

# City of Fayetteville, Arkansas

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



## City Council Meeting

**October 1, 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. 2018-0680 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

2. 2019-0444 ORT-OZARK REGIONAL TRANSIT - PERIODIC REPORT

Legislation Text

**Agenda Additions**

**A. Consent**

- A. 1 2019-0017 APPROVAL OF THE SEPTEMBER 3, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2019-0529 RFQ #19-01 OLSSON, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH OLSSON, INC., PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$37,408.00 FOR DESIGN, ENGINEERING, SURVEYING, AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE EXPANSION OF AND IMPROVEMENTS TO THE TOWNSHIP STREET PARKING LOT AT GULLEY PARK, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$1,592.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

RFQ #19-01 OLSSON, INC.

BA RFQ #19-01 OLSSON, INC.

- A. 3 2019-0577 RFQ #19-01 MCCLELLAND CONSULTING ENGINEERS, INC.: A

RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC., PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$65,950.00 FOR CONCEPTUAL DRAINAGE DESIGN SERVICES ASSOCIATED WITH FLOODING NEAR EAST FAIRLANE STREET, SOUTH ELMHURST AVENUE, AND EAST MCCLINTON STREET, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

MCCLELLAND CONSULTING ENGINEERS, INC.

BA MCCLELLAND CONSULTING ENGINEERS, INC.

- A. 4 2019-0586 PETERSEN INDUSTRIES: A RESOLUTION TO APPROVE THE PURCHASE OF A PETERSEN TL3 LIGHTNING LOADER TRUCK FROM PETERSEN INDUSTRIES IN THE AMOUNT OF \$181,558.46 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

PETERSEN INDUSTRIES

BA PETERSEN INDUSTRIES

- A. 5 2019-0587 MOHAWK RESOURCES LTD: A RESOLUTION TO APPROVE THE PURCHASE AND INSTALLATION OF A VEHICLE LIFT AND LIGHTING SYSTEM FOR THE FLEET SHOP FROM MOHAWK RESOURCES LTD IN THE AMOUNT OF \$124,831.23 PLUS ANY APPLICABLE SALES TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$12,483.00

Legislation Text

MOHAWK RESOURCES LTD

- A. 6 2019-0588 FTN ASSOCIATES, LTD: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FTN ASSOCIATES, LTD., PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$63,466.00 FOR THE COMPLETION OF PHASE ONE OF AN ASSESSMENT OF THE LAKE FAYETTEVILLE SPILLWAY CAPACITY AND RECOMMENDED IMPROVEMENTS AS REQUIRED BY THE ARKANSAS NATURAL RESOURCES COMMISSION

Legislation Text

FTN ASSOCIATES, LTD.

- A. 7 2019-0597 OLSSON, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH OLSSON, INC., PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$114,220.00 FOR PLANNING AND DESIGN SERVICES ASSOCIATED WITH THE LAKE SEQUOYAH DREDGING OPERATIONS AND WATER QUALITY IMPROVEMENTS PROJECT

Legislation Text

OLSSON, INC.

- A. 8 2019-0600 VERIZON WIRELESS FOURTH AMENDMENT: A RESOLUTION TO APPROVE THE FOURTH AMENDMENT TO THE WATER TOWER ATTACHMENT COMMUNICATIONS SITE AGREEMENT WITH CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS TO EXTEND THE LEASE FOR TWO ADDITIONAL FIVE-YEAR TERMS AND INCREASE THE RENTAL AMOUNT FOR CELLULAR COMMUNICATIONS EQUIPMENT ON THE GULLEY PARK WATER TANK

Legislation Text

VERIZON WIRELESS FOURTH AMENDMENT

- A. 9 2019-0601 CH2M HILL ENGINEERS, INC: A RESOLUTION TO APPROVE AN OUT-OF-SCOPE AGREEMENT WITH CH2M HILL ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$38,860.00 FOR SOFTWARE UPGRADES TO THE SCADA SYSTEM USED BY WASTEWATER TREATMENT FACILITY OPERATIONS, LIFT STATION OPERATIONS, AND WATER DISTRIBUTION SYSTEM OPERATIONS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

CH2M HILL ENGINEERS, INC.

BA CH2M HILL ENGINEERS, INC.

**B. Unfinished Business**

- B. 1 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

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

**C. New Business**

- C. 1 2019-0589 DOGGETT FREIGHTLINER: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND ACCEPT A QUOTE OF \$51,413.22 FROM DOGGETT FREIGHTLINER OF SPRINGDALE FOR THE REPAIR OF A 2018 FREIGHTLINER DUMP TRUCK DAMAGED IN AN ACCIDENT ON AUGUST 12, 2019, AND TO AUTHORIZE PAYMENT FOR ANY NECESSARY SUPPLEMENTAL WORK IDENTIFIED DURING THE REPAIR

Legislation Text

DOGGETT FREIGHTLINER

- C. 2 2019-0626 CRYSTAL SPRINGS SUBDIVISION PHASE IV APPEAL: A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBER KYLE SMITH AND DENY PRELIMINARY PLAT PPL 19-6719 FOR CRYSTAL SPRINGS SUBDIVISION PHASE IV

