

City of Fayetteville, Arkansas

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



Meeting Agenda - Tentative Agenda

Tuesday, February 17, 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:****Agenda Additions:****A. Consent:**

A. 1 2014-0495 Approval of the February 3, 2015 City Council meeting minutes.

A. 2 2015-0045 ANIMALS SERVICES DONATION REVENUE:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$23,098.00 REPRESENTING DONATIONS TO RANGER'S PANTRY AND CDBG PROGRAM INCOME RECEIVED FROM TWO HOUSING PROGRAM LIEN PAYOFFS

Attachments: [SRF-SRM-Donation Recognition](#)
[BA-Donation Recognition](#)

A. 3 2015-0048 BID #15-17 AMERLUX EXTERIOR, LLC:

A RESOLUTION TO AWARD BID #15-17 AND AUTHORIZE THE PURCHASE OF LED TRAIL LIGHT FIXTURES FROM AMERLUX EXTERIOR, LLC IN THE AMOUNT OF \$1,450.00 PER LIGHT FIXTURE PLUS APPLICABLE TAXES IN VARIABLE AMOUNTS AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015

Attachments: [2015-0048 Trail light Fixtures - Amerlux Exterior](#)

A. 4 2015-0061 BID #15-17 ALLIANCE COMPOSITES, INC.:

A RESOLUTION TO AWARD BID #15-17 AND AUTHORIZE THE PURCHASE OF FIBERGLASS TRAIL LIGHT POLES FROM ALLIANCE COMPOSITES, INC. IN THE AMOUNT OF \$450.00 PER LIGHT POLE PLUS APPLICABLE TAXES IN VARIABLE AMOUNTS AS NEEDED THROUGH THE END OF CALENDAR YEAR 2015

Attachments: [2015-0061 Fiberglass Traill Light Pole - Alliance Composities](#)

A. 5 2015-0049 KING ELECTRICAL CONTRACTORS:

A RESOLUTION TO AUTHORIZE A CONTRACT WITH KING ELECTRICAL CONTRACTORS IN THE AMOUNT OF \$34,920.00, PURSUANT TO BID #10-47, FOR THE INSTALLATION OF LED TRAIL LIGHT FIXTURES AND LIGHT POLES ALONG THE TOWN BRANCH TRAIL, AND TO APPROVE A TEN PERCENT (10%) PROJECT CONTINGENCY

Attachments: [2015-0049_King_Electrical_Contractors_-_Town_Branch_Trail_Lighting_Installation](#)

A. 6 2015-0054 GARVER, LLC:

A RESOLUTION TO AUTHORIZE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC FOR FINAL DESIGN SERVICES FOR WATER AND SEWER RELOCATIONS ASSOCIATED WITH ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT PROJECT BB0414 - INTERSTATE 49 AND HIGHWAY 112 INTERCHANGE IN AN AMOUNT NOT TO EXCEED \$102,742.50, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [021715_Garver-AHTD-B0414](#)
[BA - Garver - I-49 Interchange and Hwy 112](#)

A. 7 2015-0050 WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO. 2:

A RESOLUTION TO APPROVE TASK ORDER NO. 2 WITH THE WATERSHED CONSERVATION RESOURCE CENTER FOR CONTINUED MAINTENANCE OF PREVIOUSLY COMPLETED STREAM RESTORATION PROJECTS AT NIOKASKA CREEK AND THE WHITE RIVER THROUGH 2015 IN THE AMOUNT OF \$62,500.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [2015-0050 - Vegetation Restoration and Stability](#)
[BA2015_2015-0050_Watershed.xlsm](#)

A. 8 2015-0055 PLACEHOLDER: BID 15-16:

PLACEHOLDER: AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$_____ TO _____ FOR THE INSTALLATION OF TREES AND SHRUBS WITHIN THE MEDIA OF CROSSOVER ROAD AND GARLAND AVENUE (BID # 15-16) AND APPROVAL OF A PROJECT CONTINGENCY OF \$_____.

B. Public Hearing:

- B. 1 2015-0069 PUBLIC HEARING: REPEAL AND REPLACE TITLE V PUBLIC WORKS AND AMEND CHAPTER 51 AND CHAPTER 10**
- REPEAL AND REPLACE TITLE V PUBLIC WORKS AND AMEND CHAPTER 51 AND CHAPTER 10

C. Unfinished Business:

- C. 1 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 § 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](#)

This ordinance was left on the First Reading at the January 20, 2015 City Council meeting. This ordinance was left on the Second Reading at the February 3, 2015 City Council Meeting.

