

# City of Fayetteville, Arkansas

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



## City Council Meeting

**May 1, 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*

***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. 2017-0545 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

**Agenda Additions**

**A. Consent**

- A. 1 2018-0017 APPROVAL OF THE APRIL 17, 2018 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2018-0210 HUGG AND HALL EQUIPMENT COMPANY: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A VOLVO ECR145E EXCAVATOR FROM HUGG AND HALL EQUIPMENT COMPANY OF SPRINGDALE, ARKANSAS, IN THE AMOUNT OF \$150,641.00 PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Legislation Text

HUGG AND HALL EQUIPMENT COMPANY

- A. 3 2018-0211 BOBCAT COMPANY: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A BOBCAT E42 T4 COMPACT EXCAVATOR IN THE AMOUNT OF \$45,902.70 AND A BOBCAT HB980 HYDRAULIC BREAKER ATTACHMENT IN THE AMOUNT OF \$6,744.20, PLUS APPLICABLE SALES TAXES, FROM BOBCAT COMPANY OF WEST FARGO, NORTH DAKOTA, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, FOR USE BY THE WATER AND SEWER OPERATIONS DIVISION

Legislation Text

BOBCAT COMPANY

- A. 4 2018-0212 LEWIS AUTOMOTIVE GROUP: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A 2018 DODGE RAM 1500 4WD QUAD CAB FROM LEWIS AUTOMOTIVE GROUP OF FAYETTEVILLE, ARKANSAS IN THE AMOUNT OF \$22,572.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE WATER AND SEWER OPERATIONS DIVISION

Legislation Text

LEWIS AUTOMOTIVE GROUP

- A. 5 2018-0214 TACTICAL BODY ARMOR VESTS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$16,058.00 TO APPROPRIATE FUNDS FOR THE PURCHASE OF TACTICAL BODY ARMOR VESTS FOR 4TH JUDICIAL DISTRICT DRUG TASK FORCE INVESTIGATORS

Legislation Text

TACTICAL BODY ARMOR VESTS

BA\_TACTICAL BODY ARMOR VESTS

- A. 6 2018-0226 STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FOR STATE FUNDING OF THE FOURTH JUDICIAL DISTRICT DRUG TASK FORCE IN THE AMOUNT OF \$37,614.14, AND TO AUTHORIZE MAYOR JORDAN TO SIGN ALL NECESSARY DOCUMENTS TO RECEIVE THE GRANT FUNDS

Legislation Text

STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT

- A. 7 2018-0215 GARNER STOLL HONORARIUM ACCEPTANCE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,000.00 RECOGNIZING AN HONORARIUM RECEIVED BY DEVELOPMENT SERVICES DIRECTOR GARNER STOLL FROM THE UNIVERSITY OF ARKANSAS TO BE ALLOCATED TO THE DEVELOPMENT SERVICES TRAVEL AND TRAINING BUDGET

Legislation Text

GARNER STOLL HONORARIUM ACCEPTANCE

BA\_GARNER STOLL HONORARIUM ACCEPTANCE

- A. 8 2018-0229 CIVICPLUS, INC.: A RESOLUTION TO APPROVE A THREE (3) YEAR CONTRACT WITH CIVICPLUS, INC. FOR THE PURCHASE OF CIVICREC

RECREATION MANAGEMENT SOFTWARE IN THE AMOUNT OF \$25,875.00 FOR THE FIRST YEAR AND \$4,500.00 FOR THE SECOND YEAR, PLUS APPLICABLE SALES TAXES, WITH AN ANNUAL PRICE INCREASE OF FIVE PERCENT (5%) FOR THE THIRD YEAR AND BEYOND, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$4,000.00 EACH YEAR THE CONTRACT IS IN EFFECT

Legislation Text

CIVICPLUS, INC

- A. 9 2018-0225 PUBLIC ACCESS TELEVISION FEE REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$9,470.00 RECOGNIZING PUBLIC ACCESS TELEVISION FEE REVENUE TO BE USED FOR PROMOTIONAL ACTIVITIES AND THE PURCHASE OF MINOR EQUIPMENT

Legislation Text

PUBLIC ACCESS TELEVISION FEE REVENUE

BA PUBLIC ACCESS TELEVISION FEE REVENUE

- A. 10 2018-0224 BID #18-19 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC: A RESOLUTION TO AWARD BID #18-19 AND AUTHORIZE A CONTRACT WITH CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC FOR PAINT REMOVAL AND REPAINTING AT DRAKE FIELD IN THE AMOUNTS SET FORTH IN THE BID DOCUMENTS FOR AN ESTIMATED TOTAL OF \$124,300.00, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$11,670.00, TO AUTHORIZE ACCEPTANCE OF AN ARKANSAS DEPARTMENT OF AERONAUTICS 90/10 MATCHING GRANT IN THE AMOUNT OF \$128,970.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID #18-19 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC

BA BID #18-19 CUSTOM PAVEMENT MAINTENANCE AND SAFETY, LLC

- A. 11 2018-0228 SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS: A RESOLUTION TO APPROVE THE RENEWAL OF TWO SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE TOTAL AMOUNT OF \$228,826.00 FOR THE CITY TO ADMINISTER PROGRAMS TO ASSIST HOMELESS FAYETTEVILLE RESIDENTS

