

City of Fayetteville, Arkansas

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



Meeting Agenda - Tentative Agenda

Tuesday, January 20, 2015

5:30 PM

City Hall Room 219

City Council

Adella Gray Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Justin Tennant Ward 3
Martin W. Schoppmeyer, Jr. Ward 3
John S. La Tour Ward 4
Alan Long Ward 4

Call To Order**Roll Call****Pledge of Allegiance****Mayor's Announcements, Proclamations and Recognitions****City Council Meeting Presentations, Reports and Discussion Items:**

1. **2014-0489** Election of Vice Mayor

Legislative History

1/7/15 City Council tabled

This presentation was tabled to the February 3, 2015 City Council meeting.

2. **2014-0491** State of the City Address - Mayor Lioneld Jordan

Agenda Additions:**A. Consent:**

- A. 1 **2014-0493** Approval of the January 6, 2015 City Council meeting minutes.

- A. 2 **2014-0582** RJN GROUP, INC. SANITARY SEWER EVALUATION STUDY :

A RESOLUTION TO APPROVE A CONTRACT WITH RJN GROUP, INC. IN THE AMOUNT OF \$891,251.00 FOR A SANITARY SEWER EVALUATION STUDY FOR BASINS SFM-05 AND SFM-18/19, AND AN AMOUNT NOT TO EXCEED \$225,000.00 FOR THE DESIGN OF RECOMMENDED IMPROVEMENTS IDENTIFIED BY THE STUDY

Attachments: [2014-0582 RJN Contract 122914](#)

A. 3 2014-0583 GARVER, LLC PROFESSIONAL ENGINEERING SERVICES AGREEMENT:

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN AN AMOUNT NOT TO EXCEED \$149,900.00 FOR ENGINEERING DESIGN AND CONSTRUCTION OBSERVATION FOR THE PAINTING OF THE EXTERIOR AND INTERIOR OF THE 5 MILLION GALLON BAXTER WATER TANK AND THE MOUNT SEQUOYAH WATER TANK, AND FOR THE DEMOLITION AND SALE OF THE 1 MILLION GALLON BAXTER WATER TANK

Attachments: [2014-0583 Garver Contract 122914](#)

A. 4 2014-0587 BID #15-01 ASPHALT STRIPING SERVICE, LLC:

A RESOLUTION TO AWARD BID #15-01 AND AUTHORIZE THE PURCHASE OF REFLECTORIZED PAINT MARKINGS FROM ASPHALT STRIPING SERVICE, LLC IN VARIABLE AMOUNTS FOR THE TRANSPORTATION DIVISION AS NEEDED THROUGH THE END OF 2015

Attachments: [2014-0587 Bid 15-01 Reflectorized Paint Markings](#)

A. 5 2014-0595 BID #15-02 CURB AND GUTTER CONSTRUCTION PURCHASE:

A RESOLUTION TO AWARD BID #15-02 AND AUTHORIZE THE PURCHASE OF CURB AND GUTTER CONSTRUCTION FROM FOCHTMAN ENTERPRISES, INC. AS A PRIMARY SUPPLIER AND TOMLINSON ASPHALT AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015, AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY

Attachments: [2014-0595 Bid 15-02 Curb & Gutter](#)

A. 6 2014-0591 BID #15-03 HILLSIDE GRAVEL PURCHASE:

A RESOLUTION TO AWARD BID #15-03 AND AUTHORIZE THE PURCHASE OF HILLSIDE GRAVEL FROM LES ROGERS, INC AS PRIMARY SUPPLIER AND SWEETSER CONSTRUCTION AS SECONDARY SUPPLIER FOR MATERIALS PICKED UP, AND FROM SWEETSER CONSTRUCTION AS PRIMARY SUPPLIER AND LES ROGERS, INC. AS SECONDARY SUPPLIER FOR MATERIALS DELIVERED FOR VARIABLE UNIT PRICES AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015

Attachments: [2014-0591 Bid 15-03 Hillside Gravel](#)

