

City of Fayetteville, Arkansas

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



City Council Meeting

**November 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***

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items

1. 2019-0731 FAYETTEVILLE CITIZEN RECOGNITION - THE FAYETTEVILLE FIRE DEPARTMENT WOULD LIKE TO RECOGNIZE 12 YEAR OLD JACOBY GIPSON FOR HIS QUICK THINKING, HIS BRAVERY AND COURAGE IN THE FACE OF AN EMERGENCY STRUCTURE FIRE AT 6321 W. EL PASO STREET ON THE MORNING OF AUGUST 17, 2019. JACOBY'S ACTIONS WERE VALIANT AND THEY WITHOUT A DOUBT SAVED HIS LIFE, ALONG WITH THE FAMILY DOG.

Legislation Text

2. 2018-0681 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

Agenda Additions

A. Consent

- A. 1 2019-0019 APPROVAL OF THE OCTOBER 1, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2019-0684 2020 T-HANGAR LEASE AGREEMENTS: A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2020 AT THE CURRENT RENTAL RATE OR AS ADJUSTED UPWARD BY THE AIRPORT BOARD FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE EXECUTIVE AIRPORT

Legislation Text

2020 T-HANGAR LEASE AGREEMENTS

- A. 3 2019-0690 SUPERIOR CHEVROLET: A RESOLUTION TO APPROVE THE PURCHASE OF A DODGE RAM 1500 QUAD CAB 4X4 TRUCK FROM SUPERIOR

CHEVROLET OF SILOAM SPRINGS IN THE AMOUNT OF \$22,434.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE WATER AND SEWER OPERATIONS DIVISION

Legislation Text

SUPERIOR CHEVROLET

- A. 4 2019-0697 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 \$92,200.00.00 FOR THE DESIGN OF THE WEST CENTER STREET AND NORTH HARMON AVENUE INTERSECTION, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

RFQ 19-01 MCCLELLAND CONSULTING ENGINEERS, INC.

BA "RFQ 19-01SELECTION 28" MCCLELLAND CONSULTING ENGINEERS, INC.

- A. 5 2019-0698 GARVER, LLC: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC, PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$87,200.00 TO PROVIDE A CONCEPTUAL STUDY AND DESIGN OF AN INTERSTATE 49 OVERPASS AT 15TH STREET

Legislation Text

Garver, LLC

- A. 6 2019-0706 ARKANSAS DEPARTMENT OF TRANSPORTATION HIGHWAY 16 EASEMENT: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SELL APPROXIMATELY 2,621 SQUARE FEET OF CITY PROPERTY AND CONVEY A 124 SQUARE FOOT TEMPORARY CONSTRUCTION EASEMENT ALONG HIGHWAY 16 TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY 16 (SOUTH SCHOOL TO ARMSTRONG) PROJECT FOR THE TOTAL AMOUNT OF \$1,225.00

Legislation Text

ARKANSAS DEPARTMENT OF TRANSPORTATION HIGHWAY 16 EASEMENT

- A. 7 2019-0694 BID #19-39 JBZ, INC. DBA ELLINGSON CONTRACTING: A RESOLUTION TO AWARD BID #19-39 AND AUTHORIZE A CONTRACT WITH JBZ, INC. D/B/A ELLINGSON CONTRACTING IN THE AMOUNT OF \$329,299.00 FOR PHASE 1 OF THE RESTORATION AND RECONSTRUCTION OF THE WOOLSEY FARMSTEAD, TO APPROVE CHANGE ORDER NO. 1 REFLECTING VALUE ENGINEERING ITEMS AND REDUCING THE TOTAL CONTRACT AMOUNT TO \$279,099.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00

Legislation Text

BID #19-39 JBZ,INC. DBA ELLINGSON CONTRACTING

- A. 8 2019-0707 GRASSHOPPER CONSTRUCTION, LLC: A RESOLUTION TO AWARD BID # 62123-1902 AND AUTHORIZE A CONTRACT WITH GRASSHOPPER CONSTRUCTION, LLC IN THE AMOUNT OF \$29,993.37 FOR COMMUNITY DEVELOPMENT BLOCK GRANT REHABILITATION OF AN ELIGIBLE RESIDENCE LOCATED AT 306 ELLA STREET

Legislation Text

GRASSHOPPER CONSTRUCTION, LLC

- A. 9 2019-0702 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 \$170,095.00 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2020, CONTINGENT ON APPROVAL OF THE 2020 ANNUAL CITY BUDGET AND WORK PROGRAM

Legislation Text

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

- A. 10 2019-0651 CHRISTINA MERE ACCESS EASEMENT: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SELL APPROXIMATELY 223 SQUARE FEET OF CITY PROPERTY AND CONVEY AN ACCESS EASEMENT OF ABOUT 701 SQUARE FEET ADJACENT TO THE WEST BOUNDARY OF PROPERTY LOCATED AT 93 SOUTH WEST AVENUE TO CHRISTINA MERE FOR \$1,215.00

Legislation Text

CHRISTINA MERE ACCESS EASEMENT

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

- B. 2 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

- B. 3 2019-0647 ENACT §114.10 REGULATION OF EXPANDED POLYSTYRENE (EPS) FOAM SINGLE-USE PLATES, BOWLS, CLAMSHELLS, CUPS, AND SIMILAR PRODUCTS: AN ORDINANCE TO ENACT §114.10 REGULATION OF EXPANDED POLYSTYRENE (EPS) FOAM SINGLE-USE PLATES, BOWLS, CLAMSHELLS, CUPS, AND SIMILAR PRODUCTS**

