

City of Fayetteville, Arkansas

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



City Council Meeting

**November 20, 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

Agenda Additions

A. Consent

- A. 1 2018-0030 APPROVAL OF THE NOVEMBER 8, 2018 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2018-0607 ARACREBS II, LLC D/B/A ELITE BUILDING SOLUTIONS: A RESOLUTION TO APPROVE THE QUOTE BY ARACREBS II, LLC D/B/A ELITE BUILDING SOLUTIONS IN THE AMOUNT OF \$82,260.00, PURSUANT TO RESOLUTION NO. 164-16, FOR REPLACEMENT OF THE DRAKE FIELD TERMINAL BOILER, TO AUTHORIZE THE FACILITIES MANAGEMENT DIVISION TO CONSTRUCT IMPROVEMENTS FOR THE PROJECT AT A COST OF \$5,200.00, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$8,746.00, TO AUTHORIZE ACCEPTANCE OF AN ARKANSAS DEPARTMENT OF AERONAUTICS 50/50 MATCHING GRANT IN THE AMOUNT OF \$43,730.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

ARACREBS II, LLC D/B/A ELITE BUILDING SOLUTIONS

BA _ARACREBS II, LLC D/B/A ELITE BUILDING SOLUTIONS

- A. 3 2018-0617 JET FUEL BUDGET ADJUSTMENT: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$189,000.00 TO APPROPRIATE ADDITIONAL FUNDING FOR THE PURCHASE OF JET FUEL THROUGH THE END OF 2018

Legislation Text

JET FUEL BUDGET ADJUSTMENT

BA_JET FUEL BUDGET ADJUSTMENT

- A. 4 2018-0616 WATER USAGE BUDGET ADJUSTMENT: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,120,000.00 IN THE PURCHASED WATER ACCOUNT DUE TO INCREASED WATER USAGE

Legislation Text

WATER USAGE BUDGET ADJUSTMENT

BA_WATER USAGE BUDGET ADJUSTMENT

- A. 5 2018-0618 FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES AND REIMBURSEMENT PAYMENTS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$64,924.00 RECOGNIZING REVENUE ASSOCIATED WITH FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES AND REIMBURSEMENT PAYMENTS FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY

Legislation Text

FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES AND REIMBURSEMENT PAYMENTS

BA_FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES AND REIMBURSEMENT PAYMENTS

- A. 6 2018-0621 COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA: A RESOLUTION TO APPROVE A RENEWAL OF THE CONTRACT WITH COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA IN THE AMOUNT OF \$165,779.00 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2019, CONTINGENT ON APPROVAL OF THE 2019 ANNUAL CITY BUDGET AND WORK PROGRAM

Legislation Text

COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA

- A. 7 2018-0529 COMMUNITY RESOURCES DONATIONS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$941.00 REPRESENTING DONATIONS TO RANGER'S PANTRY AND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME RECEIVED FROM THE WALTON FAMILY FOUNDATION FOR A TRAVEL AND TRAINING REIMBURSEMENT

Legislation Text

COMMUNITY RESOURCES DONATIONS

BA COMMUNITY RESOURCES DONATIONS

- A. 8 2018-0630 RFQ 18-14 KUTAK ROCK, LLP: A RESOLUTION TO APPROVE A CONTRACT WITH KUTAK ROCK, LLP PURSUANT TO RFQ 18-14 FOR BOND COUNSEL SERVICES AS NEEDED THROUGH DECEMBER 31, 2023

Legislation Text

RFQ 18-14 KUTAK ROCK, LLP

- A. 9 2018-0631 RFQ 18-15 STEPHENS, INC.: A RESOLUTION TO APPROVE A CONTRACT WITH STEPHENS, INC. PURSUANT TO RFQ 18-15 FOR BOND UNDERWRITING AND RELATED SERVICES AS NEEDED THROUGH DECEMBER 31, 2023

Legislation Text

RFQ 18-15 STEPHENS, INC.

B. Unfinished Business

- B. 1 2018-0539 RZN 18-6341 (1248 S. WASHINGTON AVE./SUGARLAND PROPERTIES): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6341 FOR APPROXIMATELY 0.24 ACRES LOCATED AT 1248 SOUTH WASHINGTON AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE - URBAN

Legislation Text

RZN 18-6341 (1248 S. WASHINGTON AVE./SUGARLAND PROPERTIES)

- B. 2 2018-0583 RZN 18-6348 (2454 N. DEANE SOLOMON RD./WILLIAMS TRACTOR): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6348 FOR APPROXIMATELY 1.36 ACRES LOCATED NORTH OF 2454 NORTH DEANE SOLOMON ROAD FROM RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE AND C-2, THOROUGHFARE COMMERCIAL TO C-2, THOROUGHFARE COMMERCIAL

Legislation Text

RZN 18-6348 (2454 N. DEANE SOLOMON RD./WILLIAMS TRACTOR)

C. Public Hearing:

- C. 1 2018-0623 HALSELL HOLDINGS, LLC: A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO SEEK CONDEMNATION AND POSSESSION OF CERTAIN LANDS OWNED BY HALSELL HOLDINGS, LLC NEEDED FOR THE EXTENSION

Legislation Text

HALSELL HOLDINGS, LLC

D. New Business

- D. 1** 2018-0531 BID #18-51 ELECTRICAL RESOURCES, INC.: A RESOLUTION TO AWARD BID #18-51 AND AUTHORIZE A CONTRACT WITH ELECTRICAL RESOURCES, INC. IN THE AMOUNT OF \$478,256.07 FOR THE INSTALLATION OF LIGHTING ALONG THE CATO SPRINGS TRAIL, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID # 18-51 ELECTRICAL RESOURCES, INC.

