

# City of Fayetteville, Arkansas

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



## City Council Meeting

**December 5, 2017  
5:30 p.m.**

**City Hall Room 219  
113 West Mountain**

## City Council Members

*Adella Gray Ward 1  
Sarah Marsh Ward 1  
Mark Kinion Ward 2  
Matthew Petty Ward 2  
Justin Tennant Ward 3  
Sarah Bunch Ward 3*

***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. 2017-0539 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

2. 2017-0681 ELECTION OF VICE MAYOR

Legislation Text

**Agenda Additions**

**A. Consent**

- A. 1 2016-0588 APPROVAL OF THE NOVEMBER 21, 2017 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2017-0676 ARKANSAS FORESTRY COMMISSION FIREWISE GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF AN ARKANSAS FIREWISE GRANT FROM THE ARKANSAS FORESTRY COMMISSION IN THE AMOUNT OF \$500.00 FOR USE BY THE FIRE DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

ARKANSAS FORESTRY COMMISSION FIREWISE GRANT

BA\_ARKANSAS FORESTRY COMMISSION FIREWISE GRANT

- A. 3 2017-0651 RFP #17-13 GALLAGHER BENEFITS SERVICES: A RESOLUTION TO AWARD RFP #17-13 AND AUTHORIZE A ONE (1) YEAR CONTRACT WITH GALLAGHER BENEFITS SERVICES IN THE AMOUNT OF \$80,000.00, WITH AUTOMATIC RENEWALS FOR UP TO FOUR (4) ADDITIONAL ONE (1) YEAR

TERMS, FOR THE PROVISION OF CITY EMPLOYEE BENEFITS BROKER SERVICES

Legislation Text

RFP #17-13 GALLAGHER BENEFITS SERVICES:

- A. 4 2017-0669 BID #17-57 TRUCK CENTERS: A RESOLUTION TO AWARD BID #17-57 AND AUTHORIZE THE PURCHASE OF A FREIGHTLINER M2-112 ROLL OFF TRUCK FROM TRUCK CENTERS OF SPRINGDALE, ARKANSAS IN THE AMOUNT OF \$148,663.00 FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Legislation Text

BID 17-57 TRUCK CENTERS OF ARKANSAS:

- A. 5 2017-0671 BID #17-58 TRUCK SERVICE CENTER, INC.: A RESOLUTION TO AWARD BID #17-58 AND AUTHORIZE THE PURCHASE OF A UNICARRIERS PF50LP FORKLIFT FROM LIFT TRUCK SERVICE CENTER, INC. OF SPRINGDALE, ARKANSAS IN THE AMOUNT OF \$23,911.95 FOR USE BY THE WASTEWATER TREATMENT DIVISION

Legislation Text

BID 17-58 LIFT TRUCK SERVICE CENTER OF SPRINGDALE

- A. 6 2017-0670 BID #17-62 WILLIAMS TRACTOR: A RESOLUTION TO AWARD BID #17-62 AND AUTHORIZE THE PURCHASE OF TWO BOBCAT E45 T4 COMPACT TRACK EXCAVATORS FROM WILLIAMS TRACTOR OF FAYETTEVILLE, ARKANSAS IN THE TOTAL AMOUNT OF \$83,988.00 FOR USE BY THE WATER AND SEWER OPERATIONS DIVISION

Legislation Text

BID #17-62 WILLIAMS TRACTOR

- A. 7 2017-0668 BID #17-63 HENARD UTILITY, INC.: A RESOLUTION TO AWARD BID #17-63 AND AUTHORIZE THE PURCHASE OF A SECA SEWER JETTER TRUCK FROM HENARD UTILITY, INC. OF SEARCY, ARKANSAS IN THE AMOUNT OF \$217,575.00 FOR USE BY THE WATER AND SEWER OPERATIONS DIVISION

Legislation Text

BID 17-63 HENARD UTILITY PRODUCTS, INC:

- A. 8 2017-0667 SPRING STREET PARKING DECK FUND: A RESOLUTION TO CLOSE THE SPRING STREET PARKING DECK FUND, TRANSFER ABOUT \$243,431.00 REMAINING IN THAT FUND TO THE PARKING FUND AND TO

