

# City of Fayetteville, Arkansas

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



## City Council Meeting

**October 2, 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. 2017-0550 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

2. 2018-0521 ORT-OZARK REGIONAL TRANSIT - PERIODIC REPORT

Legislation Text

**Agenda Additions**

**A. Consent**

- A. 1 2018-0500 OPEN AVENUES, INC.: A RESOLUTION TO APPROVE A LEASE AGREEMENT OF A PORTION OF THE AIRPORT WITH OPEN AVENUES, INC.

Legislation Text

OPEN AVENUES, INC.:

- A. 2 2018-0508 UPCHURCH ELECTRICAL SUPPLY COMPANY: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A VARIABLE FREQUENCY DRIVE FROM UPCHURCH ELECTRICAL SUPPLY COMPANY, A DIVISION OF MAYER ELECTRIC SUPPLY COMPANY, INC. IN THE AMOUNT OF \$18,468.51 PLUS APPLICABLE TAXES FOR USE AT THE HAMESTRING LIFT STATION

Legislation Text

UPCHURCH ELECTRICAL SUPPLY COMPANY

- A. 3 2018-0517 ALLGEIER, MARTIN AND ASSOCIATES, INC.: A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 2 WITH ALLGEIER, MARTIN AND ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$35,000.00 FOR ADDITIONAL ELECTRICAL ENGINEERING SERVICES ASSOCIATED WITH

ELECTRICAL WORK AT THE NOLAND WATER RESOURCE RECOVERY FACILITY

Legislation Text

ALLGEIER, MARTIN AND ASSOCIATES, INC.

- A. 4 2018-0510 WINDSTAR INVESTMENTS, LLC: A RESOLUTION TO APPROVE AN AGREEMENT WITH WINDSTAR INVESTMENTS, LLC D/B/A ROLL OFF DUMPSTERS FOR THE HAULING OF SOLID WASTE AND RECYCLABLE MATERIAL IN THE CITY OF FAYETTEVILLE

Legislation Text

WINDSTAR INVESTMENTS, LLC

- A. 5 2018-0512 MARCK RECYCLING AND WASTE SERVICES OF NW ARKANSAS, LLC: A RESOLUTION TO APPROVE AN AGREEMENT WITH MARCK RECYCLING AND WASTE SERVICES OF NW ARKANSAS, LLC FOR THE HAULING OF SOLID WASTE AND RECYCLABLE MATERIAL IN THE CITY OF FAYETTEVILLE

Legislation Text

MARCK RECYCLING AND WASTE SERVICES OF NW ARKANSAS, LLC

- A. 6 2018-0513 BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS: A RESOLUTION TO APPROVE A SERVICES AGREEMENT WITH THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS ACTING FOR AND ON BEHALF OF THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES' PSYCHIATRIC RESEARCH INSTITUTE, ARKANSAS EMPLOYEE ASSISTANCE PROGRAM FOR EMPLOYEE ASSISTANCE PROGRAM SERVICES FOR POLICE, FIRE, AND COMMUNITY RESOURCES EMPLOYEES IN THE AMOUNT OF \$26.00 PER COVERED EMPLOYEE

Legislation Text

BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS

- A. 7 2018-0514 RFQ 18-09 IMS INFRASTRUCTURE MANAGEMENT SERVICES, LLC: A RESOLUTION TO AWARD RFQ 18-09 AND AUTHORIZE A CONTRACT WITH IMS INFRASTRUCTURE MANAGEMENT SERVICES, LLC FOR PAVEMENT ANALYSIS AND INVENTORY SERVICES IN THE AMOUNT OF \$206,159.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00

Legislation Text

RFQ 18-09 IMS INFRASTRUCTURE MANAGEMENT SERVICES, LLC

- A. 8 2018-0515 GAMETIME C/O CUNNINGHAM RECREATION: A RESOLUTION TO APPROVE THE PURCHASE OF BLEACHER COVERS FROM GAMETIME C/O CUNNINGHAM RECREATION FOR THE KESSLER MOUNTAIN REGIONAL PARK BASEBALL COMPLEX IN THE AMOUNT OF \$123,690.20, INCLUDING THE COST OF INSTALLATION, PURSUANT TO A U.S. COMMUNITIES NATIONAL COOPERATIVE PURCHASING PROGRAM CONTRACT

Legislation Text

GAMETIME C/O CUNNINGHAM RECREATION

- A. 9 2018-0518 HARK AT THE CENTER FOR COLLABORATIVE CARE: A RESOLUTION TO APPROVE AN AGREEMENT WITH HARK AT THE CENTER FOR COLLABORATIVE CARE FOR THE ESTABLISHMENT AND MANAGEMENT OF THE HELP A NEIGHBOR FUND, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$5,000.00 TO PAY FOR THE STAFF TIME UTILIZED FOR THE ESTABLISHMENT AND MANAGEMENT OF THE FUND

Legislation Text

HARK AT THE CENTER FOR COLLABORATIVE CARE

BA HARK AT THE CENTER FOR COLLABORATIVE CARE

- A. 10 2018-0502 AXON ENTERPRISES, INC.: A RESOLUTION TO ACCEPT AND AGREE TO A QUOTE FROM AXON ENTERPRISES, INC. FOR THE PURCHASE OF BODY WORN CAMERAS AND SOFTWARE PURSUANT TO A NATIONAL IPA CONTRACT IN THE AMOUNT OF \$6,787.84 FOR 2018-2019 AND \$2,910.36 ANNUALLY FOR THE FOLLOWING FOUR YEARS FOR A TOTAL OF \$18,429.28 AND TO AUTHORIZE MAYOR JORDAN TO SIGN THIS QUOTE.