- C. 2 2015-0023 RZN 14-4882 (EAST SIDE OF RUPPLE RD./WESTSIDE VILLAGE):**
- AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4882, FOR APPROXIMATELY 21.63 ACRES, LOCATED ON THE EAST SIDE OF RUPPLE ROAD NORTH OF THE BOYS AND GIRLS CLUB, FROM R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT R-PZD 06-1884 WESTSIDE VILLAGE, TO NS, NEIGHBORHOOD SERVICES

Attachments: [14-4882 Agenda Item](#)
[14-4882 Exhibit A and B](#)
[14-4882 CC ORD](#)

This ordinance was left on the First Reading at the February 3, 2015 City Council meeting.

**C. 3 2015-0029 RZN 14-4883 (HWY. 112 NORTH OF TRUCKERS
DRIVE/PARKWEST):**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4883, FOR APPROXIMATELY 93.04 ACRES, LOCATED AT HWY 112 NORTH OF TRUCKERS DRIVE FROM R-PZD 05-1796, RESIDENTIAL PLANNED ZONING DISTRICT PARK WEST, TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE, AND CS, COMMUNITY SERVICES

Attachments:

[SRF and Reports 14-4883](#)

[Exhibits A & B 14-4883](#)

[ORD 14-4883](#)

This ordinance was left on the First Reading at the February 3, 2015 City Council Meeting.

C. 4 2015-0030 RZN 14-4916 (956 RAY AVENUE/HODOUS):

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4916, FOR APPROXIMATELY 0.32 ACRES, LOCATED AT 956 RAY AVENUE FROM RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE, TO NS, NEIGHBORHOOD SERVICES

Attachments:

[SRF and Reports 14-4916](#)

[Exhibits A & B 14-4916](#)

[ORD 14-4916](#)

This ordinance was left on the Second Reading at the February 3, 2015 City Council Meeting.

**C. 5 2014-0437 AMEND § 71.016 INSURANCE REQUIREMENTS FOR
MOTORIZED BICYCLES, MOTOR SCOOTERS AND MOPEDS:**

AN ORDINANCE TO AMEND THE FAYETTEVILLE CODE BY ENACTING § 71.016 INSURANCE REQUIREMENTS FOR MOTORIZED BICYCLES, MOTOR SCOOTERS AND MOPEDS

Attachments:

[Agenda Packet § 71.016 Insurance Requirements](#)

This ordinance was left on the First Reading and sent to the Ordinance Review Committee. This ordinance was Tabled to the February 17, 2015 City Council meeting and left on the Second Reading at the January 6, 2015 City Council Meeting.

D. New Business:

**D. 1 2015-0060 RZN 14-4938 (N.W. CROSS & MAINE INTERSECTION/WEST
END ADDITION):**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4938, FOR APPROXIMATELY 2.5 ACRES, LOCATED AT NORTHWEST CORNER OF CROSS & MAINE STREETS FROM AN EXPIRED R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT MARKHAM HILL COTTAGES (R-PZD 09-3237), TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

Attachments: [14-4938 Staff reports](#)
[14-4938 exhibits](#)
[14-4938 CC ORD](#)

D. 2 2015-0018 R-PZD 07-2452 (LINKS AT FAYETTEVILLE:)

AN ORDINANCE AMENDING A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 07-2452, LINKS AT FAYETTEVILLE, LOCATED ON THE NORTH SIDE OF WEDINGTON DRIVE AND EAST OF RUPPLE ROAD, CONTAINING APPROXIMATELY 152.23 ACRES, TO REPEAL THE PHASING PLAN

Attachments: [14-4930 CC PACKET](#)
[14-4930 CC ORD](#)

**D. 3 2015-0058 VAC 14-4933 (PERSIMMON AND MTN. RANCH BLVD/PARKHILL
AT MTN. RANCH SUBDIVISION):**

AN ORDINANCE APPROVING VAC 14-4933 SUBMITTED BY JORGENSEN & ASSOCIATES FOR PROPERTY LOCATED SOUTHWEST OF PERSIMMON STREET AND MOUNTAIN RANCH BOULEVARD TO VACATE A PORTION OF AN EXISTING UTILITY EASEMENT

Attachments: [14-4933 CC PACKET](#)
[14-4933 CC EX A](#)
[14-4933 CC ORD](#)

