

City of Fayetteville, Arkansas

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



Meeting Agenda - Final

Tuesday, May 5, 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. [2015-0116](#)
QUARTERLY FINANCIAL REPORT - 1ST QUARTER 2015, PAUL BECKER, CHIEF FINANCIAL OFFICER

Agenda Additions:**A. Consent:**

- A. 1 [2014-0502](#)
APPROVAL OF THE APRIL 21, 2015 CITY COUNCIL MINUTES.
- A. 2 [2015-0193](#)
2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AGREEMENT

A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AGREEMENT FOR 2015 WHEN RECEIVED IN THE AMOUNT OF \$574,209.00 AND TO APPROVE THE 2015 ACTION PLAN

Attachments: [SRF-CCAM-2015 Action Plan](#)

- A. 3 [2015-0199](#)
AMEND RESOLUTION NO. 191-14

A RESOLUTION TO AMEND RESOLUTION NO. 191-14 CONCERNING THE PURCHASE OF TWO (2) INTERNATIONAL 7300 DUMP TRUCKS WITH HENDERSON BELLY PLOWS FROM SUMMIT TRUCK GROUP OF LOWELL, ARKANSAS FOR USE BY THE TRANSPORTATION DIVISION

Attachments: [SRP 4-15-15 TRSM Belly Plow Trucks 776-777](#)

A. 4 [2015-0198](#)**WILLIAMS TRACTOR OF FAYETTEVILLE**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF ONE (1) BOBCAT TOOLCAT UTILITY VEHICLE FROM WILLIAMS TRACTOR OF FAYETTEVILLE IN THE AMOUNT OF \$51,763.00 PLUS ANY APPLICABLE TAXES, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, FOR USE BY THE PARKS AND RECREATION DEPARTMENT

Attachments: [SRP 4-15-15 PKDV Tool Cat 6012](#)

A. 5 [2015-0200](#)**SCOTT EQUIPMENT OF SPRINGDALE**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF A GRADALL XL3100 IV 4X2 EXCAVATOR TRUCK FROM SCOTT EQUIPMENT OF SPRINGDALE, ARKANSAS IN THE AMOUNT OF \$313,324.00 PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Attachments: [SRP 4-15-15 TRSM Gradall 828](#)

A. 6 [2015-0201](#)**BID #15-22 TRUCK CENTERS OF ARKANSAS**

A RESOLUTION TO AWARD BID #15-22 AND AUTHORIZE THE PURCHASE OF THREE (3) FREIGHTLINER DUMP TRUCKS FROM TRUCK CENTERS OF ARKANSAS IN THE TOTAL AMOUNT OF \$368,232.00 FOR USE BY THE WATER AND SEWER OPERATIONS DIVISION AND THE TRANSPORTATION SERVICES DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [SRP 4-15-15 TR WS Dump Trucks 778-779-780](#)
 [BA -WS for 778 Exp, Legistar](#)

A. 7 [2015-0203](#)**BID #15-29 HUTCHENS CONSTRUCTION**

A RESOLUTION TO AWARD BID #15-29 AND AUTHORIZE THE PURCHASE OF COLD ASPHALT CONCRETE FROM HUTCHENS CONSTRUCTION FOR A UNIT PRICE OF \$105.00 PER TON AS NEEDED THROUGH THE END OF 2015

Attachments: [SRP 2015-0203 Bid 15-29 Cold Asphalt Concrete](#)

A. 8 [2015-0194](#)**AMEND RESOLUTION NO. 05-15**

A RESOLUTION TO AMEND RESOLUTION NO. 05-15 CONCERNING THE TRANSPORTATION DIVISION OVERLAY/SIDEWALK PROJECTS LIST FOR 2015

Attachments: [SRP 2015-0194 2015 Work Plan Revision](#)

A. 9 [2015-0207](#)**GARVER, LLC TASK ORDER NO. 2**

A RESOLUTION TO APPROVE TASK ORDER NO. 2 WITH GARVER, LLC FOR DESIGN WORK, BIDDING SERVICES, CONSTRUCTION PHASE SERVICES, MATERIALS TESTING AND CLOSEOUT SERVICES ASSOCIATED WITH THE AIRPORT TERMINAL APRON REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$73,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [Legistar2015-0207 Garver TO2 041615](#)
[BA BUDGET ADJUSTMENT FORM LEGISTAR GarverLLC](#)

A. 10 [2015-0206](#)**ARKANSAS DEPARTMENT OF AERONAUTICS GRANT**

A RESOLUTION TO AUTHORIZE APPLICATION FOR AN ARKANSAS DEPARTMENT OF AERONAUTICS 90/10 GRANT IN AN AMOUNT UP TO \$500,000.00 FOR REHABILITATION OF THE AIRPORT TERMINAL PARKING APRON, WITH THE FINAL AMOUNT CONTINGENT ON THE ACTUAL COST OF THE PROJECT BASED ON COMPETITIVE BIDDING

Attachments: [Legistar2015-0206 ADA Grant TermApronRehab 041615](#)

