775.00

Legislation Text

MISSY GIPSON LEASE AGREEMENT

- A. 3 2017-0528 ARKANSAS DEPARTMENT OF AERONAUTICS: A RESOLUTION TO AUTHORIZE THE APPLICATION FOR AN 80/20 MATCHING GRANT FROM THE ARKANSAS DEPARTMENT OF AERONAUTICS IN THE AMOUNT OF \$148,720.00 FOR REHABILITATION OF THE TERMINAL PARKING LOT AT

Legislation Text

ARKANSAS DEPARTMENT OF AERONAUTICS

- A. 4 2017-0513 BID #17-52 CINTAS CORPORATION: A RESOLUTION TO AWARD BID #17-52 AND AUTHORIZE THE PURCHASE OF CLASS C UNIFORMS FROM CINTAS CORPORATION AS NEEDED BY THE FIRE DEPARTMENT THROUGH 2022, AT AN ESTIMATED COST OF \$13,728.30 PER YEAR

Legislation Text

BID #17-52 CINTAS CORPORATION

- A. 5 2017-0516 BID #17-53 RUSH RUNNING COMPANY: A RESOLUTION TO AWARD BID #17-53 AND AUTHORIZE THE PURCHASE OF RUNNING SHOES FROM RUSH RUNNING COMPANY AS NEEDED BY THE FIRE DEPARTMENT THROUGH 2022, AT AN ESTIMATED COST OF \$8,400.00 PER YEAR

Legislation Text

BID #17-53 RUSH RUNNING COMPANY

- A. 6 2017-0517 HUTCHENS CONSTRUCTION CO.: A RESOLUTION TO AWARD BID #17-60 AND AUTHORIZE A CONTRACT WITH HUTCHENS CONSTRUCTION CO. IN THE AMOUNT OF \$26,082.00 FOR PARKING LOT PAVING AT THE CITY-OWNED PROPERTY OCCUPIED BY THE ELLEN SMITH HEAD START PROGRAM LOCATED AT 2052 SOUTH GARLAND AVENUE

Legislation Text

HUTCHENS CONSTRUCTION CO.

- A. 7 2017-0520 FAYETTEVILLE RACE SERIES/SPECIAL EVENTS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT TO INCREASE FUNDING FOR THE FAYETTEVILLE RACE SERIES BY THE AMOUNT OF \$10,726.00

Legislation Text

FAYETTEVILLE RACE SERIES/SPECIAL EVENTS

BA\_FAYETTEVILLE RACE SERIES/SPECIAL EVENTS

- A. 8 2017-0523 FAYETTEVILLE SENIOR ACTIVITY AND WELLNESS CENTER KITCHEN EXPANSION: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT RECOGNIZING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$150,000.00 FOR THE SENIOR ACTIVITY AND WELLNESS CENTER KITCHEN EXPANSION, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$50,000.00

Legislation Text

FAYETTEVILLE SENIOR ACTIVITY AND WELLNESS CENTER KITCHEN EXPANSION

BA\_FAYETTEVILLE SENIOR ACTIVITY AND WELLNESS CENTER KITCHEN EXPANSION:

- A. 9 2017-0519 TRAIL OF TEARS MEMORIALIZATON HISTORICAL EVENT: A RESOLUTION TO APPROVE A PAYMENT IN THE AMOUNT OF \$4,000.00 TO THE UNIVERSITY OF ARKANSAS FOR COSTS ASSOCIATED WITH A TRAIL OF TEARS MEMORIAL, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

TRAIL OF TEARS MEMORIALIZATON HISTORICAL EVENT

BA\_TRAIL OF TEARS MEMORIALIZATON HISTORICAL EVENT

- A. 10 2017-0527 BID #17-39 BENCHMARK CONSTRUCTION OF NWA, INC.: A RESOLUTION TO AWARD BID #17-39 AND AUTHORIZE A CONTRACT WITH BENCHMARK CONSTRUCTION OF NWA, INC. IN THE AMOUNT OF \$366,000.00 FOR CONSTRUCTION OF THE WATER AND SEWER OUTBUILDINGS, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$36,600.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID #17-39 BENCHMARK CONSTRUCTION OF NWA, INC.

BA\_BID #17-39 BENCHMARK CONSTRUCTION OF NWA, INC.

