

City of Fayetteville, Arkansas

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



Meeting Agenda - Final Agenda

Tuesday, August 4, 2015

5:30 PM

City Hall Room 219

City Council Meeting

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

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith

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** [2014-0508](#)

APPROVAL OF THE JULY 21, 2015 CITY COUNCIL MEETING MINUTES.

A. 2 [2015-0315](#)

BID NO. 15-27 AUSTIN KING, INC. D/B/A KING ELECTRICAL CONTRACTORS

A RESOLUTION TO AWARD BID NO. 15-27 AND AUTHORIZE A CONTRACT WITH AUSTIN KING, INC. D/B/A KING ELECTRICAL CONTRACTORS, INC. IN THE AMOUNT OF \$82,700.00 FOR THE PURCHASE AND INSTALLATION OF ELECTRICAL BUSWAYS AT THE NOLAND WASTEWATER TREATMENT PLANT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$8,270.00

Attachments:

[080415 Austin King DBA King Electric-Electrical Busway Replacement](#)

A. 3 [2015-0313](#)

BID NO. 15-41 BULK CRUSHED ROCK SALT

A RESOLUTION TO AWARD BID NO. 15-41 AND AUTHORIZE THE PURCHASE OF BULK CRUSHED ROCK SALT FROM CENTRAL SALT, LLC AS PRIMARY SUPPLIER AND OAKLEY FERTILIZER, INC. AS SECONDARY SUPPLIER FOR MATERIALS DELIVERED, AND OAKLEY FERTILIZER, INC. AS PRIMARY SUPPLIER AND CENTRAL SALT, LLC AS SECONDARY SUPPLIER FOR MATERIALS PICKED UP, FOR VARYING UNIT PRICES AS NEEDED THROUGH THE 2015-2016 WINTER SEASON

Attachments:

[SRP - 2015-0313 Bulk Crushed Rock Salt - Bid 15-41](#)

A. 4 [2015-0321](#)**RIGGS CAT OF SPRINGDALE**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF THREE (3) 2015 CATERPILLAR 420F2 BACKHOES FROM RIGGS CAT OF SPRINGDALE, ARKANSAS IN THE TOTAL AMOUNT OF \$286,007.58 PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT FOR USE BY TRANSPORTATION SERVICES, PARKS AND RECREATION, AND WATER AND SEWER OPERATIONS

Attachments: [SRP 7-15-15 PK WS TR Backhoes 655-680-688](#)

A. 5 [2015-0322](#)**WILLIAMS TRACTOR OF FAYETTEVILLE**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF TWO (2) 2015 BOBCAT E45 T4 EXCAVATORS FROM WILLIAMS TRACTOR OF FAYETTEVILLE, ARKANSAS IN THE TOTAL AMOUNT OF \$118,800.00 PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [SRP 7-15-15 TRAN Excavators 816-819](#)
[BA move funds from 02083 to 02077 for 830](#)

A. 6 [2015-0331](#)**RANGER'S PANTRY AND COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM INCOME**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$20,910.00 REPRESENTING DONATIONS TO RANGER'S PANTRY AND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME RECEIVED FROM HOUSING LIEN PAYOFFS AND THE SALE OF PUBLIC FACILITIES EQUIPMENT

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

A. 7 [2015-0325](#)**ARKANSAS DEPARTMENT OF PARKS AND TOURISM'S
OUTDOOR RECREATION GRANT**

A RESOLUTION TO AUTHORIZE AN APPLICATION FOR A 50/50 MATCHING GRANT, THROUGH THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM'S OUTDOOR RECREATION GRANT PROGRAM, IN THE AMOUNT OF \$150,000.00 FOR THE CONSTRUCTION OF PLAYGROUND AND PARKING IMPROVEMENTS AT WILSON PARK

Attachments: [Legistar Packet - Rec Grant 2015-0325](#)

A. 8 [2015-0338](#)**PAYMENTUS AGREEMENT**

A RESOLUTION TO APPROVE A TWO (2) YEAR MASTER SERVICES AGREEMENT WITH PAYMENTUS CORPORATION TO UPGRADE THE CITY'S ELECTRONIC UTILITY BILL PAYMENT SERVICES FOR AN INITIAL SETUP FEE OF \$15,000.00 AND AN ESTIMATED COST OF \$35,000.00 PER YEAR

Attachments: [Agenda Packet - Paymentus Corporation](#)

A. 9 [2015-0327](#)**HABBERTON ROAD WATER MAIN CONSTRUCTION**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S AGREEMENT THAT THE CITY SHOULD FACILITATE THE CONSTRUCTION AND FINANCING OF A WATER MAIN ALONG HABBERTON ROAD BY ACCEPTING DEBT SERVICE PAYMENTS AS PART OF THE CUSTOMERS' WATER BILLS AND REMITTING THOSE PAYMENTS TO THE FINANCING ENTITY

Attachments: [Agenda Packet Habberton Road](#)

A. 10 [2015-0337](#)**2016 EMPLOYEE BENEFITS PACKAGE**

A RESOLUTION TO APPROVE THE 2016 EMPLOYEE BENEFITS PACKAGE

Attachments: [Benefits Renewal Council Packet](#)