Legislation Text

Axon Enterprises contract item 2018-0502

2018-0502 - BA Axon Enterprises - Animal Services

**B. Unfinished Business**

- B. 1 2018-0484 RZN 18-6317 (WEST OF MARKHAM RD./MARKHAM HILL): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6317 FOR APPROXIMATELY 119.43 ACRES LOCATED WEST OF MARKHAM ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE AND CPZD, COMMERCIAL PLANNING ZONING DISTRICT TO REZONE APPROXIMATELY 75.42 ACRES TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN AND APPROXIMATELY 44.01 ACRES TO R-A, RESIDENTIAL AGRICULTURAL, SUBJECT TO A BILL OF ASSURANCE

Legislation Text

RZN 18-6317 (WEST OF MARKHAM RD./MARKHAM HILL)

ADDITIONAL RZN 18-6317 (WEST OF MARKHAM RD./MARKHAM HILL)

- B. 2 2018-0483 C-PZD 18-6318 (2231 W. MARKHAM RD./PRATT PLACE INN & BARN): AN ORDINANCE TO APPROVE A COMMERCIAL PLANNED ZONING DISTRICT ENTITLED C-PZD 18-6318 FOR PROPERTY LOCATED AT 2231 WEST MARKHAM ROAD REDUCING THE EXISTING 68.99 ACRE COMMERCIAL PLANNED ZONING DISTRICT TO 24.06 ACRES WHILE RETAINING THE EXISTING USES, AND ADDING UP TO 5,000 SQUARE FEET OF EVENT SPACE, 12,000 SQUARE FEET OF RESTAURANT OR COMMERCIAL SPACE, 80 HOTEL ROOMS, AND 43 DWELLING UNITS

Legislation Text

C-PZD 18-6318 (2231 W. MARKHAM RD./PRATT PLACE INN & BARN)

**C. New Business**

- C. 1 2018-0527 WALTON ARTS CENTER CURRENT PAYMENT FOR SERVICES: A RESOLUTION TO EXPRESS THE INTENTION OF THE CITY COUNCIL TO DIVIDE THE CURRENT PAYMENT FOR SERVICES TO THE WALTON ARTS CENTER INTO THREE EQUAL PAYMENTS TO THE WALTON ARTS CENTER, THEATRESQUARED, INC. AND TO THE CITY FOR INFRASTRUCTURE IMPROVEMENTS IN THE ENTERTAINMENT DISTRICT PARKING DISTRICT

Legislation Text

WALTON ARTS CENTER CURRENT PAYMENT FOR SERVICES

- C. 2 2018-0495 MCCi, LLC: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF ADDITIONAL LASERFICHE USER LICENSES AND MODULES, ANNUAL SOFTWARE MAINTENANCE, AND FUTURE SOFTWARE AND SERVICE NEEDS THROUGH THE END OF 2022 FROM MCCi, LLC IN AN AMOUNT NOT TO EXCEED \$90,000.00 PLUS APPLICABLE TAXES

Legislation Text

MCCi, LLC

- C. 3 2018-0506 JCI INDUSTRIES, INC.: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A REPAIR QUOTE OF \$14,570.00 PLUS APPLICABLE TAXES FROM JCI INDUSTRIES, INC. TO REPAIR A WASTEWATER PUMP USED AT THE GREGG STREET SEWER LIFT STATION

Legislation Text

JCI INDUSTRIES, INC.:

Old Packet JCI INDUSTRIES, INC.

- C. 4 2018-0479 RZN 18-6308 (1400 & 1424 N GREGG AVE/BIRGIN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6308 FOR APPROXIMATELY 0.39 ACRES LOCATED AT 1400 AND 1424 NORTH GREGG AVENUE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

Legislation Text

RZN 18-6308 (1400 & 1424 N GREGG AVE/BIRGIN)

- C. 5 2018-0507 RZN 18-6330 (1101 S BEECHWOOD AVE/ASPEN HEIGHTS PARTNERS: AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6330 FOR APPROXIMATELY 13.26 ACRES LOCATED AT 1101 SOUTH BEECHWOOD AVENUE FROM I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL TO CS, COMMUNITY SERVICES

Legislation Text

RZN 18-6330 (1101 S BEECHWOOD AVE/ASPEN HEIGHTS PARTNERS

- C. 6 2018-0516 REPEAL ARTICLE XXIX CITY BOARD OF HEALTH: AN ORDINANCE TO REPEAL ARTICLE XXIX CITY BOARD OF HEALTH IN CHAPTER 33 DEPARTMENTS, BOARDS, COMMISSIONS AND AUTHORITIES OF THE FAYETTEVILLE CITY CODE

Legislation Text

REPEAL ARTICLE XXIX CITY BOARD OF HEALTH

**D. City Council Agenda Session Presentations**

- D. 1 2018-0455 AGENDA SESSION PRESENTATION: CITY PLAN 2030 UPDATE

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.

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.