

City of Fayetteville, Arkansas

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



City Council Meeting

**March 5, 2019
5:30 p.m.**

**City Hall Room 219
113 West Mountain**

City Council Members

*Sonia Gutierrez Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Sloan Scroggin 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. 2018-0673 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

Agenda Additions

A. Consent

A. 1 2019-0003 APPROVAL OF THE FEBRUARY 12, 2019 SPECIAL CITY COUNCIL MEETING MINUTES AND FEBRUARY 19, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

A. 2 2018-0759 DEMX ARCHITECTURE, P.A.: A RESOLUTION TO APPROVE AN ARCHITECTURAL SERVICES CONTRACT WITH DEMX ARCHITECTURE, P.A. IN THE AMOUNT OF \$90,800.00 FOR DESIGN, BIDDING, AND CONSTRUCTION ADMINISTRATION SERVICES ASSOCIATED WITH THE CONSTRUCTION OF A NEW FLEET CAR WASH FACILITY, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$9,000.00

Legislation Text

DEM X ARCHITECTURE, P.A

A. 3 2019-0097 HAZMAT SERVICES REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT RECOGNIZING HAZMAT SERVICES REVENUE RECEIVED BY THE FIRE DEPARTMENT FROM WASHINGTON COUNTY IN THE AMOUNT OF \$3,852.00 AND INCREASING THE RELATED EXPENSE BUDGET

Legislation Text

HAZMAT SERVICES REVENUE

BA_HAZMAT SERVICES REVENUE

- A. 4 2019-0121 HAZMAT SERVICES REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$11,298.00 RECOGNIZING HAZMAT SERVICES REVENUE FROM WASHINGTON COUNTY AND INCREASE RELEATED EXPENSE BUDGET

Legislation Text

HAZMAT SERVICES REVENUE

BA_HAZMAT SERVICES REVENUE

- A. 5 2019-0108 AXON ENTERPRISE, INC.: A RESOLUTION TO APPROVE THE PURCHASE OF FOUR ADDITIONAL FOUR-YEAR SOFTWARE LICENSES FROM AXON ENTERPRISE, INC. IN THE AMOUNT OF \$6,708.00 PLUS APPLICABLE TAXES TO ALLOW CITY PROSECUTOR DIVISION STAFF TO ACCESS VIDEO FROM THE POLICE DEPARTMENT'S BODY WORN CAMERAS, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$2,000.00 PER YEAR FOR THE PURCHASE OF ADDITIONAL LICENSES AS NEEDED

Legislation Text

AXON ENTERPRISE, INC.

- A. 6 2019-0111 SPRINGDALE TRACTOR CO.: A RESOLUTION TO AUTHORIZE THE PURCHASE OF FOUR KUBOTA ZD 1211R MOWERS FROM SPRINGDALE TRACTOR CO. IN THE TOTAL AMOUNT OF \$52,059.52, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE AIRPORT AND TRANSPORTATION DEPARTMENT

Legislation Text

SPRINGDALE TRACTOR CO.

- A. 7 2019-0112 SUPERIOR DODGE RAM: A RESOLUTION TO APPROVE THE PURCHASE OF TWO DODGE RAM 1500 TRUCKS FROM SUPERIOR DODGE RAM OF SILOAM SPRINGS IN THE TOTAL AMOUNT OF \$44,636.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE WATER & SEWER OPERATIONS DIVISION AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

SUPERIOR DODGE RAM

BA_SUPERIOR DODGE RAM

- A. 8 2019-0113 P&K EQUIPMENT: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A JOHN DEERE 630 ROTARY MOWER CONDITIONER FROM

P&K EQUIPMENT OF SPRINGDALE, AR IN THE TOTAL AMOUNT OF \$24,482.99, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE UTILITIES DEPARTMENT

Legislation Text

P&K EQUIPMENT

- A. 9 2019-0114 WILLIAMS TRACTOR: A RESOLUTION TO APPROVE THE PURCHASE OF A NEW HOLLAND 450 ROUND BALER FROM WILLIAMS TRACTOR OF FAYETTEVILLE, AR IN THE AMOUNT OF \$32,900.00 PLUS APPLICABLE TAXES PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT FOR USE BY THE UTILITIES DEPARTMENT