- A. 11 2017-0500 MCCLELLAND CONSULTING ENGINEERS, INC.: A RESOLUTION TO APPROVE A CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF \$107,144.55 FOR ENGINEERING SERVICES ASSOCIATED WITH UTILITY RELOCATIONS ALONG HIGHWAY 16 BETWEEN COLLEGE AVENUE AND HUNTSVILLE ROAD REQUIRED FOR ARKANSAS DEPARTMENT OF TRANSPORTATION JOB 040579, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,714.45

Legislation Text

MCCLELLAND CONSULTING ENGINEERS, INC

- A. 12 2017-0501 HAWKINS-WEIR ENGINEERS, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$121,800.00 FOR ENGINEERING SERVICES RELATED TO THE GOSHEN AND BENSON WATER TANK IMPROVEMENTS, AND TO APPROVE A PROJECT CONTINGENCY IN

THE AMOUNT OF \$12,180.00

Legislation Text

HAWKINS-WEIR ENGINEERS, INC

- A. 13 2017-0503 SCOTT HANCOCK CONVEYANCE OF A PERMANENT ACCESS EASEMENT: A RESOLUTION TO APPROVE THE CONVEYANCE OF A PERMANENT ACCESS EASEMENT TO SCOTT HANCOCK ACROSS PART OF THE SOUTH PORTION OF THE GULLEY ROAD WATER TANK PROPERTY TO ALLOW A SECONDARY POINT OF ACCESS

Legislation Text

SCOTT HANCOCK ACCESS EASEMENT

- A. 14 2017-0505 GARDEN DISTRICT TOWNHOMES, LLC: A RESOLUTION TO APPROVE A COST SHARE AGREEMENT WITH GARDEN DISTRICT TOWNHOMES, LLC FOR CONSTRUCTION OF A SEWER MAIN ALONG A PORTION OF 9th STREET BETWEEN SOUTH COLLEGE AVENUE AND SOUTH WASHINGTON AVENUE WITH THE TOTAL COST TO GARDEN DISTRICT TOWNHOMES NOT TO EXCEED \$5,611.14

Legislation Text

GARDEN DISTRICT TOWNHOMES, LLC

- A. 15 2017-0502 BID #17-55 A&A SERVICE ELECTRIC INC.: A RESOLUTION TO AWARD BID #17-55 AND AUTHORIZE A CONTRACT WITH A&A SERVICE ELECTRIC, INC. IN THE AMOUNT OF \$810,483.00 FOR THE INSTALLATION OF LIGHTING ALONG THE MUD CREEK TRAIL AND THE NORTHERN PORTION OF THE RAZORBACK REGIONAL GREENWAY, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$16,209.66, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID #17-55 A&A SERVICE ELECTRIC INC.

BA BID #17-55 A&A SERVICE ELECTRIC INC.

ADDITIONAL BID #17-55 A&A SERVICE ELECTRIC INC

- A. 16 2017-0512 HEARTH HOMELESS HOUSING PROGRAM: A RESOLUTION TO AUTHORIZE THE ADDITION OF 1.0 FULL TIME EQUIVALENT POSITION TO THE COMMUNITY RESOURCES DIVISION TO HIRE A THIRD CASE MANAGER TO PROVIDE HOUSING SERVICES FOR HOMELESS FAYETTEVILLE RESIDENTS

Legislation Text

## HEARTH HOMELESS HOUSING PROGRAM

### **B. Unfinished Business:**

- B. 1 2017-0483 APPEAL OF LSD 17-5775: (324 E. 12TH PLACE/MORGAN MANOR APTS. ADDITION): A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER SARAH MARSH AND TO DENY THE FAYETTEVILLE HOUSING AUTHORITY'S APPLICATION FOR A LARGE SCALE DEVELOPMENT**

#### Legislation Text

APPEAL OF LSD 17-5775: (324 E. 12TH PLACE/MORGAN MANOR APTS. ADDITION)

ADDITIONAL APPEAL OF LSD 17-5775: (324 E. 12TH PLACE/MORGAN MANOR APTS. ADDITION)

### **C. New Business:**

- C. 1 2017-0558 AMEND § 94.05 USE OF FIREWORKS: AN ORDINANCE TO AMEND § 94.05 USE OF FIREWORKS TO ALLOW THE BOTANICAL GARDEN OF THE OZARKS TO CONDUCT A SMALL FIREWORKS DISPLAY TO CELEBRATE ITS 10TH BIRTHDAY PARTY**

#### Legislation Text

AMEND § 94.05 USE OF FIREWORKS

- C. 2 2017-0510 STARR DRIVE WATER COST SHARE: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH ROBERT MARTIN, ANDREW WILLIAMS, AND NICK BANKS FOR THE INSTALLATION OF WATER MAIN ALONG A 1,520 FOOT PORTION OF NORTH STARR DRIVE, WITH THE ESTIMATED AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$23,950.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$4,790.00**

