

City of Fayetteville, Arkansas

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



City Council Meeting

**September 3, 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. 2018-0679 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

Agenda Additions

A. Consent

A. 1 2019-0015 APPROVAL OF THE AUGUST 20, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

A. 2 2019-0491 AMEND RESOLUTION 177-19: A RESOLUTION TO AMEND RESOLUTION 117-19 TO AUTHORIZE THE PAYMENT OF APPLICABLE SALES TAXES AND FREIGHT CHARGES IN ADDITION TO THE PURCHASE PRICE OF \$60,990.00 FOR THE PURCHASE OF WATER LEAK DETECTION EQUIPMENT FROM AVO MULTI-AMP CORPORATION D/B/A MEGGER GROUP FOR THE WATER AND SEWER OPERATIONS DIVISION

Legislation Text

AMEND RESOLUTION 177-19

A. 3 2019-0450 CROSSLAND HEAVY CONTRACTORS, INC.: A RESOLUTION TO ACCEPT A QUOTE IN THE AMOUNT OF \$14,643.00 PLUS APPLICABLE TAXES FROM CROSSLAND HEAVY CONTRACTORS, INC. FOR THE INSTALLATION OF A BAFFLE PLATE AT THE MALLY WAGNON WASTEWATER LIFT STATION, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

CROSSLAND HEAVY CONTRACTORS, INC.

BA_CROSSLAND HEAVY CONTRACTORS, INC.

- A. 4 2019-0474 RFQ #19-01 GARVER, LLC: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC, PURSUANT TO RFQ #19-01, IN THE AMOUNT NOT TO EXCEED \$59,600.00 FOR THE REHABILITATION OF THE ROUND MOUNTAIN WATER STANDPIPE PROJECT

Legislation Text

RFQ #19-01 GARVER, LLC

- A. 5 2019-0506 BADGER METER, INC. AND HENARD UTILITY PRODUCTS, INC.: A RESOLUTION TO APPROVE A ONE YEAR MASTER SERVICE AGREEMENT WITH BADGER METERS, INC IN THE AMOUNT OF \$240,817.00 PLUS APPLICABLE TAXES TO PURCHASE 1,200 SMART WATER METERS THROUGH ITS SUPPLIER, HENARD UTILITY PRODUCTS, INC., FOR THE WATER AND SEWER DEPARTMENT

Legislation Text

BADGER METER, INC. AND HENARD UTILITY PRODUCTS, INC.

- A. 6 2019-0500 ADM 19-6808 (417 W. MARTIN LUTHER KING BLVD./FARMERS CO-OP APTS.): A RESOLUTION PURSUANT TO § 166.04(B)(3) OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO APPROVE THE DEDICATION OF A REDUCED AMOUNT OF RIGHT OF WAY ALONG WEST MARTIN LUTHER KING, JR. BOULEVARD BY APPROXIMATELY 18 SQUARE FEET TO ACCOUNT FOR A PORTION OF AN EXISTING STRUCTURE AND TO REDUCE THE MASTER STREET PLAN RIGHT OF WAY DEDICATION FOR THIS PORTION OF WEST MARTIN LUTHER KING, JR. BOULEVARD BY 18 SQUARE FEET

Legislation Text

ADM 19-6808 (417 W. MARTIN LUTHER KING BLVD./FARMERS CO-OP APTS.)

- A. 7 2019-0501 ADM 19-6772 (312 E. NORTH ST./THOMPSON): A RESOLUTION PURSUANT TO § 166.04(B)(2) OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO APPROVE THE DEDICATION OF A REDUCED AMOUNT OF RIGHT OF WAY ALONG EAST NORTH STREET BY APPROXIMATELY 33.5 SQUARE FEET ASSOCIATED WITH A LOT SPLIT AT 312 EAST NORTH STREET, AND TO REDUCE THE MASTER STREET PLAN RIGHT OF WAY DEDICATION FOR THIS PORTION OF EAST NORTH STREET BY 33.5 SQUARE FEET

Legislation Text

ADM 19-6772 (312 E. NORTH ST. - THOMPSON)