APPROVE THE ATTACHED BUDGET ADJUSTMENT

Legislation Text

SPRING STREET PARKING DECK FUND

BA SPRING STREET PARKING DECK FUND

- A. 9 2017-0672 BKD, LLP: A RESOLUTION TO APPROVE A ONE YEAR CONTRACT WITH BKD, LLP FOR AUDITING SERVICES FOR THE 2017 AUDIT, WITH AN OPTION TO RENEW FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS

Legislation Text

BKD,LLP

- A. 10 2017-0652 BID #17-56 81 CONSTRUCTION GROUP, INC.: A RESOLUTION TO AWARD BID #17-56 AND AUTHORIZE A CONTRACT WITH 81 CONSTRUCTION GROUP, INC. IN THE AMOUNT OF \$435,650.00 FOR THE CONSTRUCTION OF THE LAKE SEQUOYAH BASIN 3 ACCESS ROAD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$43,565.00

Legislation Text

BID #17-56 81 CONSTRUCTION GROUP, INC.

- A. 11 2017-0653 MCCLELLAND CONSULTING ENGINEERS, INC.: A RESOLUTION TO APPROVE A CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF \$15,200.00 FOR TESTING AND SURVEYING SERVICES ASSOCIATED WITH THE CONSTRUCTION OF THE LAKE SEQUOYAH BASIN 3 ACCESS ROAD PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

MCCLELLAND CONSULTING ENGINEERS, INC.

BA MCCLELLAND CONSULTING ENGINEERS, INC.

- A. 12 2017-0655 MCGOODWIN, WILLIAMS AND YATES, INC. AMENDMENT NO. 1: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CONTRACT WITH MCGOODWIN, WILLIAMS AND YATES, INC. IN AN AMOUNT NOT TO EXCEED \$74,016.00 FOR CHANGES TO THE DINSMORE TRAIL WATER MAIN PLANS, CONSTRUCTION OBSERVATION AND MANAGEMENT SERVICES, AND ASSISTANCE WITH PRESSURE SUSTAINING VALVES ON THE WATER MAINS

Legislation Text

MCGOODWIN, WILLIAMS AND YATES, INC.

## **B. Unfinished Business**

- B. 1 2017-0650 REZONE COLLEGE AVENUE: AN ORDINANCE TO REZONE ALL PARCELS WITHIN OR NEAR COLLEGE AVENUE AS SHOWN ON EXHIBIT C OF THE PLANNING DEPARTMENT'S AGENDA MEMO COMPRISING ABOUT 24.62 ACRES**

### Legislation Text

#### REZONE COLLEGE AVENUE

- B. 2 2017-0648 AMEND §166.21 DOWNTOWN DESIGN OVERLAY DISTRICT: AN ORDINANCE TO AMEND §166.21 DOWNTOWN DESIGN OVERLAY DISTRICT BY AMENDING THE APPLICABILITY SECTION TO INCLUDE COLLEGE AVENUE OVERLAY DISTRICT AND TO ENACT §166.26 COLLEGE AVENUE OVERLAY DISTRICT**

### Legislation Text

#### AMEND §166.21 DOWNTOWN DESIGN OVERLAY DISTRICT

## **C. New Business**

- C. 1 2017-0628 WALTON FAMILY FOUNDATION DESIGN EXCELLENCE PROGRAM GRANT: A RESOLUTION TO THANK THE WALTON FAMILY FOUNDATION, TO AUTHORIZE MAYOR JORDAN TO ACCEPT A DESIGN EXCELLENCE PROGRAM GRANT FROM THE WALTON FAMILY FOUNDATION IN THE AMOUNT OF \$1,770,000.00 TO FUND THE DESIGN OF AN INTERACTIVE OUTDOOR CULTURAL ARTS CORRIDOR ALONG THE RAZORBACK REGIONAL GREENWAY, TO AUTHORIZE THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS WITH THE CONDITION THAT ONLY FIRMS PRE-APPROVED BY THE WALTON FAMILY FOUNDATION MAY RESPOND, AND TO APPROVE A BUDGET ADJUSTMENT**

### Legislation Text

#### WALTON FAMILY FOUNDATION DESIGN EXCELLENCE PROGRAM GRANT

#### BA WALTON FAMILY FOUNDATION DESIGN EXCELLENCE GRANT

- C. 2 2017-0660 THEATRESQUARED, INCORPORATED: A RESOLUTION TO EXPRESS THE CITY COUNCIL'S ACCEPTANCE AND APPROVAL OF THEATRESQUARED, INCORPORATED'S PLEDGES AND FINANCIAL COMMITMENTS AS SUFFICIENT TO ENSURE COMPLETION OF THEATRESQUARED'S \$31,500,000.00 THEATER PROJECT, AND TO AUTHORIZE MAYOR JORDAN TO INVEST THE PROMISED \$3,100,000.00 AS CONSTRUCTION REIMBURSEMENTS PURSUANT TO THE CONTRACT OF JUNE 28, 2017**