Legislation Text

WILLIAMS TRACTOR

- A. 10 2019-0115 ARKANSAS MUNICIPAL EQUIPMENT: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A PETERBILT 520 WITH NEW WAY ROTO PAC BODY FROM ARKANSAS MUNICIPAL EQUIPMENT, INC. IN THE AMOUNT OF \$272,907.22, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Legislation Text

ARKANSAS MUNICIPAL EQUIPMENT

- A. 11 2019-0116 BID #18-52 DOGGETT FREIGHTLINER: A RESOLUTION TO AWARD BID #18-52 AND AUTHORIZE THE PURCHASE OF TWO (2) FREIGHTLINER M2-106 RECYCLING TRUCKS WITH KANN BODIES FROM DOGGETT FREIGHTLINER OF ARKANSAS, LLC IN THE TOTAL AMOUNT OF \$343,952.00 FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

Legislation Text

BID #18-52 DOGGETT FREIGHTLINER

- A. 12 2019-0130 FAYETTEVILLE CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT CONSULTING CONTRACT: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE FIRST RENEWAL OF CONTRACT FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES WITH THE FAYETTEVILLE CHAMBER OF COMMERCE TO PROVIDE FOR PAYMENT OF THE ADDITIONAL AMOUNT OF \$1,850.00 TOWARD TRAVEL EXPENSES FOR CHUNG TAN TO ATTEND THE 2019 RECON CONVENTION

Legislation Text

FAYETTEVILLE CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT
CONSULTING CONTRACT

- A. 13 2019-0118 CROWN CASTLE USA, INC.: A RESOLUTION TO APPROVE A FIVE YEAR LAND LEASE AGREEMENT WITH NCWPCS MPL 28 - YEAR SITES TOWER HOLDINGS, LLC, A SUBSIDIARY OF CROWN CASTLE USA INC. WITH AUTOMATIC RENEWALS FOR THREE ADDITIONAL FIVE YEAR TERMS FOR WIRELESS COMMUNICATIONS TOWER SPACE NEAR THE TOWNSHIP WATER TANK

Legislation Text

CROWN CASTLE USA, INC.

B. Unfinished Business

- B. 1 2019-0055 RZN 18-6490(4847 W. WEDINGTON DR./WEDINGTON LANDING SD): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6490 FOR APPROXIMATELY 7.64 ACRES LOCATED AT 4847 WEST WEDINGTON DRIVE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE AND NC, NEIGHBORHOOD CONSERVATION TO RMF-12, RESIDENTIAL MULTI-FAMILY, 12 UNITS PER ACRE

Legislation Text

RZN 18-6490(4847 W. WEDINGTON DR./WEDINGTON LANDING SD).

- B. 2 2019-0089 RZN 18-6488 (825 W. MONTGOMERY ST./BALLARD): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6488 FOR APPROXIMATELY 0.42 ACRES LOCATED AT 825 WEST MONTGOMERY STREET FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES GENERAL

Legislation Text

RZN 18-6488 (825 W. MONTGOMERY ST./BALLARD).

- B. 3 2019-0080 ADM 18-6256 (AMEND UDC 161 AND 166): AN ORDINANCE TO AMEND § 161.20 DISTRICT R-O, RESIDENTIAL OFFICE, § 161.21 DISTRICT C-1, NEIGHBORHOOD COMMERCIAL, § 161.23 DISTRICT C-2, THOROUGHFARE COMMERCIAL, § 161.25 DISTRICT C-3, CENTRAL COMMERCIAL, AND § 166.24 NONRESIDENTIAL DESIGN STANDARDS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO PROVIDE A FORM BASED DEVELOPMENT OPTION FOR DISTRICTS R-O, C-1, C-2, AND C-3

Legislation Text

ADM 18-6256 (AMEND UDC 161 AND 166).

C. New Business

- C. 1 2019-0109 UNDERWOOD FAMILY TRAIL LICENSE AGREEMENT: A RESOLUTION TO APPROVE THE ATTACHED TRAIL LICENSE AGREEMENT WITH THE UNDERWOOD FAMILY REAL ESTATE LIMITED PARTNERSHIP AND TO THANK THE UNDERWOODS FOR GENEROUSLY ALLOWING FAYETTEVILLE CITIZENS TO USE SOME TRAILS ON THEIR PROPERTY.