B. Unfinished Business

- B. 1** 2019-0462 RZN 19-6716 (EAST OF 3638 N. FRONT ST./TRAILS AT MUD CREEK): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6716 FOR APPROXIMATELY 10.43 ACRES LOCATED EAST OF 3638 NORTH FRONT STREET FROM C-2, THOROUGHFARE COMMERCIAL AND I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL TO CS, COMMUNITY SERVICES

Legislation Text

RZN 19-6716 (EAST OF 3638 N. FRONT ST./TRAILS AT MUD CREEK)

- B. 2** 2019-0459 RZN 19-6737 (4195 & 4245 W. MARTIN LUTHER KING BLVD./HANCOCK): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6737 FOR APPROXIMATELY 1.81 ACRES LOCATED AT 4195 AND 4245 WEST MARTIN LUTHER KING BOULEVARD FROM R-O, RESIDENTIAL OFFICE TO UT, URBAN THOROUGHFARE

Legislation Text

RZN 19-6737 (4195 & 4245 W. MARTIN LUTHER KING BLVD./HANCOCK)

- B. 3** 2019-0452 ENTERTAINMENT DISTRICT BOUNDARIES: AN ORDINANCE TO ESTABLISH BOUNDARIES FOR AN ENTERTAINMENT DISTRICT IN THE CITY OF FAYETTEVILLE AND TO PROMULGATE RULES FOR THE LIMITED OUTDOOR CONSUMPTION OF ALCOHOL IN CERTAIN PUBLIC PLACES

Legislation Text

ENTERTAINMENT DISTRICT BOUNDARIES:

- B. 4** 2019-0489 AMEND §72.18, RESIDENTIAL PARKING PERMIT PROGRAM FOR THE ENTERTAINMENT DISTRICT PARKING ZONE ILA STREET: AN ORDINANCE TO AMEND §72.18, RESIDENTIAL PARKING PERMIT PROGRAM FOR THE ENTERTAINMENT DISTRICT PARKING ZONE OF THE FAYETTEVILLE CITY CODE TO EXPAND RESIDENTIAL-ONLY PARKING IN THE NORTH ZONE OF THE ENTERTAINMENT DISTRICT PARKING ZONE

Legislation Text

AMEND §72.18, RESIDENTIAL PARKING PERMIT PROGRAM FOR THE ENTERTAINMENT DISTRICT PARKING ZONE

ADDITIONAL AMEND §72.18, RESIDENTIAL PARKING PERMIT PROGRAM FOR THE ENTERTAINMENT DISTRICT PARKING ZONE

C. New Business

- C. 1 2019-0536 FAYETTEVILLE PUBLIC SCHOOL DISTRICT: A RESOLUTION TO THANK AND CONGRATULATE THE FAYETTEVILLE PUBLIC SCHOOL DISTRICT FOR ITS SUBSTANTIAL AND EFFECTIVE EFFORTS TO REDUCE USE OF SINGLE USE EXPANDED POLYSTYRENE FOAM PRODUCTS

Legislation Text

FAYETTEVILLE PUBLIC SCHOOL DISTRICT

- C. 2 2019-0494 AMEND §97.066 HUNTING AND FIREARMS: AN ORDINANCE TO AMEND §97.066 HUNTING AND FIREARMS OF THE PARKS AND RECREATION CHAPTER OF THE FAYETTEVILLE CODE TO EXPRESSLY RECOGNIZE EXCEPTIONS TO THE NO FIREARMS IN THE PARKS PROHIBITION

Legislation Text

AMEND §97.066 HUNTING AND FIREARMS

- C. 3 2019-0487 VERIZON WIRELESS: A RESOLUTION TO APPROVE THE CONVEYANCE OF A UTILITY EASEMENT TO CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR THE SUM OF \$39,020.00 FOR THE INSTALLATION OF FIBER INFRASTRUCTURE ALONG THE MARKHAM WATER TANK ACCESS ROAD