A. 11 [2015-0208](#)**BRIGHT INVESTMENTS, LLC**

A RESOLUTION TO APPROVE THE PERFORMANCE BOND OF BRIGHT INVESTMENTS, LLC TO GUARANTEE CONSTRUCTION OF REQUIRED SIDEWALK IMPROVEMENTS ALONG ARMSTRONG AVENUE BY THE END OF 2017

Attachments: [Agenda Packet](#)

B. Unfinished Business:**B. 1** [2015-0151](#)**AMEND §33.329 ELIGIBILITY OF CITIZEN VOLUNTEERS**

AN ORDINANCE TO AMEND §33.329 ELIGIBILITY OF CITIZEN VOLUNTEERS TO SERVE ON CITY BOARDS, COMMISSIONS AND COMMITTEES TO REMOVE THE RESTRICTION ON THE NUMBER OF CONSECUTIVE TERMS A CITIZEN MAY SERVE

Attachments: [Agenda Request § 33.329 Eligibility of Citizen Volunteers](#)

At the April 7, 2015 City Council meeting this ordinance was left on the First Reading. At the April 21, 2015 City Council meeting this ordinance was left on the second reading.

B. 2 [2015-0180](#)**AMEND § 72.03 PARKING PROHIBITED IN CERTAIN PLACES**

AN ORDINANCE TO AMEND § 72.03 PARKING PROHIBITED IN CERTAIN PLACES OF THE FAYETTEVILLE CODE BY ENACTING A NEW SUBSECTION TO PROHIBIT PARKING ON A CITY STREET IN FRONT OF AND BLOCKING A MAILBOX

Attachments: [Agenda Request Packet § 72.03 Parking Prohibited in Certain Places](#)

[City Attorney Memo 040915](#)

[Additional City Attorney Memo](#)

At the April 7, 2015 City Council meeting this ordinance was left on the First Reading. At the April 21, 2015 City Council meeting this ordinance was left on the second reading.

C. New Business:

C. 1 [2015-0219](#)**AMEND § 72.34 PARKING SIGNS OR CURB MARKINGS
REQUIRED**

AN ORDINANCE TO AMEND § 72.34 **PARKING SIGNS OR CURB MARKINGS REQUIRED** OF THE FAYETTEVILLE CODE TO AUTHORIZE THE TRAFFIC SUPERINTENDENT TO ERECT SIGNS OR PAINT CURBS INDICATING A NO PARKING ZONE WHERE NECESSARY

Attachments: [SM 04-22-2015](#)

C. 2 [2015-0210](#)**VAC 15-5001 (4301/4331 N. WATERSIDE CT./SIMS-RENNER
OFFICE BUILDING)**

AN ORDINANCE APPROVING VAC 15-5001 SUBMITTED BY BATES & ASSOCIATES FOR PROPERTY LOCATED AT 4301/4331 N. WATERSIDE COURT TO VACATE AN ACCESS EASEMENT

Attachments: [15-5001 CC EXHIBITS](#)
 [15-5001 CC REPORTS](#)

C. 3 [2015-0204](#)**AMEND §116.02 DOOR TO DOOR SOLICITATION**

AN ORDINANCE AMENDING §116.02 DOOR TO DOOR SOLICITATION AT PRIVATE RESIDENCES (D)(4) OF THE FAYETTEVILLE CODE IN ORDER TO PROVIDE AN IMPROVED AND EXPEDITED BACKGROUND CHECK PROCESS FOR APPLICANTS AND TO DECLARE AN EMERGENCY

Attachments: [Agenda Packet](#)

C. 4 [2015-0211](#)**AMEND §178.03 (E) AND (F)**

AN ORDINANCE AMENDING §178.03(E) AND (F) OF THE UNIFIED DEVELOPMENT CODE TO REMOVE PRE-APPROVED SIDEWALK VENDOR LOCATIONS IN FRONT OF THE WALTON ARTS CENTER AS AGREED UPON IN RESOLUTION 118-04, AND TO STREAMLINE THE APPROVAL PROCESS FOR ALTERNATIVE LOCATIONS

Attachments: [Exhibit A](#)
 [Agenda Item](#)

C. 5 [2015-0177](#)**AFFILIATED COMPUTER SERVICES, INC.**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF TWO (2) KODAK I4200 SCANNERS FROM AFFILIATED COMPUTER SERVICES, INC. OF DALLAS, TEXAS IN THE TOTAL AMOUNT OF \$19,884.00 PLUS APPLICABLE SALES TAXES FOR USE BY THE OFFICE OF THE CITY CLERK/TREASURER

Attachments: [Agenda Packet - Kodak i4200 Scanners Final](#)

C. 6 [2015-0186](#)**EXPRESS CITY COUNCIL INTENT TO DEVELOP INVASIVE PLANT SPECIES POLICY**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENT TO DEVELOP POLICIES OR ORDINANCES TO DISCOURAGE THE SPREAD OF INVASIVE PLANT SPECIES

Attachments: [2015-0186 Invasive Species Resolution](#)
[Additional-Express City Council Intent to Develop Invasive Plant Species](#)

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.