

City of Fayetteville, Arkansas

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



City Council Meeting

**October 20, 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

Agenda Additions

A. Consent

A.12019-0988 APPROVAL OF THE SEPTEMBER 29, 2020 SPECIAL CITY COUNCIL MEETING MINUTES AND THE OCTOBER 6, 2020 CITY COUNCIL MEETING MINUTES

Legislation Text

A.22020-0810 ANIMAL SERVICES DONATION REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$22,238.00 REPRESENTING DONATION REVENUE TO ANIMAL SERVICES

Legislation Text

ANIMAL SERVICES DONATION REVENUE

BA ANIMAL SERVICES DONATION REVENUE

A.3 2020-0811 BID #20-50 PALADINO PAINTING CO., LLC: A RESOLUTION TO AWARD BID #20-50 AND AUTHORIZE A CONTRACT WITH PALADINO PAINTING COMPANY, LLC IN THE AMOUNT OF \$147,160.00 FOR CONSTRUCTION RELATED TO THE REHABILITATION OF FOUR CONCRETE CLARIFIER TROUGHS AT THE NOLAND WATER RESOURCE RECOVERY FACILITY

Legislation Text

BID #20-50 PALADINO PAINTING CO., LLC

A.4 2020-0830 BEAVER WATER DISTRICT: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$400,000.00 IN THE PURCHASED WATER ACCOUNT DUE TO INCREASED WATER USAGE

Legislation Text

BEAVER WATER DISTRICT

BA BEAVER WATER DISTRICT

A.5 2020-0812 BID #20-68 FOOD LOOPS, LLC: A RESOLUTION TO AWARD BID #20-68 AND AUTHORIZE A CONTRACT WITH FOOD LOOPS, LLC FOR A TERM OF ONE YEAR WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS TO SUPPLY COMPOSTABLE CUPS FOR USE IN THE OUTDOOR REFRESHMENT AREA IN VARIOUS SIZES, QUANTITIES AND AMOUNTS ON AN AS NEEDED BASIS

Legislation Text

BID #20-68 FOOD LOOPS, LLC

A.6 2020-0817 LAKE FAYETTEVILLE BOAT & BIKE RENTAL, LLC: A RESOLUTION TO APPROVE THE LAKE FAYETTEVILLE BOAT DOCK OPERATOR CONTRACT WITH LAKE FAYETTEVILLE BOAT & BIKE RENTAL, LLC IN THE AMOUNT OF \$50,900.00 FOR SERVICES IN 2021, WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS

Legislation Text

LAKE FAYETTEVILLE BOAT & BIKE RENTAL, LLC

A.7 2020-0818 BID #20-58 AUSTIN KING, INC. D/B/A KING ELECTRICAL CONTRACTORS: A RESOLUTION TO AWARD BID #20-58 AND AUTHORIZE A CONTRACT WITH AUSTIN KING, INC. D/B/A KING ELECTRICAL CONTRACTORS FOR ELECTRICAL SERVICES ON AN ON-CALL BASIS FOR A TERM OF ONE YEAR WITH AN AUTOMATIC RENEWAL FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS

Legislation Text

BID #20-58 AUSTIN KING, INC. D/B/A KING ELECTRICAL CONTRACTORS:

A.8 2020-0822 BID # 20-63 BULK CRUSHED ROCK SALT: A RESOLUTION TO AWARD BID # 20-63 AND AUTHORIZE THE PURCHASE OF BULK CRUSHED ROCK SALT FROM KANSAS SALT, LLC FOR \$80.00 PER TON FOR MATERIALS PICKED UP AND \$93.12 PER TON FOR MATERIALS DELIVERED AS NEEDED, AND TO AUTHORIZE THE USE OF CENTRAL SALT, LLC AS A SECONDARY SUPPLIER

Legislation Text

BID # 20-63 BULK CRUSHED ROCK SALT:

A.9 2020-0825 CONVERGINT TECHNOLOGIES NETWORK CONDUIT AND CABLING: A RESOLUTION TO AUTHORIZE A CONTRACT WITH CONVERGINT TECHNOLOGIES FOR THE PURCHASE AND INSTALLATION OF NETWORK CONDUIT AND CABLING TO CONNECT CITY HALL TO THE

TOWN CENTER IN THE AMOUNT OF \$50,996.50, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00