Legislation Text

UNDERWOOD FAMILY TRAIL LICENSE AGREEMENT

- C. 2 2019-0129 SOLSMART SOLAR-FRIENDLY COMMUNITY PROGRAM: A RESOLUTION TO EXPRESS THE FAYETTEVILLE CITY COUNCIL SUPPORT FOR THE CITY'S PARTICIPATION IN THE SOLSMART SOLAR-FRIENDLY COMMUNITY PROGRAM

Legislation Text

SOLSMART SOLAR-FRIENDLY COMMUNITY PROGRAM

- C. 3 2019-0124 RZN 19-6524 (2827 E. WHIPPOORWILL LN./ROTH FAMILY PARTNERSHIP): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6524 FOR APPROXIMATELY 2.14 ACRES LOCATED AT 2827 WEST WHIPPOORWILL LANE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RES-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

Legislation Text

RZN 19-6524 (2827 E. WHIPPOORWILL LN./ROTH FAMILY PARTNERSHIP)

- C. 4 2019-0126 RZN 18-6523 (504 W. PRAIRIE ST./PETERS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6523 FOR APPROXIMATELY .99 ACRES LOCATED AT 504 WEST PRAIRIE STREET FROM I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN AND DG, DOWNTOWN GENERAL

Legislation Text

RZN 18-6523 (504 W. PRAIRIE ST./PETERS)

- C. 5 2019-0125 RZN 19-6525 (509 E. 15TH ST./LDR ENTERPRISES, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6525 FOR APPROXIMATELY 2.37 ACRES LOCATED AT 509 EAST 15TH STREET FROM RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE TO I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL

Legislation Text

RZN 19-6525 (509 E. 15TH ST./LDR ENTERPRISES, LLC)

- C. 6 2019-0058 699 NORTH SANG AVENUE DAMAGE CLAIM: AN ORDINANCE TO WAIVE THE REQUIREMENT OF FORMAL COMPETITIVE BIDDING AND TO APPROVE PAYMENT IN THE AMOUNT OF \$7,590.04 TO TEMPLE SHALOM OF NORTHWEST ARKANSAS AND \$27,926.73 TO SERVICEMASTER BY QUALITY RESTORATION FOR A SEWER DAMAGE CLAIM AT 699 NORTH SANG AVENUE

Legislation Text

699 NORTH SANG AVENUE DAMAGE CLAIM

- C. 7 2019-0105 RIGGS POWER SYSTEMS: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$87,495.00, PLUS APPLICABLE TAXES, FROM J.A. RIGGS TRACTOR COMPANY D/B/A RIGGS POWER SYSTEMS FOR THE PURCHASE AND INSTALLATION OF A REPLACEMENT BI-FUEL SYSTEM FOR THE GENSET ELECTRICAL POWER GENERATOR AT THE NOLAND WASTEWATER TREATMENT FACILITY

Legislation Text

RIGGS POWER SYSTEMS

- C. 8 2019-0117 AUTOMATIC ENGINEERING: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND TO ACCEPT A REPAIR QUOTE OF \$140,452.33, PLUS APPLICABLE TAXES, FROM AUTOMATIC ENGINEERING TO REPAIR FOUR AGITATOR GEARBOXES FOR THE PAUL R. NOLAND WASTEWATER TREATMENT FACILITY

Legislation Text

AUTOMATIC ENGINEERING

- C. 9 2019-0120 WEST FORK SANITARY SEWER SERVICE: A RESOLUTION TO APPROVE THE ATTACHED 15 YEAR CONTRACT FOR SANITARY SEWER SERVICE BETWEEN THE CITIES OF WEST FORK AND FAYETTEVILLE IN WHICH FAYETTEVILLE WILL ACCEPT AND TREAT WEST FORK'S SEWERAGE IN OUR NOLAND WASTEWATER PLANT

Legislation Text

WEST FORK SANITARY SEWER SERVICE

D. City Council Agenda Session Presentations

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 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.