B. Unfinished Business:

B. 1 [2015-0249](#)**RZN 15-5044 (4065 E. HUNTSVILLE RD./THE PLAZA)**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5044, FOR APPROXIMATELY 16.02 ACRES, LOCATED AT 4065 E. HUNTSVILLE ROAD FROM R-PZD 08-3071, RESIDENTIAL PLANNED ZONING DISTRICT BRIDGEDALE PLAZA TO RSF-7, RESIDENTIAL SINGLE FAMILY, 7 UNITS PER ACRE, NS, NEIGHBORHOOD SERVICES, AND CS, COMMUNITY SERVICES

Attachments:[15-5044 CC EX A & EX B](#)[15-5044 CC reports](#)

At the June 2, 2015 City Council meeting, this ordinance was left on the first reading. At the June 16, 2015 City Council meeting, this ordinance was left on the second reading. At the July 7, 2015 City Council meeting, this ordinance was left on the third reading and tabled to the July 21, 2015 City Council meeting. At the July 21, 2015 City Council meeting, this ordinance was tabled to the August 4, 2015 City Council meeting.

B. 2 [2015-0316](#)**ARKANSAS LEGACY LLC APPEAL**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5066, FOR APPROXIMATELY 3.98 ACRES, LOCATED AT 1338 AND 1326 W. CLEVELAND STREET FROM RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE AND RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE TO DG, DOWNTOWN GENERAL SUBJECT TO A BILL OF ASSURANCE

Attachments:[15-5066 EX A & B](#)[Exhibit #4 Revision 3 - 071715](#)[15-5066 Full Report](#)[B.2 Additional Arkansas Legacy](#)

At the July 21, 2015 City Council meeting, this ordinance was left on the first reading.

B. 3 [2015-0324](#)**CITY COUNCIL'S INTENTION TO PURCHASE THE
FAYETTEVILLE CHAMBER OF COMMERCE BUILDING**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENTION TO INVESTIGATE A POSSIBLE PURCHASE OF THE FAYETTEVILLE CHAMBER OF COMMERCE BUILDING ON MOUNTAIN STREET

Attachments:

[Agenda Request Packet City Council intent to purchase Chamber Building](#)

At the July 21, 2015 City Council meeting, this resolution was tabled to the August 4, 2015 City Council meeting.

C. New Business:**C. 1** [2015-0308](#)**KESSLER CONSULTING AMENDMENT NO. 1**

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CONTRACT WITH KESSLER CONSULTING, INC. IN THE AMOUNT OF \$39,980.00 FOR ASSISTANCE WITH THE DESIGN AND IMPLEMENTATION OF A COMMERCIAL FOOD WASTE PILOT PROGRAM AND A SINGLE STREAM RECYCLING PILOT PROGRAM, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:

[SRP - Kessler Pilots Waste Diversion Plan](#)

[BA 2015-0308 Kessler Contract Amendment](#)

C. 2 [2015-0319](#)**UNIFORM NONDISCRIMINATION PROTECTIONS SPECIAL
ELECTION**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$40,000.00 TO PROVIDE FUNDING FOR PAYMENT OF COSTS RELATED TO THE UNIFORM NONDISCRIMINATION PROTECTIONS SPECIAL ELECTION

Attachments:

[Uniform Nondiscrimination Protections Special Election Packet](#)

[BA 2015 Special Election Uniform Discrimination](#)

C. 3 [2015-0329](#)**RZN 15-5103 (1837 W. MITCHELL ST./DUNN)**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5103, FOR APPROXIMATELY 0.23 ACRES, LOCATED AT 1837 W. MITCHELL ST. FROM RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE, TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

Attachments:[15-5103 CC EXHIBITS](#)[15-5103 STAFF REPORT](#)**C. 4** [2015-0330](#)**ADM 15-5093 (UDC CHAPTERS 161, 164 AND 172 - SINGLE FAMILY AND TWO FAMILY INFILL)**

AN ORDINANCE AMENDING TITLE XV UNIFIED DEVELOPMENT CODE OF THE CITY OF FAYETTEVILLE TO AMEND CHAPTERS 161, 164 AND 172 TO MODIFY THE BULK AND AREA REGULATIONS TO ENCOURAGE SMALL LOT SINGLE FAMILY AND TWO FAMILY INFILL IN MULTI-FAMILY ZONING DISTRICTS AND TO INCLUDE MINIMUM DESIGN STANDARDS FOR THIS TYPE OF DEVELOPMENT

Attachments:[15-5093 CC EX A](#)[15-5093 CC EX B](#)[15-5093 CC reports](#)**C. 5** [2015-0326](#)**REPEAL CHAPTER 171 STREETS AND SIDEWALKS**

AN ORDINANCE TO REPEAL CHAPTER 171 STREET AND SIDEWALKS AND ENACT A REPLACEMENT CHAPTER 171, STREETS AND SIDEWALKS OF THE UNIFIED DEVELOPMENT CODE

Attachments:[Legistar Item 2015--0326](#)**D. City Council Agenda Session Presentations:****D. 1** [2015-0196](#)

AGENDA SESSION PRESENTATION - WILLOW BEND PROJECT UPDATE, JOHN ANDERSON

E. City Council Tour: Monday, August 3, 2015 Chamber Building and Police Department

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.