- A. 7 2014-0592** BID #15-04 S & R TRUCKING TRUCK HAULING SERVICES:
- A RESOLUTION TO AWARD BID #15-04 AND AUTHORIZE THE PURCHASE OF TRUCK HAULING SERVICES FROM S & R TRUCKING FOR VARIABLE UNIT PRICES AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015
- Attachments:** [2014-0592 Bid 15-04 Truck Hauling Services](#)
- A. 8 2014-0593** BID #15-05 CONCRETE PURCHASE:
- A RESOLUTION TO AWARD BID #15-05 AND AUTHORIZE THE PURCHASE OF CONCRETE FROM TUNE CONCRETE COMPANY AS PRIMARY SUPPLIER AND APAC-CENTRAL AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015
- Attachments:** [2014-0593 Bid 15-05 Concrete](#)
- A. 9 2014-0599** BID #15-06 AGGREGATE MATERIALS PURCHASE:
- A RESOLUTION TO AWARD BID #15-06 AND AUTHORIZE THE PURCHASE OF AGGREGATE MATERIALS FOR VARYING UNIT PRICES FROM VARIOUS VENDORS, AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015
- Attachments:** [2014-0599 Bid 15-06 Aggregate Materials](#)
- A. 10 2015-0009** BID #15-08 PLASTIC DRAINAGE PIPE PURCHASE:
- A RESOLUTION TO AWARD BID #15-08 AND AUTHORIZE THE PURCHASE OF PLASTIC DRAINAGE PIPE FOR VARYING UNIT PRICES FROM VARIOUS VENDORS, AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015
- Attachments:** [2015-0009 Bid 15-08 plastic drainage pipe](#)

A. 11 2014-0597 BID #15-09 CONCRETE DRAINAGE PIPE PURCHASE:

A RESOLUTION TO AWARD BID #15-09 AND AUTHORIZE THE PURCHASE OF CONCRETE DRAINAGE PIPE FROM SCURLOCK INDUSTRIES AS PRIMARY SUPPLIER AND HANSON PIPE AS SECONDARY SUPPLIER FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015

Attachments: [2014-0597 Bid 15-09 Concrete Drainage Pipe](#)

A. 12 2014-0588 BID #15-10 TOPSOIL PURCHASE:

A RESOLUTION TO AWARD BID #15-10 AND AUTHORIZE THE PURCHASE OF TOPSOIL FROM LES ROGERS, INC. IN THE AMOUNT OF \$12.40 PER CUBIC YARD IN VARIABLE AMOUNTS AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015

Attachments: [2014-0588 Bid 15-10 Screened Topsoil](#)

A. 13 2014-0590 BID #15-11 FLINT TRADING, INC.:

A RESOLUTION TO AWARD BID #15-11 AND AUTHORIZE THE PURCHASE OF PREFORMED THERMOPLASTIC PAVEMENT MARKINGS FROM FLINT TRADING, INC. FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015

Attachments: [2014-0590 Bid 15-11 Preformed Thermoplastic Pavement Markings](#)

A. 14 2014-0596 BID #15-12 RETAINING WALL BLOCKS PURCHASE:

A RESOLUTION TO AWARD BID #15-12 AND AUTHORIZE THE PURCHASE OF RETAINING WALL BLOCKS FROM ARROWHEAD PRECAST, LLC AS PRIMARY SUPPLIER AND INDUSTRIAL PRECAST, INC. AS SECONDARY SUPPLIER IN VARIABLE AMOUNTS AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015

Attachments: [2014-0596 Bid 15-12 Retaining Wall Blocks](#)

A. 15 2015-0005 BID #15-14 WASTE DISPOSAL SERVICES FOR CONSTRUCTION DEBRIS:

A RESOLUTION TO AWARD BID #15-14 AND AUTHORIZE THE PURCHASE OF WASTE DISPOSAL SERVICES FOR CONSTRUCTION DEBRIS FROM S&R TRUCKING WINSLOW, LLC AND HOLTZCLAW EXCAVATING, INC. IN THE AMOUNT OF \$10.00 PER LOAD AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015

Attachments: [2015-0005 Bid 15-14 Waste Disposal for Construction Debris](#)

A. 16 2015-0012 ENVIRONMENTAL CONSULTING OPERATIONS, INC., AMENDMENT NO. 1 AND ONE YEAR RENEWAL:

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CONTRACT WITH ENVIRONMENTAL CONSULTING OPERATIONS, INC. FOR WETLANDS MITIGATION SITE MONITORING AND MANAGEMENT AND TO AUTHORIZE AN EXTENSION OF THE AMENDED CONTRACT THROUGH 2015 IN THE AMOUNT OF \$50,766.00

Attachments: [2015-0012 Resolution Request](#)
[012015-ECO WWP Amnd No 1](#)

A. 17 2015-0002 PLANTE AND MORAN, PLLC:

A RESOLUTION TO APPROVE AN EXTENSION TO THE CONTRACT WITH PLANTE AND MORAN, PLLC FOR INFORMATION TECHNOLOGY SERVICES THROUGH JUNE 5, 2015 IN THE AMOUNT OF \$90,090.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [2015-0002 Agenda Item Info](#)
[2015-0002 Agenda Item Info #2 continued](#)
[BA2015_IT_CONTRACT_SERVICES](#)

B. Unfinished Business:

B. 1 2014-0572 RZN 14-4864 KOUTROUMBIS APPEAL:

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4864, FOR APPROXIMATELY 0.26 ACRES, LOCATED AT 232 WEST ASH STREET FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, TO RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE

Attachments: [14-4864 CC Packet](#)
 [14-4864 CC ORD](#)

Legislative History

1/6/15 City Council left on first reading
This Ordinance was left on the first reading at the January 6, 2015 City Council meeting.