### Legislation Text

THEATRESQUARED, INCORPORATED

- C. 3 2017-0661 AREA AGENCY ON AGING OF NORTHWEST ARKANSAS: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A CONTRACT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND THE AREA AGENCY ON AGING OF NORTHWEST ARKANSAS IN THE AMOUNT OF \$98,887.00 TO PROVIDE PUBLIC RECREATION SERVICES FOR THE SENIOR CITIZENS OF FAYETTEVILLE FOR 2018

Legislation Text

AREA AGENCY ON AGING OF NORTHWEST ARKANSAS

- C. 4 2017-0659 FAYETTEVILLE YOUTH CENTER, INC.: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A CONTRACT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND FAYETTEVILLE YOUTH CENTER, INC. IN THE AMOUNT OF \$225,000.00 TO PROVIDE PUBLIC RECREATION SERVICES FOR THE YOUTH AND CITIZENS OF FAYETTEVILLE FOR 2018

Legislation Text

FAYETTEVILLE YOUTH CENTER, INC.

- C. 5 2017-0594 2017 WATER MASTER PLAN UPDATE: A RESOLUTION TO ACCEPT AND ADOPT THE 2017 WATER MASTER PLAN UPDATE

Legislation Text

2017 WATER MASTER PLAN UPDATE

- C. 6 2017-0679 CITY OF GREENLAND WASTEWATER CONTRACT: A RESOLUTION TO APPROVE A FIFTEEN (15) YEAR CONTRACT WITH THE CITY OF GREENLAND TO ACCEPT AND PROCESS THEIR WASTEWATER AND TO AUTHORIZE MAYOR JORDAN TO SIGN THIS CONTRACT

Legislation Text

CITY OF GREENLAND WASTEWATER CONTRACT

- C. 7 2017-0654 ALLGEIER, MARTIN AND ASSOCIATES, INC.: A RESOLUTION TO AUTHORIZE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH ALLGEIER, MARTIN AND ASSOCIATES, INC., PURSUANT TO RFQ #17-01, IN AN AMOUNT NOT TO EXCEED \$480,049.00 FOR THE ENGINEERING DESIGN AND ENGINEERING OBSERVATION AND MANAGEMENT SERVICES ASSOCIATED WITH ELECTRICAL REHABILITATION AND IMPROVEMENTS AT THE PAUL R. NOLAND WASTEWATER TREATMENT PLANT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$48,004.90, AND TO APPROVE

## A BUDGET ADJUSTMENT

### Legislation Text

ALLGEIER, MARTIN AND ASSOCIATES, INC.

BA ALLGEIER, MARTIN AND ASSOCIATES, INC.

- C. 8 2017-0666 CH2M HILL ENGINEERS, INC. AMENDMENT NO. 9: A RESOLUTION TO APPROVE AMENDMENT NO. 9 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$7,938,833.00 FOR SERVICES IN 2018

### Legislation Text

CH2M HILL ENGINEERS, INC.

- C. 9 2017-0695 SALE OF SMALL PARCEL OF LAND - GEORGE'S MAJESTIC LOUNGE: A RESOLUTION TO AUTHORIZE THE SALE OF A SMALL PARCEL OF LAND SOUTH OF GEORGE'S MAJESTIC LOUNGE AND WEST OF THE RAILROAD TRACKS

### Legislation Text

SALE OF SMALL PARCEL OF LAND - GEORGE'S MAJESTIC LOUNGE

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

- D. 1 2017-0635 AGENDA SESSION PRESENTATION - 2017-2018 DRAINAGE IMPROVEMENTS PLAN

### Legislation Text

## **E. City Council Tour: Monday, December 4, 2017 4:30 PM**

## **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.

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.

**Unfinished 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. City staff, City Council members, and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

**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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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 City Council. 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 City Council member 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 a City Council member 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 Telecommunications Device for the Deaf (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 on our website at [www.fayetteville-ar.gov](http://www.fayetteville-ar.gov) or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas (479) 575-8323.

All cell phones must be silenced and may not be used within the City Council Chambers.