#### Legislation Text

STARR DRIVE WATER COST SHARE

- C. 3 2017-0507 OVIVO USA, LLC: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE THE PURCHASE OF REPAIR PARTS FOR A SCREENING UNIT AT THE WEST SIDE WATER RESOURCE RECOVERY FACILITY FROM OVIVO USA, LLC IN THE AMOUNT OF \$35,252.93**

#### Legislation Text

- C. 4 2017-0509 RZN 17-5915 (S. 825 S. RAZORBACK RD./RAZORBACK RD): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-5915 FOR APPROXIMATELY 2.38 ACRES LOCATED WEST OF 825 SOUTH RAZORBACK ROAD FROM I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL TO UT, URBAN THOROUGHFARE

Legislation Text

RZN 17-5915 (S. 825 S. RAZORBACK RD./RAZORBACK RD)

- C. 5 2017-0525 NETWORK EPISODIC TELEVISION SERIES: A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENT TO PARTICIPATE IN FUNDING FOR A NETWORK EPISODIC TELEVISION SERIES BEING FILMED IN FAYETTEVILLE IN AN AMOUNT NOT TO EXCEED \$500,000.00 OVER A TWO-YEAR PERIOD

Legislation Text

NETWORK EPISODIC TELEVISION SERIES:

- C. 6 2017-0532 SMALL CELL COMMUNICATIONS FACILITIES: AN ORDINANCE TO ENACT § 110.03 SMALL CELL FACILITIES AND NETWORKS INTO CHAPTER 110: TELECOMMUNICATION FRANCHISE, BILLPOSTING, AND SMALL CELL FACILITIES AND NETWORKS

Legislation Text

SMALL CELL COMMUNICATIONS FACILITIES

- C. 7 2017-0533 AMEND TOWN AND GOWN ADVISORY COMMITTEE: AN ORDINANCE TO AMEND § 33.360 PURPOSE AND ESTABLISHMENT, § 33.361 COMPOSITION, AND § 33.364 MEETINGS OF ARTICLE XXIV TOWN AND GOWN ADVISORY COMMITTEE OF THE FAYETTEVILLE CITY CODE TO EXPAND THE SCOPE OF THE COMMITTEE'S DUTIES; TO REDEFINE THE MEMBERSHIP OF THE COMMITTEE TO BETTER FIT THE NEW PURPOSE AND MINIMIZE REDUNDANCY OF CITY AND UNIVERSITY STAFF ON THE COMMITTEE; AND TO REDUCE THE NUMBER OF REQUIRED MEETINGS FROM FOUR TO TWO EACH YEAR

Legislation Text

AMEND TOWN AND GOWN ADVISORY COMMITTEE

- C. 8 2017-0508 2018-2022 FIVE-YEAR CAPITAL IMPROVEMENTS PLAN: A RESOLUTION TO ADOPT THE 2018-2022 FIVE-YEAR CAPITAL IMPROVEMENTS PLAN

Legislation Text

## 2018-2022 FIVE YEAR CAPITAL IMPROVEMENTS PLAN

- C. 9 2017-0557 AMEND § 34.27 SALE OF MUNICIPALLY OWNED REAL PROPERTY:  
AN ORDINANCE TO AMEND § 34.27 SALE OF MUNICIPALLY OWNED REAL  
PROPERTY OF THE FAYETTEVILLE CODE

### Legislation Text

#### AMEND § 34.27 SALE OF MUNICIPALLY OWNED REAL PROPERTY

- C. 10 2017-0555 SALE OF CITY OF FAYETTEVILLE PROPERTY ABOUT 9.6 ACRES:  
A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SELL ABOUT 9.6 ACRES  
OF CITY PROPERTY IN THE COMMERCE DISTRICT TO THE HIGHEST OR  
BEST BIDDER

### Legislation Text

#### FAYETTEVILLE COMMERCE DISTRICT

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

- D. 1 2017-0514 AGENDA SESSION PRESENTATION - WALTON ARTS CENTER  
UPDATE

### Legislation Text

- D. 2 2017-0536 AGENDA SESSION PRESENTATION - 2018-2022 FIVE-YEAR  
CAPITAL IMPROVEMENT PLAN - PAUL BECKER

### Legislation Text

### **E. City Council Tour:**

### **F. Announcements:**

### **G. Adjournment**

## **NOTICE TO MEMBERS OF THE AUDIENCE**

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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.