Legislation Text

CRYSTAL SPRINGS SUBDIVISION PHASE IV APPEAL

ADDITIONAL CRYSTAL SPRINGS SUBDIVISION PHASE IV APPEAL

- C. 3 2019-0486 JOHN M. OTTEN COST SHARE AGREEMENT: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH JOHN M. OTTEN, FOR THE INSTALLATION OF A SANITARY SEWER LINE ALONG A PORTION OF WEST MAINE STREET, WITH THE AMOUNT NOT TO EXCEED \$15,544.50 TO BE PAID BY THE CITY OF FAYETTEVILLE, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$1,555.00

Legislation Text

JOHN M. OTTEN COST SHARE AGREEMENT

- C. 4 2019-0630 PROPOSED ARKANSAS NUTRIENT WATER QUALITY TRADING REGULATION NO. 37: A RESOLUTION TO EXPRESS THE OPPOSITION OF THE FAYETTEVILLE CITY COUNCIL TO THE CURRENTLY PROPOSED ARKANSAS NUTRIENT WATER QUALITY TRADING REGULATION NO. 37

Legislation Text

PROPOSED ARKANSAS NUTRIENT WATER QUALITY TRADING REGULATION  
NO. 37

- C. 5 2019-0599 RZN 19-6792 (3030 W. OLD FARMINGTON RD./DAVENPORT): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6792 FOR APPROXIMATELY 0.36 ACRES LOCATED AT 3030 WEST OLD FARMINGTON ROAD FROM RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE TO RSF-18, RESIDENTIAL SINGLE FAMILY, 18 UNITS PER ACRE

Legislation Text

RZN 19-6792 (3030 W. OLD FARMINGTON RD./DAVENPORT)

- C. 6 2019-0590 RZN 19-6796 (705 S. CHURCH AVE PEAK DEVELOPMENT LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6796 FOR APPROXIMATELY 0.17 ACRES LOCATED AT 705 SOUTH CHURCH AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO DG, DOWNTOWN GENERAL

Legislation Text

RZN 19-6796 (705 S. CHURCH AVE PEAK DEVELOPMENT LLC)

- C. 7 2019-0592 RZN 19-6800 (316 S. BLOCK AVE./LUDWIG): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6800 FOR APPROXIMATELY 0.18 ACRES LOCATED AT 316 SOUTH BLOCK AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO RSF-18, RESIDENTIAL SINGLE FAMILY, 18 UNITS PER ACRE

Legislation Text

RZN 19-6800 (316 S. BLOCK AVE./LUDWIG)

- C. 8 2019-0593 RZN 19-6802 (SE OF 11TH ST. & WASHINGTON AVE./3VOLVE HOUSING, LLC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6802 FOR APPROXIMATELY 0.55 ACRES LOCATED SOUTHEAST OF 11TH STREET AND WASHINGTON AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Legislation Text

RZN 19-6802 (SE OF 11TH ST. & WASHINGTON AVE./3VOLVE HOUSING, LLC.)

- C. 9 2019-0620 NELSON BYRD WOLTZ LANDSCAPE ARCHITECTS CHANGE ORDER NO. 2: A RESOLUTION TO APPROVE CHANGE ORDER NO. 2 TO THE CONTRACT WITH NELSON BYRD WOLTZ, LLC IN THE AMOUNT OF \$1,075,537.00 FOR PHASES 3 AND 4 OF THE CULTURAL ARTS CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

NELSON BYRD WOLTZ LANDSCAPE ARCHITECTS

BA\_NELSON BYRD WOLTZ LANDSCAPE ARCHITECTS

- C. 10 2019-0580 AMEND CHAPTER 166.08: AN ORDINANCE TO AMEND CHAPTER 166.08, STREET DESIGN AND ACCESS MANAGEMENT STANDARDS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO DISCOURAGE DOUBLE FRONTAGE LOTS AND ENCOURAGE PRIMARY STRUCTURES TO BE ORIENTED TOWARD HIGHER FUNCTIONAL CLASSIFICATION STREETS

Legislation Text

AMEND CHAPTER 166.08

- C. 11 2019-0579 AMEND §172.11 AND § 166.08: AN ORDINANCE TO AMEND §172.11, DRIVEWAY AND PARKING STANDARDS FOR FOUR (4) OR LESS PARKING SPACES AND § 166.08 STREET DESIGN AND ACCESS MANAGEMENT STANDARDS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO REDUCE DRIVEWAY WIDTHS IN ZONING DISTRICTS REQUIRING A BUILD-TO ZONE AND TO REDUCE DRIVEWAY SETBACKS FOR SINGLE FAMILY HOMES IN ZONING DISTRICTS REQUIRING A BUILD-TO ZONE

Legislation Text

AMEND §172.11 AND § 166.08

ADDITIONAL\_AMEND §172.11 AND § 166.08

**D. City Council Agenda Session Presentations**

- D. 1 2019-0431 AGENDA SESSION PRESENTATION: ECONOMIC DEVELOPMENT CONSULTING CONTRACT SEMI-ANNUAL UPDATE

Legislation Text

- D. 2 2019-0433 AGENDA SESSION PRESENTATION: ENTREPRENEURSHIP AND INNOVATION CONTRACT SEMI-ANNUAL 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.