

City of Fayetteville, Arkansas

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



City Council Meeting

**March 6, 2018
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*

*John S. La Tour Ward 4
Kyle Smith 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. 2017-0543 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

Agenda Additions

A. Consent

- A. 1 2018-0013 APPROVAL OF THE FEBRUARY 20, 2018 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2018-0112 HAZMAT SERVICES REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$11,198.00 RECOGNIZING HAZMAT SERVICES REVENUE RECEIVED FROM WASHINGTON COUNTY AND INCREASING THE RELATED EXPENSE BUDGET

Legislation Text

HAZMAT SERVICES REVENUE

BA_HAZMAT SERVICES REVENUE

- A. 3 2018-0133 ARKANSAS STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2017-2018 STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FOR STATE FUNDING OF THE FOURTH JUDICIAL DISTRICT DRUG TASK FORCE IN THE AMOUNT OF \$54,693.47, AND TO AUTHORIZE MAYOR JORDAN TO SIGN ALL NECESSARY DOCUMENTS TO RECEIVE THE GRANT FUNDS

Legislation Text

ARKANSAS STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT

- A. 4 2018-0054 ENVIRONMENTAL CONSULTING OPERATIONS, INC: A RESOLUTION TO APPROVE AMENDMENT NO. 4 TO THE CONTRACT WITH ENVIRONMENTAL CONSULTING OPERATIONS, INC. IN THE AMOUNT OF \$61,872.00 FOR WETLANDS MITIGATION SITE MONITORING AND MANAGEMENT IN 2018

Legislation Text

ENVIRONMENTAL CONSULTING OPERATIONS, INC

- A. 5 2018-0127 RFP #17-07 ECOSCONNECT, LLC: A RESOLUTION TO AWARD RFP #17-07 AND AUTHORIZE THE MAYOR TO SIGN A ONE-YEAR CONTRACT WITH ECOSCONNECT, LLC, WITH AN OPTION TO RENEW FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS, IN THE AMOUNT OF \$12,000.00 PER YEAR FOR BACKFLOW TRACKING SERVICES

Legislation Text

ECOSCONNECT, LLC

- A. 6 2018-0134 GARDEN DISTRICT TOWNHOMES, LLC: A RESOLUTION TO APPROVE AMENDMENT #1 TO THE WATER MAIN INSTALLATION COST SHARE AGREEMENT WITH GARDEN DISTRICT TOWNHOMES, LLC TO PROVIDE FOR REIMBURSEMENT OF THE COST OF MATERIALS FOR INSTALLING TWO FIRE HYDRANTS IN THE AMOUNT OF \$5,121.60

Legislation Text

GARDEN DISTRICT TOWNHOMES, LLC AMENDMENT 1

- A. 7 2018-0119 BOBCAT COMPANY: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A BOBCAT E45 EXCAVATOR WITH ATTACHMENTS FROM BOBCAT COMPANY OF WEST FARGO, NORTH DAKOTA IN THE AMOUNT OF \$69,857.30, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, FOR USE THE BY TRANSPORTATION SERVICES DEPARTMENT

Legislation Text

BOBCAT COMPANY:

- A. 8 2018-0120 SUPERIOR AUTOMOTIVE GROUP: A RESOLUTION TO APPROVE THE PURCHASE OF THREE POLICE PACKAGE CHEVROLET TAHOES FROM SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS IN THE TOTAL AMOUNT OF \$95,589.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE POLICE DEPARTMENT

Legislation Text

SUPERIOR AUTOMOTIVE GROUP

- A. 9 2018-0121 LEWIS AUTOMOTIVE GROUP: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A 2018 DODGE RAM 1500 4WD REGULAR CAB FROM LEWIS AUTOMOTIVE GROUP OF FAYETTEVILLE, ARKANSAS IN THE AMOUNT OF \$21,131.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE FACILITIES MANAGEMENT DIVISION

Legislation Text

LEWIS AUTOMOTIVE GROUP

- A. 10 2018-0122 WILLIAMS TRACTOR: A RESOLUTION TO APPROVE THE PURCHASE A 2018 NEW HOLLAND RB450 4X5 DRY HAY BALER FROM WILLIAMS TRACTOR OF FAYETTEVILLE IN THE AMOUNT OF \$30,241.00 PURSUANT TO NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE WASTEWATER TREATMENT DIVISION

Legislation Text

WILLIAMS TRACTOR, INC.

