

City of Fayetteville, Arkansas

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



City Council Meeting

**January 7, 2020
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

Teresa Turk Ward 4

Kyle Smith Ward 4

ELECTED OFFICIALS:

Mayor Lioneld Jordan

City Attorney Kit Williams

City Clerk Kara Paxton

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items

1. 2019-0863 ELECTION OF VICE MAYOR

Legislation Text

**2. 2019-0864 REPORT OF FIREMEN'S AND POLICEMEN'S
PENSION AND RELIEF FUND**

Legislation Text

3. 2019-0952 MONTHLY FINANCIAL REPORT

Legislation Text

Agenda Additions

A. Consent

- A. 1 2019-0867 ADOPT THE RULES OF ORDER AND PROCEDURE: A RESOLUTION TO ADOPT THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL FOR 2020

Legislation Text

ADOPT THE RULES OF ORDER AND PROCEDURE

- A. 2 2019-0023 APPROVAL OF THE DECEMBER 3, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 3 2019-0895 ENVIRONMENTAL CONSULTING OPERATIONS, INC.: A RESOLUTION TO APPROVE AMENDMENT NO. 6 TO THE CONTRACT WITH ENVIRONMENTAL CONSULTING OPERATIONS, INC. IN THE AMOUNT OF \$66,255.00 FOR WETLANDS MITIGATION SITE MONITORING AND MANAGEMENT IN 2020

Legislation Text

ENVIRONMENTAL CONSULTING OPERATIONS, INC.

- A. 4 2019-0896 ARKANSAS STATE HIGHWAY COMMISSION: A RESOLUTION TO APPROVE A UTILITY RELOCATION AGREEMENT WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR UTILITY RELOCATIONS RELATED TO THE I-49 AND WEDINGTON INTERCHANGE PROJECT

Legislation Text

ARKANSAS STATE HIGHWAY COMMISSION

- A. 5 2019-0925 CITY OF FARMINGTON RELOCATION AGREEMENT: A RESOLUTION TO APPROVE A UTILITY RELOCATION AGREEMENT WITH THE CITY OF FARMINGTON FOR UTILITY RELOCATIONS RELATED TO THE HIGHWAY 170 IMPROVEMENT PROJECT

Legislation Text

CITY OF FARMINGTON RELOCATION AGREEMENT

- A. 6 2019-0928 2019 JUSTICE ASSISTANCE GRANT (JAG) AWARD: A RESOLUTION AUTHORIZE ACCEPTANCE OF A 2019 JUSTICE ASSISTANCE GRANT IN THE TOTAL AMOUNT OF \$134,915.56 WHICH WILL BE USED TO PAY A PORTION OF THE SALARIES AND BENEFITS OF 4TH JUDICIAL DISTRICT DRUG TASK OFFICERS WITH THE FAYETTEVILLE, SPRINGDALE, AND PRAIRIE GROVE POLICE DEPARTMENTS AND THE WASHINGTON COUNTY SHERIFF'S OFFICE

Legislation Text

2019 JUSTICE ASSISTANCE GRANT (JAG) AWARD

- A. 7 2019-0936 TEECO SAFETY, INC.: A RESOLUTION TO AUTHORIZE THE PURCHASE OF SEVENTY SEVEN (77) REPLACEMENT TACTICAL BODY ARMOR VESTS AND ONE HUNDRED THIRTY ONE (131) SETS OF RIFLE RESISTANT BALLISTIC PLATES FROM TEECO SAFETY, INC. IN THE AMOUNT OF \$189,524.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES PURSUANT TO A NASPO VALUEPOINT COOPERATIVE PURCHASING CONTRACT, TO AUTHORIZE THE PURCHASE OF VARIOUS BODY ARMOR PRODUCTS PURSUANT TO NASPO VALUEPOINT COOPERATIVE PURCHASING CONTRACTS ON AN AS NEEDED BASIS THROUGH MARCH 15, 2020 AND ANY FUTURE RENEWAL PERIODS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

TEECO SAFETY, INC.