Legislation Text

COVERGINT TECHNOLOGIES NETWORK CONDUIT AND CABLING

A.102020-0826 CONVERGINT TECHNOLOGIES - SECURITY EQUIPMENT, SYSTEMS, SERVICES, AND SUPPLIES: A RESOLUTION TO AUTHORIZE THE PURCHASE OF FACILITY SECURITY EQUIPMENT, SYSTEMS, SERVICES, AND SUPPLIES FROM CONVERGINT TECHNOLOGIES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, ON AN AS-NEEDED BASIS THROUGH JUNE 30, 2021, AND ANY FUTURE RENEWAL PERIODS

Legislation Text

COVERGINT TECHNOLOGIES SECURITY EQUIPMENT, SYSTEMS, SERVICES, AND SUPPLIES

A.112020-0829 JORDAN DISPOSAL, LLC: A RESOLUTION TO APPROVE AN AGREEMENT WITH JORDAN DISPOSAL, LLC FOR THE HAULING OF SOLID WASTE IN THE CITY OF FAYETTEVILLE

Legislation Text

JORDAN DISPOSAL, LLC

A.122020-0828 BID #20-69 TERRA FIRMA HOLDINGS, LLC D/B/A T.F. THOMPSON CO. ROOFING: A RESOLUTION TO AWARD BID #20-69 AND AUTHORIZE A CONTRACT WITH TERRA FIRMA RESTORATIONS, LLC D/B/A T.F. THOMPSON CO. ROOFING & WATERPROOFING IN THE AMOUNT OF \$46,200.00 FOR REPLACEMENT OF THE GARLAND AVENUE HEAD START BUILDING ROOF, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF

\$6,900.00

Legislation Text

BID #20-69 TERRA FIRMA HOLDINGS, LLC D/B/A T.F. THOMPSON CO. ROOFING

A.132020-0814 AMEND THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN: A RESOLUTION TO AMEND THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN TO REFLECT CARES ACT SUPPLEMENTAL FUNDING IN THE AMOUNT OF \$556,197.00, TO AUTHORIZE MAYOR JORDAN TO EXECUTE THE AMENDMENT WHEN RECEIVED, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

AMEND THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN

BA AMEND THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN

A.142020-0832 BOSTON MOUNTAIN SOLID WASTE DISTRICT: A RESOLUTION TO APPROVE A CONTRACT WITH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT FOR ENVIRONMENTAL EDUCATION AND OUTREACH SERVICES IN THE AMOUNT OF \$60,935.00 FOR YEARS 1 AND 2 AND \$25,000.00 FOR YEARS 3 THROUGH 5

Legislation Text

BOSTON MOUNTAIN SOLID WASTE DISTRICT

A.152020-0806 2020 JAG LOCAL SOLICITATION AWARD: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2020 JUSTICE ASSISTANCE GRANT IN THE TOTAL AMOUNT OF \$49,439.00 WHICH WILL BE USED TO PURCHASE LAW ENFORCEMENT TRAINING AND EQUIPMENT FOR THE FAYETTEVILLE POLICE DEPARTMENT AND THE WASHINGTON COUNTY SHERIFF'S OFFICE, AND TO

APPROVE A BUDGET ADJUSTMENT

Legislation Text

2020 JAG LOCAL SOLICITATION AWARD

BA 2020 JAG LOCAL SOLICITATION AWARD

- A.16** 2020-0824 2021 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2021 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT IN THE AMOUNT OF \$99,400.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2021 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT

BA 2021 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT

B. Unfinished Business

- B.1** 2020-0777 RZN-2020-000006 (1278 W. HENDRIX ST./FUGITT): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-000006 LOCATED AT 1278 WEST HENDRIX STREET FOR APPROXIMATELY 0.50 ACRES FROM RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE TO RSF-18, RESIDENTIAL SINGLE FAMILY, 18 UNITS PER ACRE

Legislation Text

RZN-2020-000006 (1278 W. HENDRIX ST./FUGITT):

- B.2** 2020-0709 AMEND §130.01 ADOPTION OF STATE CRIMINAL CODE: AN ORDINANCE TO AMEND §130.01 ADOPTION OF STATE CRIMINAL CODE OF THE FAYETTEVILLE CODE TO INCLUDE A HATE CRIME COMPONENT WITHIN CITY PROSECUTIONS OF CERTAIN STATE CRIMINAL MISDEMEANORS