Legislation Text

VERIZON WIRELESS

- C. 4 2019-0482 AMEND CHAPTER 161, SIDEWALK CAFES: AN ORDINANCE TO AMEND CHAPTER 161, ZONING REGULATIONS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE BY MOVING SIDEWALK CAFES FROM CONDITIONAL USES TO PERMITTED USES IN COMMERCIAL AND MIXED-USE ZONES TO ALIGN WITH THE INTENT OF ORDINANCE 5979 TO ALLOW ADMINISTRATIVE APPROVAL OF SIDEWALK CAFES

Legislation Text

(AMEND UDC CHAPTER 161: SIDEWALK CAFES)

- C. 5 2019-0509 FAYETTEVILLE ADVERTISING AND PROMOTION COMMISSION CONTRACT: A RESOLUTION TO APPROVE A CONTRACT WITH THE FAYETTEVILLE ADVERTISING AND PROMOTION COMMISSION IN THE AMOUNT OF \$35,000.00 TO MANAGE THE DEVELOPMENT OF VARIOUS PROGRAMMING, MARKETING AND OPERATIONS ASPECTS OF THE CULTURAL ARTS CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

FAYETTEVILLE ADVERTISING AND PROMOTION COMMISSION CONTRACT

BA FAYETTEVILLE ADVERTISING AND PROMOTION COMMISSION CONTRACT

- C. 6 2019-0488 ARKANSAS STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FUND: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE ARKANSAS STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FUND FOR STATE FUNDING OF THE FOURTH JUDICIAL DISTRICT DRUG TASK FORCE IN THE AMOUNT OF \$91,319.00, TO AUTHORIZE MAYOR JORDAN TO SIGN ALL NECESSARY DOCUMENTS TO RECEIVE THE GRANT FUNDS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

ARKANSAS STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FUND

BA ARKANSAS STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FUND

- C. 7 2019-0497 RZN 19-6750 (2143 N. RUPPLE RD./WT TRANSFER HOLDING CO.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6750 FOR APPROXIMATELY 4.57 ACRES LOCATED 2143 NORTH RUPPLE ROAD FROM R-O, RESIDENTIAL OFFICE TO CS, COMMUNITY SERVICES

Legislation Text

RZN 19-6750 (2143 N. RUPPLE RD./WT TRANSFER HOLDING CO.)

- C. 8 2019-0496 RZN 19-6747 (1140 N. COLLEGE AVE./FHA DEVELOPMENT): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6747 FOR APPROXIMATELY 0.61 ACRES LOCATED AT 1140 NORTH COLLEGE AVENUE FROM C-2, THOROUGHFARE COMMERCIAL TO CS, COMMUNITY SERVICES

Legislation Text

RZN 19-6747 (1140 N. COLLEGE AVE./FHA DEVELOPMENT)

- C. 9 2019-0495 AMEND THE MASTER STEET PLAN: A RESOLUTION TO AMEND THE MASTER STREET PLAN BY DOWNGRADING PORTIONS OF THE RIGHT-OF-WAY LOCATED WITHIN THE SLOANBROOKE SUBDIVISION FROM COLLECTOR STREETS TO LOCAL STREETS

Legislation Text

ADM 19-6761 (SOUTH OF FAITH DR. & OLDHAM DR. SLOANBROOKE PH. V)

- C. 10 2019-0490 PARKSON CORPORATION: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$47,500.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM PARKSON CORPORATION FOR THE PURCHASE OF AN ELECTRIC TILLING MOLE FOR THE BIOSOLIDS MANAGEMENT SITE, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

PARKSON CORPORATION

BA_PARKSON CORPORATION

- C. 11 2019-0471 BUFFINGTON WEIR, LLC: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH BUFFINGTON WEIR, LLC, FOR THE INSTALLATION OF A WATER MAIN ALONG A PORTION OF RUPPLE ROAD, WITH THE ESTIMATED AMOUNT OF \$206,070.00 TO BE PAID BY THE CITY OF FAYETTEVILLE, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$30,900.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BUFFINGTON WEIR, LLC

BA_BUFFINGTON WEIR, LLC

- C. 12 2019-0485 3VOLVE HOUSING COMPANY: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH 3VOLVE HOUSING COMPANY FOR THE INSTALLATION OF A SEWER MAIN LINE ALONG A PORTION OF SOUTH CURTIS AVENUE, WITH THE AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$18,327.50, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$1,833.00