B. 2 2014-0576 AMEND CHAPTERS 151, 161, 162 and 166 (ADM 14-4896 UDC AMENDMENT SMALL-SCALE PRODUCTION):

AN ORDINANCE AMENDING TITLE IV: UNIFIED DEVELOPMENT CODE OF THE CITY OF FAYETTEVILLE, TO AMEND CHAPTERS 151, 161, 162 AND 166 TO CREATE A NEW USE UNIT FOR SMALL SCALE PRODUCTION INCLUDING BOUTIQUE AND SPECIALTY MANUFACTURING AND TO PLACE THIS NEW USE UNIT IN APPROPRIATE ZONING DESIGNATIONS

Attachments: [14-4896 CC packet](#)
 [Additional Exhibit A ADM 14-4896](#)
 [14-4896 CC ORD](#)

Legislative History

1/6/15 City Council left on first reading
This ordinance was left on the first reading at the January 6, 2015 City Council meeting.

C. New Business:**C. 1 2014-0586 ASPHALT MATERIALS PURCHASE:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING DURING CALENDAR YEAR 2015 FOR THE PURCHASE OF ASPHALT MATERIALS FOR USE BY THE TRANSPORTATION DIVISION, BUT TO REQUIRE INFORMAL QUARTERLY BIDS OR QUOTES

Attachments: [2014-0586 Asphalt Bid Waiver Request](#)

C. 2 2014-0598 GORDON LONG PARK TRAILHEAD - TAP REVENUE:

A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO UTILIZE FEDERAL-AID FUNDS FOR CONSTRUCTION OF RESTROOMS AND EXPANDED PARKING AT GORDON LONG PARK, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$260,000.00

Attachments: [2014-0598 SRF - TAP Grant Revenue \(Gordon Long Park Trailhead\)](#)
[2014-0598 BA - TAP Grant Revenue \(Gordon Long Park Trailhead\)](#)

C. 3 2015-0007 ESRI, INC. ENTERPRISE LICENSE AGREEMENT:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A THREE YEAR ENTERPRISE LICENSE AGREEMENT WITH ESRI, INC. IN THE AMOUNT OF \$150,000.00 PAYABLE IN INSTALLMENTS OF \$50,000.00 PER YEAR FOR GEOGRAPHIC INFORMATION SYSTEM SOFTWARE

Attachments: [Staff Review Form 2015-0007.pdf](#)

C. 4 2015-0003 REPEAL AND REPLACE TITLE V PUBLIC WORKS AND AMEND CHAPTER 51 AND CHAPTER 10:

AN ORDINANCE TO REPEAL AND REPLACE TITLE V PUBLIC WORKS, ARTICLE III DISCHARGE AND PRETREATMENT REGULATIONS; TO AMEND SECTION § 51.137 MONTHLY SEWER RATES; TO AMEND § 51.138 DEFINITIONS PERTAINING TO WATER AND SEWER RATES; TO AMEND § 51.999 PENALTY; AND TO AMEND § 10.99 GENERAL PENALTY OF THE FAYETTEVILLE CODE

Attachments: [2015-0003 Discharge and Pretreatment Regulation Changes A-III A-V](#)
[EXHIBIT A & B](#)

C. 5 2015-0010 AMEND THE 2015 ADOPTED BUDGET:

A RESOLUTION TO AMEND THE 2015 ADOPTED BUDGET BY REAPPROPRIATING \$86,181,388.00 IN BONDED OR ONGOING CAPITAL PROJECTS, OUTSTANDING OBLIGATIONS AND GRANT FUNDED ITEMS

Attachments: [2015-0010 REBUDGETS - COMPLETE PACKET 010715](#)

**C. 6 2015-0008 ENACT ARTICLE III PROCEDURE TO EXERCISE INITIATIVE
AND REFERENDUM RIGHTS OF CHAPTER 36: ELECTIONS:**

AN ORDINANCE TO ENACT ARTICLE III PROCEDURE TO EXERCISE INITIATIVE AND REFERENDUM RIGHTS OF CHAPTER 36: ELECTIONS INTO THE FAYETTEVILLE CODE TO CLARIFY THE PROPER PROCEDURE FOR THE CITIZENS' RIGHT OF THE INITIATIVE AND REFERENDUM

Attachments: [Agenda Packet Ord § 36.20](#)

D. City Council Agenda Session Presentations:

E. City Council Tour:

F. Announcements:

G. Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

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.

Old 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. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

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. No electronic visual aid presentations shall be allowed, but 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 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 Aldermen. 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 Aldermen 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 an Alderman 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 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 575-8330.

A copy of the complete City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.