Legislation Text

AMEND §130.01 ADOPTION OF STATE CRIMINAL CODE

10/06/20 ADDITIONAL: AMEND §130.01 ADOPTION OF STATE CRIMINAL CODE

C. New Business

C.1 2020-0852 LANDLORDS IN FAYETTEVILLE: A RESOLUTION TO ENCOURAGE ALL LANDLORDS IN FAYETTEVILLE TO ENSURE THE HABITABILITY AND SAFETY OF THEIR RENTAL PROPERTIES, AND TO REQUEST THAT THE MAYOR RESEARCH POTENTIAL CHANGES TO THE CITY CODE TO PROVIDE GREATER PROTECTIONS TO TENANTS

Legislation Text

LANDLORDS IN FAYETTEVILLE

C.2 2020-0821 RZN-2020-005 (660 W. WHILLOCK ST./MISTRETTA): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-005 LOCATED AT 660 WEST WHILLOCK STREET FOR APPROXIMATELY 0.80 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RMF-12, RESIDENTIAL MULTI FAMILY, 12 UNITS PER ACRE

Legislation Text

RZN-2020-000005 (660 W. WHILLOCK ST./MISTRETTA)

C.3 2020-0819 RZN 2020-008 (1038 S. HOLLYWOOD AVE./PHILLIPS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-008 LOCATED AT 1038 SOUTH HOLLYWOOD AVENUE FOR APPROXIMATELY 0.58 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO CS, COMMUNITY SERVICES

Legislation Text

RZN 2020-000008 (1038 S. HOLLYWOOD AVE./PHILLIPS):

C.42020-0820 RZN 2020-010: (257 E. TOWNSHIP ST./ERC HOLDINGS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-010 LOCATED AT 257 EAST TOWNSHIP STREET FOR APPROXIMATELY 1.40 ACRES FROM C-2, THOROUGHFARE COMMERCIAL TO UT, URBAN THOROUGHFARE

Legislation Text

RZN 2020-000010: (257 E. TOWNSHIP ST./ERC HOLDINGS)

C.52020-0816 VAC-2020-003 (SE OF RAZORBACK RD. & 15TH ST./TITAN RBR PROPERTIES): AN ORDINANCE TO APPROVE VAC 20-003 FOR PROPERTY LOCATED SOUTHEAST OF RAZORBACK ROAD AND 15TH STREET TO VACATE A PORTION OF A WATER AND SEWER EASEMENT

Legislation Text

VAC-2020-000003 (SE OF RAZORBACK RD. & 15TH ST./TITAN RBR PROPERTIES)

C.62020-0815 ADM 2020-006 (LOTS 21, 71, 74, 167, & 286 PARK MEADOWS SD./PARK MEADOWS SD): A RESOLUTION PURSUANT TO § 166.04(B)(2) OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO APPROVE THE APPLICANT'S REQUEST TO NOT DEDICATE ADDITIONAL RIGHT OF WAY FOR FIVE LOT SPLITS IN PARK MEADOWS SUBDIVISION PHASES I AND II

Legislation Text

ADM 2020-000006 (LOTS 21, 71, 74, 167, & 286 PARK MEADOWS SD./PARK MEADOWS SD):

C.72020-0827 CUP 2020-003 CLUSTER HOUSING APPEAL: A RESOLUTION TO APPROVE CONDITIONAL USE PERMIT CUP 2020-003 FOR A CLUSTER HOUSING DEVELOPMENT AND LIMITED BUSINESS WITH ASSOCIATED PARKING AT

Legislation Text

CUP 2020-003 CLUSTER HOUSING APPEAL

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. When the Mayor or Chair recognizes you, please start your public comment by giving 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 to speak 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 a Council Member 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:

Overview Period: Agenda items at a City Council meeting 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 a Council Member later to answer questions. City staff, Council Members and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item. City staff's presentation and an Applicant's presentation whether presented by one or more than one presenter shall each be limited to a maximum of ten (10) minutes unless the City Council by unanimous consent or majority vote allows additional time.

Public Comments: Public comment at a City Council meeting shall be allowed for all members of the audience who have signed up prior to the beginning of the agenda item they wish to address being opened for public comment. Speakers shall be limited to a maximum of five (5) minutes to be broken into segments of three and two minutes. Amendments may receive public comments only if approved by the City Council by unanimous consent or majority vote. If public comment is allowed for an amendment, speakers will only be allowed to speak for three (3) minutes. The City Council may allow both a speaker additional time and an unsigned-up person to speak by unanimous consent or majority vote.

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.

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