Legislation Text

3VOLVE HOUSING COMPANY

- C. 13 2019-0499 SPRING STREET COTTAGES, LLC: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH SPRING STREET COTTAGES, LLC FOR THE INSTALLATION OF A FIRE HYDRANT NEAR THE INTERSECTION OF EAST SPRING STREET AND NORTH WASHINGTON AVENUE, WITH MATERIALS TO BE PROVIDED BY THE CITY OF FAYETTEVILLE IN THE AMOUNT OF \$3,682.29

Legislation Text

SPRING STREET COTTAGES, LLC

- C. 14 2019-0454 2019 BOND APPROPRIATION: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$134,588,625.00 TO APPROPRIATE PROCEEDS FROM THE 2019 CITY SALES AND USE TAX BONDS

Legislation Text

2019 BOND APPROPRIATION

BA_2019 BOND APPROPRIATION

- C. 15 2019-0542 SOUTH SCHOOL PROPERTY LAND SALE AGREEMENT: A RESOLUTION TO APPROVE THE PURCHASE OF 1.76 ACRES OF PROPERTY LOCATED ON SOUTH SCHOOL AVENUE FROM ROBERT AND VICKIE PARKER FOR THE AMOUNT OF \$180,000.00 FOR THE CONSTRUCTION OF A FIRE STATION, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$9,000.00 TO COVER ALL ASSOCIATED CLOSING COSTS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

SOUTH SCHOOL PROPERTY LAND SALE AGREEMENT

BA_SOUTH SCHOOL PROPERTY LAND SALE AGREEMENT

- C. 16 2019-0545 FAYETTEVILLE FIRE STATION AND POLICE HEADQUARTERS: A RESOLUTION TO APPROVE THE REAL ESTATE AGREEMENT (OFFER AND ACCEPTANCE) BETWEEN THE CITY OF FAYETTEVILLE AND THE DIVISION OF AGRICULTURE OF THE UNIVERSITY OF ARKANSAS TO PURCHASE ABOUT 11.6 ACRES LOCATED NORTH OF DEANE STREET AND EAST OF PORTER ROAD FOR THE CONSTRUCTION OF A NEW FAYETTEVILLE FIRE STATION AND POLICE HEADQUARTERS COMPLEX FOR TWO MILLION FIVE HUNDRED AND NINETY THOUSAND DOLLARS (\$2,590,000.00), PLUS ANY ASSOCIATED CLOSING COSTS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

FAYETTEVILLE FIRE STATION AND POLICE HEADQUARTERS

BA_FAYETTEVILLE FIRE STATION AND POLICE HEADQUARTERS

- C. 17 2019-0541 LEWIS FIELDS PARK REAL ESTATE AGREEMENT: A RESOLUTION TO APPROVE THE REAL ESTATE AGREEMENT (OFFER AND ACCEPTANCE) BETWEEN THE CITY OF FAYETTEVILLE AND THE FAYETTEVILLE PUBLIC SCHOOL DISTRICT TO JOINTLY PURCHASE ABOUT 27.5 ACRES KNOWN AS LEWIS FIELDS PARK FROM THE DIVISION OF AGRICULTURE OF THE UNIVIERSITY OF ARKANSAS IN THE AMOUNT OF THREE AND A HALF MILLION DOLLARS (\$1,750,000.00 EACH) PLUS ANY ASSOCIATED CLOSING COSTS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

LEWIS FIELDS PARK REAL ESTATE AGREEMENT

BA LEWIS FIELDS PARK REAL ESTATE AGREEMENT

D. City Council Agenda Session Presentations

D. 1 2019-0484 AGENDA SESSION CSU PRESENTATION - KRISTIN MCALLISTER

Legislation Text

D. 2 2019-0390 AGENDA SESSION PRESENTATION - AIRPORT PRESENTATION BY SUMMER FALLEN

Legislation Text

D. 3 2019-0395 AGENDA SESSION PRESENTATION: SINGLE USE PLASTICS

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 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.