- A. 11 2018-0123 STEVE LANDERS: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A TOYOTA PRIUS HYBRID FROM STEVE LANDERS OF ROGERS, ARKANSAS IN THE AMOUNT OF \$23,108.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE FLEET DIVISION, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

STEVE LANDERS

BA STEVE LANDERS

- A. 12 2018-0124 REPEAL RESOLUTION NO. 33-17: A RESOLUTION TO REPEAL RESOLUTION NO. 33-17 AND AUTHORIZE THE PURCHASE OF A 2018 ELGIN CROSSWIND STREET SWEEPER FROM ENVIRONMENTAL PRODUCTS MID-SOUTH OF MEMPHIS, TENNESSEE IN THE AMOUNT OF \$251,739.20, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Legislation Text

REPEAL RESOLUTION NO. 33-17

- A. 13 2018-0136 SWEETSER CONSTRUCTION, INC.: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$3,891,372.55 FOR THE CONSTRUCTION OF THE OLD WIRE ROAD PROTECTED BIKE LANE AND SIDEWALK PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$194,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

SWEETSER CONSTRUCTION, INC.

BA_SWEETSER CONSTRUCTION, INC.

B. Unfinished Business

- B. 1 2018-0053 RZN 17-6034 (2468 N. CROSSOVER RD./JONES): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6034 FOR APPROXIMATELY 4.40 ACRES LOCATED AT 2468 NORTH CROSSOVER ROAD FROM RSF-2, RESIDENTIAL SINGLE FAMILY, 2 UNITS PER ACRE TO NS-L, NEIGHBORHOOD SERVICES-LIMITED

Legislation Text

RZN 17-6034 (2468 N. CROSSOVER RD./JONES)

ADDITIONAL_RZN 17-6034 (2468 N. CROSSOVER RD./JONES)

C. New Business

- C. 1 2018-0126 VAC 18-6075 (EAST OF DEAD HORSE MOUNTAIN ROAD/MEADOWS AT STONEBRIDGE): AN ORDINANCE TO APPROVE VAC 18-6075 FOR PROPERTY LOCATED EAST OF 2000 BLOCK, DEAD HORSE MOUNTAIN ROAD TO VACATE A PORTION OF A UTILITY EASEMENT

Legislation Text

VAC 18-6075 (EAST OF DEAD HORSE MOUNTAIN ROAD/MEADOWS AT STONEBRIDGE)

- C. 2 2018-0116 RZN 18-6062 (SOUTH OF 2901 MT. COMFORT RD./BAUER-HENBEST): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6062 FOR APPROXIMATELY 16.76 ACRES LOCATED SOUTH OF 2901 MOUNT COMFORT ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION FOR ABOUT 7.47 ACRES, TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN FOR ABOUT 1.96 ACRES, AND TO R-A, RESIDENTIAL AGRICULTURAL FOR ABOUT 7.32 ACRES

Legislation Text

- C. 3 2018-0085 RZN 17-6052 (EAST OF ROLLING HILLS DR./KEENAN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 17-6052 FOR APPROXIMATELY 22.59 ACRES LOCATED AT EAST OF ROLLING HILLS DRIVE AND OLD MISSOURI ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION

Legislation Text

RZN 17-6052 (EAST OF ROLLING HILLS DR./KEENAN)

ADDITIONAL RZN 17-6052 (EAST OF ROLLING HILLS DR./KEENAN)

- C. 4 2018-0130 AUTOMATED MERCHANT SYSTEMS, INC.: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A CONTRACT WITH AUTOMATED MERCHANT SYSTEMS, INC. FOR CREDIT CARD PROCESSING SERVICES

Legislation Text

AUTOMATED MERCHANT SERVICES, INC.