Legislation Text

ENACT §114.10

- B. 4 2019-0638 RZN 19-6809 (NE OF GREGG AVE. & VAN ASCHE DR./FITZROY FAYETTEVILLE, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6809 FOR APPROXIMATELY 20.71 ACRES LOCATED NORTHEAST OF GREGG AVENUE AND VAN ASCHE DRIVE FROM P-1, INSTITUTIONAL TO UT, URBAN THOROUGHFARE**

Legislation Text

RZN 19-6809 (NE OF GREGG AVE. & VAN ASCHE DR./FITZROY FAYETTEVILLE, LLC)

- B. 5 2019-0641 RZN 19-6810 (1961 N. PORTER RD./PARADIGM DEVELOPMENT, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6810 FOR APPROXIMATELY 0.92 ACRES LOCATED AT 1961 NORTH PORTER ROAD FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES**

Legislation Text

RZN 19-6810 (1961 N. PORTER RD./PARADIGM DEVELOPMENT, LLC.)

C. New Business

- C. 1 2019-0656 FAYETTEVILLE PUBLIC SCHOOLS (MOU): A RESOLUTION TO**

APPROVE THE ADDITION OF 2.0 FULL TIME EQUIVALENT POSITIONS TO THE POLICE DEPARTMENT, TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE FAYETTEVILLE PUBLIC SCHOOL DISTRICT TO PROVIDE TWO ADDITIONAL SCHOOL RESOURCE OFFICERS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

FAYETTEVILLE PUBLIC SCHOOLS (MOU).

BA_FAYETTEVILLE PUBLIC SCHOOLS (MOU).

- C. 2 2019-0696 JACK TYLER ENGINEERING, INC.: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$15,500.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM JACK TYLER ENGINEERING, INC. FOR THE REBUILD OF A PUMP AND MOTOR FOR THE BROYLES AVENUE LIFT STATION, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

JACK TYLER ENGINEERING, INC.

BA_JACK TYLER ENGINEERING, INC.

- C. 3 2019-0596 JACOBS ENGINEERING, INC. AMENDMENT NO. 2: A RESOLUTION TO ACCEPT AND ADOPT THE STORMWATER STUDY FOR FLOOD MANAGEMENT AND WATER QUALITY FUNDING, TO APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED \$150,200.00 FOR ADDITIONAL SERVICES RELATED TO THE DEVELOPMENT OF FINAL RECOMMENDATIONS FOR THE CREATION OF A STORMWATER UTILITY, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

JACOBS ENGINEERING, INC. AMENDMENT NO. 2

BA_JACOBS ENGINEERING, INC. AMENDMENT NO. 2

- C. 4 2019-0695 RZN 19-6833 (SE OF DUNN AVE. & 11TH ST./CASTRELLON): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6833 FOR APPROXIMATELY 0.06 ACRES LOCATED AT 510 WEST 11TH STREET FROM I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL TO NC, NEIGHBORHOOD CONSERVATION

Legislation Text

RZN 19-6833 (SE OF DUNN AVE. & 11TH ST./CASTRELLON).

- C. 5 2019-0704 AMEND CHAPTER 159 FEE EXEMPTIONS: AN ORDINANCE TO AMEND CHAPTER 159 FEE EXEMPTIONS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO CLARIFY THAT HOMELESS SHELTERS ARE EXEMPT FROM BUILDING PERMIT FEES, WATER AND WASTEWATER IMPACT FEES, POLICE AND PUBLIC SAFETY IMPACT FEES, AND FIRE PROTECTION SYSTEM IMPACT FEES

Legislation Text

AMEND CHAPTER 159 FEE EXEMPTIONS

- C. 6 2019-0679 OZARKS ELECTRIC COOPERATIVE AND TODAY'S POWER, INC. INTERCONNECTION AGREEMENT: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND APPROVE CONTRACTS WITH OZARKS ELECTRIC COOPERATIVE CORPORATION AND TODAY'S POWER, INC. TO PROVIDE FOR THE INTERCONNECTION OF THE CITY'S SOLAR FACILITIES AT THE WESTSIDE AND NOLAND WASTEWATER TREATMENT PLANTS WITH THE OZARKS ELECTRIC UTILITY GRID, AND TO PROVIDE FOR THE ONGOING MAINTENANCE OF THOSE INTERCONNECTED FACILITIES AT A COST OF \$20,116.00 PER YEAR FOR THE 20-YEAR TERM OF THE SOLAR PROJECT

Legislation Text

OZARKS ELECTRIC COOPERATIVE AND TODAY'S POWER, INC. INTERCONNECTION AGREEMENT

- C. 7 2019-0703 THE FIELD SHOP, INC.: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A QUOTE FROM THE FIELD SHOP, INC. OF LITTLE ROCK IN THE AMOUNT OF \$14,390.42 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES TO RECONFIGURE AND INSTALL AUDIO SYSTEMS IN CITY HALL ROOM 326

Legislation Text

THE FIELD SHOP, INC.

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.