BA TEECO SAFETY, INC.

- A. 8 2019-0921 BOTANICAL GARDENS OF THE OZARKS: A RESOLUTION TO APPROVE THE CONVEYANCE OF A GENERAL UTILITY EASEMENT TO OZARKS ELECTRIC

COOPERATIVE CORPORATION ACROSS A PORTION OF CITY PROPERTY TO SUPPLY ELECTRICITY TO THE NEW OPERATIONS CENTER AT THE BOTANICAL GARDEN OF THE OZARKS

Legislation Text

BOTANICAL GARDENS OF THE OZARKS

- A. 9 2019-0930 MCCLELLAND CONSULTING ENGINEERS, INC.: A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF \$33,500.00 TO PROVIDE ENGINEERING SERVICES FOR THE PLANTING OF STREET TREES AND INSTALLATION OF TRAIL LIGHTING ASSOCIATED WITH THE ZION ROAD - VANTAGE TO CROSSOVER PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

MCCLELLAND CONSULTING ENGINEERS, INC.

BA MCCLELLAND CONSULTING ENGINEERS, INC.

- A. 10 2019-0931 SWEETSER CONSTRUCTION, INC. CHANGE ORDER NO. 1: A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH SWEETSER CONSTRUCTION, INC. FOR THE OLD WIRE ROAD PROTECTED BIKE LANE AND SIDEWALK PROJECT IN THE AMOUNT OF \$246,488.85, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

SWEETSER CONSTRUCTION, INC. CHANGE ORDER NO. 1

BA SWEETSER CONSTRUCTION, INC. CHANGE ORDER NO. 1

- A. 11 2019-0907 CROSSLAND CONSTRUCTION COMPANY, INC. CHANGE ORDER NO. 5: A RESOLUTION TO APPROVE

CHANGE ORDER NO. 5 TO THE FAYETTEVILLE PUBLIC LIBRARY EXPANSION PROJECT CONTRACT WITH CROSSLAND CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$8,443,973.00 TO FINISH OUT THE EXPANSION AND COMPLETE THE TIE INTO THE EXISTING LIBRARY, TO RECOGNIZE BOND INTEREST FUNDS IN THE AMOUNT OF \$400,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

CROSSLAND CONSTRUCTION COMPANY, INC. CHANGE ORDER NO. 5

BA CROSSLAND CONSTRUCTION COMPANY, INC. CHANGE ORDER NO. 5

- A. 12 2019-0904 WALKER FAMILY RESIDENTIAL COMMUNITY COMPLEX: A RESOLUTION TO APPROVE A CONTRACT WITH SEVEN HILLS HOMELESS CENTER TO PROVIDE FUNDING ASSISTANCE IN THE AMOUNT OF \$52,000.00 FOR MAINTENANCE AND REPAIRS AT THE WALKER FAMILY RESIDENTIAL COMMUNITY COMPLEX IN 2020

Legislation Text

WALKER FAMILY RESIDENTIAL COMMUNITY COMPLEX

- A. 13 2019-0939 BID #19-52 BENCHMARK CONSTRUCTION OF NWA, INC.: A RESOLUTION TO AWARD BID #19-52 AND AUTHORIZE A CONTRACT WITH BENCHMARK CONSTRUCTION OF NWA, INC. FOR CONSTRUCTION OF THE FLEET VEHICLE WASH FACILITY, TO APPROVE A CHANGE ORDER NO. 1 TO THE CONTRACT WITH BENCHMARK CONSTRUCTION OF NWA, INC. TO REFLECT DECREASED SCOPE OF WORK FROM THE CONTRACT AND REDUCE THE TOTAL CONTRACT COST TO \$298,750.00.00 AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,000.00

Legislation Text

BID #19-52 BENCHMARK CONSTRUCTION OF NWA, INC.