- C. 5 2018-0097 AMEND CHAPTER 98 & CHAPTER 50: AN ORDINANCE TO AMEND § 98.02 DUTY OF PROPERTY OWNER AND OCCUPANT TO KEEP SIDEWALKS FREE FROM OBSTRUCTIONS, §98.04 GROWING TREES AND OTHER VEGETATION NEAR INTERSECTIONS; RIGHT-OF-WAY TO BE KEPT FREE FROM GRASS AND WEEDS, § 98.08 SPILLING OR TRACKING DEBRIS ONTO PUBLIC STREETS AND § 50.01 DEFINITIONS OF THE FAYETTEVILLE CODE, AND TO ENACT §98.09 ABATEMENT BY CITY; COSTS RESPONSIBILITY OF OWNER

Legislation Text

AMEND CHAPTER 98 & CHAPTER 50

- C. 6 2018-0135 ENACT § 97.083 SMOKING AND USE OF TOBACCO PRODUCTS: AN ORDINANCE TO ENACT § 97.083 SMOKING AND USE OF TOBACCO PRODUCTS INTO CHAPTER 97: PARKS AND RECREATION TO PROHIBIT SMOKING AND TOBACCO USE IN ALL CITY PARKS AND TRAILS

Legislation Text

ENACT § 97.083 SMOKING AND USE OF TOBACCO PRODUCTS

- C. 7 2018-0117 DOWNTOWN/ENTERTAINMENT DISTRICT PARKING AND MOBILITY PLAN: A RESOLUTION TO APPROVE AND AUTHORIZE MAYOR JORDAN TO PROCEED WITH PHASE ONE OF THE IMPLEMENTATION SCHEDULE FOR THE DOWNTOWN/ENTERTAINMENT DISTRICT PARKING

Legislation Text

DOWNTOWN/ENTERTAINMENT DISTRICT PARKING AND MOBILITY PLAN

- C. 8 2018-0132 SALE OF CITY OF FAYETTEVILLE PROPERTY ABOUT 0.04 ACRES: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SELL ABOUT 0.04 ACRES OF CITY PROPERTY SOUTH OF GEORGE'S MAJESTIC LOUNGE AND WEST OF THE RAILROAD TRACKS TO THE HIGHEST OR BEST BIDDER

Legislation Text

SALE OF CITY OF FAYETTEVILLE PROPERTY ABOUT .04 ACRES

- C. 9 2018-0131 SALE OF CITY OF FAYETTEVILLE PROPERTY ABOUT .1 ACRES: A RESOLUTION TO SELL ABOUT 0.1 ACRES OF LAND AT THE NORTHWEST CORNER OF SOUTH RAZORBACK ROAD AND SLIGO STREET TO JOHN CHRISTOPHER LOONEY AND MYRIAH DAWN JOHNSON FOR \$5,000.00

Legislation Text

SALE OF CITY OF FAYETTEVILLE PROPERTY ABOUT .1 ACRES:

- C. 10 2018-0139 AMEND § 74.01: AN ORDINANCE TO AMEND § 74.01 APPLICATION OF REGULATIONS TO ADD A DEFINITION OF ROADWAY

Legislation Text

AMEND § 74.01

D. City Council Agenda Session Presentations

- D. 1 2018-0140 AGENDA SESSION PRESENTATION, SALES TAX REPORT - PAUL BECKER

Legislation Text

- D. 2 2018-0138 AGENDA SESSION PRESENTATION, MONTHLY ENERGY USAGE REPORT - PETER NIERENGARTEN

Legislation Text

- E. City Council Tour: 4:30 PM MONDAY, MARCH 5, 2018 RZN 17-6034 2468 N. CROSSOVER/JONES**

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 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.