Legislation Text

SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS

**B. Unfinished Business**

- B. 1** 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

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

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

OLD PACKET\_RZN 17-6052 (EAST OF ROLLING HILLS DR./KEENAN)

- B. 2** 2018-0195 ADM 18-6098: ROLLING HILLS DR./SKILLERN RD. CORRIDOR MASTER STREET PLAN AMENDMENT): A RESOLUTION TO AMEND THE MASTER STREET PLAN BY DOWNGRADING THE ROLLING HILLS DRIVE/SKILLERN ROAD CORRIDOR FROM PRINCIPAL ARTERIAL TO COLLECTOR STATUS AND BY SHIFTING THE ALIGNMENT OF THE CORRIDOR TO CONNECT ALONG OAK BAILEY DRIVE

Legislation Text

ADM 18-6098: ROLLING HILLS DR./SKILLERN RD. CORRIDOR MASTER STREET PLAN AMENDMENT)

- B. 3** 2018-0203 RZN 18-6122: (SE & SW OF RUPPLE RD. & MT. COMFORT RD./HAZEN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6122 FOR APPROXIMATELY 56.02 ACRES LOCATED AT SOUTHEAST AND SOUTHWEST OF RUPPLE ROAD AND MOUNT COMFORT ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, RSF-1, RESIDENTIAL SINGLE FAMILY, 1 UNIT PER ACRE, AND R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES AND R-A, RESIDENTIAL AGRICULTURAL

Legislation Text

RZN 18-6122: (SE & SW OF RUPPLE RD. & MT. COMFORT RD./HAZEN):

- B. 4** 2018-0220 REMOVE BILL OF ASSURANCE E. 15TH ST & CURTIS AVE.: AN ORDINANCE TO DISCHARGE AND REMOVE THE BILL OF ASSURANCE RELATED TO THE PROPERTY DESCRIBED IN EXHIBIT A BECAUSE SUCH PROTECTIVE LANGUAGE IS NO LONGER NEEDED

Legislation Text

REMOVE BILL OF ASSURANCE E. 15TH ST & CURTIS AVE.

**C. Public Hearing:**

- C. 1 2018-0187 RAZE AND REMOVAL ATR PROPERTIES, LLC: A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY ATR PROPERTIES, LLC LOCATED AT 1946 NORTH COLLEGE AVENUE IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT OF \$11,678.00

Legislation Text

RAZE AND REMOVAL ATR PROPERTIES, LLC

RAZE AND REMOVAL ATR PROPERTIES, LLC\_EXHIBIT A

BA\_RAZE AND REMOVAL ATR PROPERTIES, LLC

**D. New Business**

- D. 1 2018-0222 VAC 18-6088 (525 S. SCHOOL AVE./MILL DISTRICT): AN ORDINANCE TO APPROVE VAC 18-6088 FOR PROPERTIES LOCATED AT 525 SOUTH SCHOOL AVENUE AND 423 PRAIRIE STREET TO VACATE AN ACCESS EASEMENT BETWEEN THE TWO PROPERTIES

Legislation Text

VAC 18-6088 (525 S. SCHOOL AVE./MILL DISTRICT)

- D. 2 2018-0219 RZN 18-6125 (4550 N. CROSSOVER RD./KESNER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6125 FOR APPROXIMATELY 6.64 ACRES LOCATED AT 4550 NORTH CROSSOVER ROAD FROM R-A, RESIDENTIAL AGRICULTURAL TO P-1, INSTITUTIONAL

Legislation Text

APPEAL RZN 18-6125 (4550 N. CROSSOVER RD./KESNER)

- D. 3 2018-0221 AMEND §111.30 RETAIL: AN ORDINANCE TO AMEND §111.30 RETAIL IN CHAPTER 111: ALCOHOLIC BEVERAGES OF THE CITY CODE TO ALLOW PRIVATE CLUBS AND ON PREMISES CONSUMPTION HOTEL, MOTEL, AND RESTAURANT ALCOHOL PERMIT HOLDERS TO SELL, SERVE OR PERMIT THE CONSUMPTION OF CONTROLLED BEVERAGES BEGINNING AT 7:00 A.M. MONDAY THROUGH SATURDAY

Legislation Text

AMEND §111.30 RETAIL

- D. 4 2018-0227 AMEND § 164.22 AND § 166.01: AN ORDINANCE TO AMEND § 164.22 CLUSTER HOUSING DEVELOPMENT (C) DEVELOPMENT REVIEW

PROCESS AND § 166.01 DEVELOPMENT CATEGORIES (B) SUBDIVISION OF LAND (1) LOT SPLIT TO ALLOW INDIVIDUAL CLUSTER HOUSING UNIT LOTS TO BE PROCESSED THROUGH THE SUBDIVISION PLATTING PROCESS AS A LOT SPLIT

Legislation Text

**E. City Council Agenda Session Presentations**

**F. City Council Tour**

**G. Announcements**

**H. 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.