- A. 14 2019-0940 BID #19-52 DC SPARKS: A RESOLUTION TO AWARD BID #19-52 AND AUTHORIZE A CONTRACT WITH DC SPARKS CONSTRUCTION, LLC FOR TRADE PACKAGES 1,2,7,8,9 AND 10 FOR CONSTRUCTION OF THE FLEET VEHICLE WASH FACILITY, TO APPROVE A DEDUCTIVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH DC SPARKS CONSTRUCTION, LLC TO REFLECT DECREASED SCOPE OF WORK FROM THE CONTRACT AND REDUCE THE TOTAL CONTRACT COST TO \$380,231.20 AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$26,000.00

Legislation Text

BID #19-52 DC SPARKS

B. Unfinished Business

- B. 1 2019-0935 ACTIVE TRANSPORTATION PLAN MAP (FROM CITY PLAN 2040): A RESOLUTION TO APPROVE AND ADOPT THE ACTIVE TRANSPORTATION PLAN MAP

Legislation Text

ACTIVE TRANSPORTATION PLAN MAP

ADDITIONAL ACTIVE TRANSPORTATION PLAN MAP

- B. 2 2019-0934 ADOPT REVISED MASTER STREET PLAN (FROM CITY PLAN 2040): A RESOLUTION TO APPROVE AND ADOPT A REVISED MASTER STREET PLAN FOR FAYETTEVILLE INCLUDING REVISED STREET CROSS-SECTIONS

Legislation Text

ADOPT REVISED MASTER STREET PLAN

ADDITIONAL ADOPT REVISED MASTER STREET PLAN

- B. 3 2019-0892 CULTURAL ARTS CORRIDOR PROJECT: A RESOLUTION TO EXPRESS THE CITY COUNCIL’S INTENT TO CONSIDER ALL THREE POTENTIAL REPLACEMENT PARKING SITES AS PART OF THE CULTURAL ARTS CORRIDOR PROJECT, AND TO ENCOURAGE THE CITY TO SEEK OPPORTUNITIES TO PROVIDE ADDITIONAL BENEFITS INCLUDING HOUSING, ARTS PRODUCTION FACILITIES, AND OTHER USES THAT FURTHER THE CITY’S EXPRESSED PRIORITIES**

Legislation Text

CULTURAL ARTS CORRIDOR PROJECT

ADDITIONAL CULTURAL ARTS CORRIDOR PROJECT

- B. 4 2019-0898 SAGE PARTNERS, LLC DEPOT LOT PROPOSAL: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN LETTERS OF INTENT WITH SAGE PARTNERS, LLC, ON BEHALF OF FAYETTEVILLE DEPOT, LLC AND FARMERS & MERCHANTS BANK (F/K/A THE BANK OF FAYETTEVILLE), FOR THE PURCHASE OF APPROXIMATELY 0.6 ACRES ALONG WITH NECESSARY PERMANENT ACCESS AND TEMPORARY CONSTRUCTION EASEMENTS AT THE NORTHWEST CORNER OF WEST AVENUE AND DICKSON STREET FOR THE CONSTRUCTION OF A REPLACEMENT PARKING DECK FOR THE TOTAL AMOUNT OF \$350,000.00, THE CONVEYANCE OF LINER BUILDING SPACE AND APPROXIMATELY 0.2 ACRES AT THE NORTH END OF THE CIVIC PLAZA**

Legislation Text

SAGE PARTNERS, LLC DEPOT LOT PROPOSAL

C. New Business

- C. 1 2019-0901 G&W DIESEL SERVICE, INC: A RESOLUTION TO APPROVE THE PURCHASE OF A 2020 PIERCE LADDER FIRE APPARATUS FROM G&W DIESEL SERVICE, INC. IN THE AMOUNT OF \$1,416,570.00 PLUS A PERFORMANCE AND PAYMENT BOND AT A COST OF \$4,230.00, PURSUANT TO**

THE HOUSTON-GALVESTON AREA COUNCIL
COOPERATIVE PURCHASING CONTRACT, AND TO
APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF
\$75,000.00

Legislation Text

G&W DIESEL SERVICE, INC

ADDITIONAL G&W DIESEL SERVICE, INC.