- D. 4 2015-0064** VAC 14-4935 (N. RAVEN LN./COBBLESTONE SUBDIVISION PH 4):
- AN ORDINANCE APPROVING VAC 14-4935 SUBMITTED BY JORGENSEN & ASSOCIATES FOR PROPERTY LOCATED AT THE NORTH END OF RAVEN LANE TO VACATE A PORTION OF AN EXISTING UTILITY EASEMENT
- Attachments:** [14-4935 CC PACKET](#)
 [14-4935 EXHIBITS](#)
 [14-4935 CC ORD](#)
- D. 5 2015-0062** VAC 14-4936 (2269 N. HENBEST DR./ADVENTURE SUBARU):
- AN ORDINANCE APPROVING VAC 14-4936 SUBMITTED BY JORGENSEN & ASSOCIATES FOR PROPERTY LOCATED AT 2269 NORTH HENBEST DRIVE TO VACATE AN EXISTING UTILITY EASEMENT
- Attachments:** [SRF and Reports 14-4936](#)
 [EX A & B 14-4936](#)
 [CC ORD 14-4936](#)
- D. 6 2015-0043** INSTRUMENT & SUPPLY, INC.:
- AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE AN AGREEMENT WITH INSTRUMENT & SUPPLY, INC. OF HOT SPRINGS, ARKANSAS IN THE AMOUNT OF \$40,948.00 PLUS APPLICABLE TAXES FOR THE PURCHASE OF TWO WATER BOOSTER PUMPS AND ONE VARIABLE FREQUENCY DRIVE FOR THE SOUTH MOUNTAIN WATER PUMP STATION
- Attachments:** [Instrument and Supply - South Mtn. Pump Station](#)
- D. 7 2015-0044** U.S. GEOLOGICAL SURVEY:
- AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGE INSTALLATION, OPERATION AND MAINTENANCE AND WATER QUALITY SAMPLING AND MONITORING AT VARIOUS LOCATIONS IN THE CITY OF FAYETTEVILLE FOR 2015 WITH THE AMOUNT PAID BY THE CITY NOT TO EXCEED \$61,721.00
- Attachments:** [2015-0044 USGS Joint Funding Agreement](#)

D. 8 2015-0035 UNIVERSITY OF ARKANSAS UTILITY RELOCATION AGREEMENT:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A UTILITY RELOCATION AGREEMENT WITH THE UNIVERSITY OF ARKANSAS FOR THE RELOCATION OF COPPER AND FIBER OPTIC CABLES NECESSARY FOR THE HIGHWAY 112 WIDENING PROJECT BETWEEN RAZORBACK ROAD AND GARLAND AVENUE WITH THE AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$33,476.50

Attachments: [2015-0035 UofA Utility Relocation Agreement](#)

D. 9 2015-0047 WALTON ARTS CENTER COUNCIL, INC.:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF COMPETITIVE BIDDING AND AUTHORIZE A CONTRACT FOR EDUCATIONAL, ENTERTAINMENT AND ADMINISTRATIVE SERVICES IN 2015 TO THE WALTON ARTS CENTER COUNCIL, INC. IN THE AMOUNT OF \$250,000.00

Attachments: [2015-0047 Walton Arts Center Contract](#)

D. 10 2015-0063 ASSOCIATED TIME & PARKING CONTROLS SPRING STREET PARKING DECK:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF DIGITAL PARKING EQUIPMENT FROM ASSOCIATED TIME & PARKING CONTROLS IN THE AMOUNT OF \$98,805.95 FOR THE SPRING STREET PARKING DECK

Attachments: [ATPC Parking Deck Equipment Purchase 02-17-2015](#)

D. 11 2015-0065 ASSOCIATED TIME & PARKING CONTROLS WEST AVENUE PARKING LOT:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF DIGITAL PARKING EQUIPMENT FROM ASSOCIATED TIME & PARKING CONTROLS IN THE AMOUNT OF \$66,985.91 FOR THE WEST AVENUE PARKING LOT

Attachments: [ATPC Parking Lot Equipment Purchase 02-17-2015](#)

D. 12 2015-0056 GULLEY PARK TWO SINGLE FAMILY LOT SELL:

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO OFFER FOR SALE APPROXIMATELY 1.25 ACRES OF CITY OWNED REAL PROPERTY ON OLD WIRE ROAD NEAR GULLEY PARK

Attachments: [2015-0056 Request to Sell Gulley Park Lots](#)

E. City Council Agenda Session Presentations:

2015-0046 Agenda Session Presentation - Economic Development Quarterly Report - Chung Tan

F. City Council Tour:**G. Announcements:****H. 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.