BA BID # 18-51 ELECTRICAL RESOURCES, INC.

- D. 2** 2018-0611 RZN 18-6386 (WEST OF 203 W. MILLER ST./HARDIN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6386 FOR APPROXIMATELY 0.26 ACRES LOCATED WEST OF 203 WEST MILLER STREET FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-18, RESIDENTIAL SINGLE FAMILY, 18 UNITS PER ACRE

Legislation Text

RZN 18-6386 (WEST OF 203 W. MILLER ST./HARDIN)

- D. 3** 2018-0622 ADM 18-6382 (310 E. 7TH ST./NIEDERMAN): A RESOLUTION TO APPROVE A LESSER DEDICATION OF STREET RIGHT OF WAY (REDUCING IT BY ABOUT TEN INCHES FROM THE CENTERLINE) FROM WHAT THE MASTER STREET PLAN RECOMMENDS ALONG THE APPLICANT'S PROPERTY AT 310 EAST 7TH STREET

Legislation Text

ADM 18-6382 (310 E. 7TH ST./NIEDERMAN)

ADDITIONAL ADM 18-6382 (310 E. 7TH ST./NIEDERMAN)

- D. 4** 2018-0620 ZETA GAMMA HOUSE CORPORATION: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH ZETA GAMMA HOUSE CORPORATION OF KAPPA DELTA SORORITY FOR STREET IMPROVEMENTS ALONG A PORTION OF MAPLE STREET AND VANDEVENTER AVENUE, WITH THE AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$28,470.00

Legislation Text

ZETA GAMMA HOUSE CORPORATION

- D. 5** 2018-0625 OZARKS ELECTRIC COOPERATIVE CORPORATION AND TODAY'S POWER, INC.: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE MAYOR JORDAN TO ENTER INTO AGREEMENTS WITH OZARKS ELECTRIC COOPERATIVE CORPORATION AND TODAY'S POWER, INC. FOR THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF SOLAR POWER GENERATION AND STORAGE EQUIPMENT AND FACILITIES AT FAYETTEVILLE'S WESTSIDE AND NOLAND WASTEWATER TREATMENT FACILITIES, AND TO APPROVE A BUDGET ADJUSTMENT TO PROVIDE FUNDING IN THE AMOUNT OF \$560,818.38 FOR SITE IMPROVEMENTS NECESSARY TO CONNECT TO THE SOLAR ARRAYS

Legislation Text

OZARKS ELECTRIC COOPERATIVE CORPORATION AND TODAY'S POWER, INC.

BA OZARKS ELECTRIC COOPERATIVE CORPORATION AND TODAY'S POWER, INC.

- D. 6** 2018-0626 WOOLSEY CONSERVATION AREA: A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENT TO SUPPORT THE PERMANENT PRESERVATION OF APPROXIMATELY 44 ACRES OF ENVIRONMENTALLY SENSITIVE WET PRAIRIE AND OAK SAVANNAH HABITAT ON CITY-OWNED PROPERTY AT THE WESTSIDE WATER RESOURCE RECOVERY FACILITY

Legislation Text

WOOLSEY CONSERVATION AREA

- D. 7** 2018-0613 2019 ANNUAL BUDGET AND WORK PROGRAM: A RESOLUTION TO ADOPT THE 2019 ANNUAL BUDGET AND WORK PROGRAM

Legislation Text

2019 ANNUAL BUDGET & WORK PROGRAM

- D. 8** 2018-0624 AMEND §166.04 (B) (3) (l) (v) FEE-IN-LIEU ALLOCATION: AN ORDINANCE TO AMEND §166.04 (B) (3) (l) (v) FEE-IN-LIEU ALLOCATION OF THE UNIFIED DEVELOPMENT CODE TO INCREASE THE PERIOD OF TIME FROM THREE YEARS TO FIVE YEARS FOR THE CITY TO EXPEND PARKLAND DEDICATION FEES

Legislation Text

AMEND §166.04 (B) (3) (l) (v) FEE-IN-LIEU ALLOCATION

E. City Council Agenda Session Presentations

E. 1 2018-0438 AGENDA SESSION PRESENTATION: DEPARTMENT OF ECONOMIC VITALITY BUDGET STRUCTURE DISCUSSION

Legislation Text

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 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.