- C. 2 2019-0902 EMERGENCY VEHICLE SPECIALISTS, INC.
BOND PROJECT: A RESOLUTION TO APPROVE THE
PURCHASE OF A 2020 PIERCE IMPEL FIRE ENGINE
APPARATUS FROM EMERGENCY VEHICLE SPECIALISTS,
INC. IN THE AMOUNT OF \$629,244.00 PLUS A
PERFORMANCE AND PAYMENT BOND AT A COST OF
\$1,790.00, PURSUANT TO A HOUSTON-GALVESTON AREA
COUNCIL COOPERATIVE PURCHASING CONTRACT, TO
APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF
\$65,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

EMERGENCY VEHICLE SPECIALISTS, INC.

BA20 - 2019-0902 Fire Apparatus Bond.pdf

- C. 3 2019-0905 VAC 19-6922: 627 N. LEVERETT
AVE./CAJAKAJO, INC.: AN ORDINANCE TO APPROVE VAC
19-6922 FOR PROPERTY LOCATED 627 NORTH LEVERETT
AVENUE TO VACATE A PORTION OF A GENERAL UTILITY
EASEMENT

Legislation Text

VAC 19-6922: 627 N. LEVERETT AVE./CAJAKAJO, INC.

- C. 4 2019-0889 AMERLUX, LLC: AN ORDINANCE TO WAIVE
THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING
AND AUTHORIZE THE PURCHASE OF STREET LIGHT
POLES AND FIXTURES MANUFACTURED BY AMERLUX,

LLC FOR CITY-WIDE TRANSPORTATION
INFRASTRUCTURE PROJECTS THROUGH DECEMBER 31,
2030

Legislation Text

AMERLUX, LLC

- C. 5 2019-0927 AMERICAN ELECTRIC POWER BOND PROJECT: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING FOR PAYMENTS TO OR CONTRACTS WITH AEP/SWEPCO AND OZARKS ELECTRIC COOPERATIVE CORPORATION FOR THE COSTS OF RELOCATING ELECTRIC UTILITY POLES AND POWER LINES NECESSITATED BY TRANSPORTATION, ENGINEERING, OR UTILITY PROJECTS WITHIN AEP/SWEPCO'S OR OZARKS ELECTRIC'S AREA OF SERVICE, TO APPROVE A PAYMENT IN THE AMOUNT \$33,577.00 FOR UTILITY RELOCATIONS ASSOCIATED WITH THE BOXWOOD ADDITION DRAINAGE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

AMERICAN ELECTRIC POWER

BA AMERICAN ELECTRIC POWER

- C. 6 2019-0942 ARKANSAS NONPOINT SOURCE POLLUTION MANAGEMENT PROGRAM: A RESOLUTION TO AUTHORIZE AN APPLICATION FOR A CLEAN WATER ACT GRANT FROM THE ARKANSAS NONPOINT SOURCE POLLUTION MANAGEMENT PROGRAM IN THE AMOUNT OF \$300,000.00 FOR THE INSTALLATION OF LOW IMPACT DEVELOPMENT STORMWATER MANAGEMENT ELEMENTS IN THE CULTURAL ARTS CORRIDOR CIVIC SPACE

Legislation Text

ARKANSAS NONPOINT SOURCE POLLUTION
MANAGEMENT PROGRAM

D. City Council Agenda Session Presentations

D. 1 2019-0869 AGENDA SESSION PRESENTATION - PURCHASE OF CHEVY TAHOE POLICE PURSUIT VEHICLES VERSUS OTHER POLICE PURSUIT VEHICLES

Legislation Text

PD Pursuit Vehicle Comp

D. 2 2019-0953 AGENDA SESSION PRESENTATION - SALES TAX REPORT & ENERGY REPORT - PAUL BECKER & PETER NIERENGARTEN

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.