

City of Fayetteville, Arkansas

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



Meeting Agenda - Final Agenda

Tuesday, September 15, 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:

[2015-0159](#)

NOMINATING COMMITTEE REPORT

Attachments:

[3rd Qtr Nominating Committee Report](#)

Agenda Additions:

A. Consent:

A. 1 [2014-0511](#)

APPROVAL OF THE SEPTEMBER 1, 2015 CITY COUNCIL MEETING MINUTES.

A. 2 [2015-0386](#)

MASON COMPANY OF LEESBURG, OHIO:

A RESOLUTION TO AUTHORIZE THE PURCHASE OF THIRTY-SIX (36) KENNEL DOORS FROM MASON COMPANY OF LEESBURG, OHIO IN THE AMOUNT OF \$19,554.00 PLUS APPLICABLE TAXES TO REPLACE THE EXISTING DETERIORATING KENNEL DOORS AT THE FAYETTEVILLE ANIMAL SHELTER

Attachments:

[2015-0386 Kennel Doors](#)

A. 3 [2015-0373](#)**BEAVER WATERSHED ALLIANCE MEMORANDUM OF AGREEMENT:**

A RESOLUTION TO APPROVE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY FOR WATER QUALITY SAMPLING ON THE WEST FORK OF THE WHITE RIVER AT A COST TO THE CITY OF \$7,000.00, TO APPROVE A MEMORANDUM OF AGREEMENT WITH THE BEAVER WATERSHED ALLIANCE TO FUND THE CITY'S PORTION OF THE JOINT FUNDING AGREEMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:[2015-0373 WF White River Water Quality Sampling](#)[BA_WF White River Water Quality Sampling 08112015](#)**A. 4** [2015-0406](#)**BID NO. 15-46 TOMLINSON ASPHALT CO., INC.:**

A RESOLUTION TO AWARD BID NO. 15-46 AND AUTHORIZE A CONTRACT WITH TOMLINSON ASPHALT CO., INC. IN THE AMOUNT OF \$301,201.16 FOR THE CONSTRUCTION OF THE LAKE FAYETTEVILLE TRAILHEAD PARKING LOT PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$30,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:[Legistar Item 2015 0406](#)[BA_15016 Lake Fayetteville Trailhead \(BGSO\)_Legistar Item 2015-0xxx](#)[Purchase request for Tomlinson Asphalt](#)**A. 5** [2015-0403](#)**BID NO. 15-49 UNITED RENTALS (NORTH AMERICA), INC.:**

A RESOLUTION TO AWARD BID NO. 15-49 AND AUTHORIZE THE PURCHASE OF ALUMINUM SHORING FROM UNITED RENTALS (NORTH AMERICA), INC. IN THE AMOUNT OF \$29,561.54 PLUS APPLICABLE TAXES FOR USE BY THE WATER & SEWER DIVISION

Attachments:[United Rentals Agenda Packet](#)

A. 6 [2015-0358](#)**BID NO. 15-50 FUTURE LINK OF ILLINOIS, INC.:**

A RESOLUTION TO AWARD BID NO. 15-50 AND AUTHORIZE THE PURCHASE OF SEVENTEEN (17) MOBILE COMPUTER SYSTEMS FROM FUTURE LINK OF ILLINOIS, INC. IN THE AMOUNT OF \$80,556.50 FOR USE BY THE FIRE DEPARTMENT, TO AUTHORIZE THE PURCHASE OF ADDITIONAL MOBILE COMPUTER SYSTEMS AS NEEDED THROUGH DECEMBER 31, 2015 IN AN AMOUNT NOT TO EXCEED \$17,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [ERP Fire Laptop FutureLink 2015-0358.pdf](#)
[BA_Futurelink 2015-0358.xlsm](#)

A. 7 [2015-0397](#)**2015-2016 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT:**

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2015-2016 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT IN THE AMOUNT OF \$112,900.00, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [CCAP - FY2016 STEP](#)
[BA - FY2016 STEP Award](#)

A. 8 [2015-0401](#)**ARNOLD L. HOLLINGSWORTH LEASE AGREEMENT:**

A RESOLUTION TO APPROVE A TWO YEAR LEASE AGREEMENT WITH ARNOLD L. HOLLINGSWORTH FOR THE HANGAR LOCATED AT 4568 S. SCHOOL AVENUE AND OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF \$4,687.00 PER MONTH

Attachments: [Legistar2015-0401 Hollingsworth 4568SSchoolHangarLease 082615](#)

A. 9 [2015-0404](#)**2015-2016 T-HANGAR LEASE AGREEMENTS:**

A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2015 AND THROUGH 2016 AT THE CURRENT RENTAL RATE OR AS ADJUSTED UPWARD BY THE AIRPORT BOARD FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE EXECUTIVE AIRPORT

Attachments: [Legistar 15-0404 T-HangarLeaseTemplate 082715](#)

A. 10 [2015-0408](#)**REAL ASSETS, INC.:**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH REAL ASSETS, INC. TO REPRESENT THE CITY IN SELLING APPROXIMATELY 1.25 ACRES OF CITY-OWNED REAL PROPERTY ON OLD WIRE ROAD NEAR GULLEY PARK FOR A SIX PERCENT (6%) COMMISSION

Attachments: [2015.0408 Attachments Binder](#)

A. 11 [2015-0415](#)**GOVDEALS, INC. OF MONTGOMERY, ALABAMA:**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH GOVDEALS, INC. OF MONTGOMERY, ALABAMA, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE PURCHASING AGREEMENT, FOR THE PROVISION OF ONLINE AUCTION SERVICES FOR THE SALE OF SURPLUS OR OBSOLETE CITY PROPERTY

Attachments: [GovDeals- Agenda Item 8.28.15](#)

A. 12 [2015-0396](#)**FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT:**

A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF A 90/10 ASSISTANCE TO FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF \$65,883.00 FOR THE PURCHASE OF WASHER EXTRACTORS AND DRYING CABINETS FOR THE FIRE DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Attachments: [SRF_SRM_Award Package for AFG Grant](#)
[Revised BA AFG Grant Award Acceptance August 2015](#)

A. 13 [2015-0392](#)**WASHINGTON COUNTY PRE-HAZARD MITIGATION PLAN:**

A RESOLUTION TO ADOPT THE PRE-HAZARD MITIGATION PLAN FOR WASHINGTON COUNTY AND THE CITY OF FAYETTEVILLE AS REQUIRED TO QUALIFY FOR FUTURE FEDERAL EMERGENCY MANAGEMENT AGENCY PRE-HAZARD MITIGATION FUNDING

Attachments:[SRF SRM Pre-Hazard Mitigation Plan](#)[Washington County Pre-Hazard Mitigation Plan](#)[HAZARD MITIGATION RESOLUTION DRAFT](#)**A. 14** [2015-0412](#)**ECONOMIC DEVELOPMENT CONSULTING SERVICES:**

A RESOLUTION TO APPROVE A SIX (6) MONTH EXTENSION TO THE CONTRACT WITH THE FAYETTEVILLE CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES IN THE AMOUNT OF \$82,500.00 AND TO APPROVE A BUDGET ADJUSTMENT

Attachments:[Contract Extension Documents](#)[Budget Adjustment](#)**B. Unfinished Business:****B. 1** [2015-0372](#)**AMEND 172.05 (ADM 15-5088 UDC AMENDMENT CHAPTER 172.05 NON-RESIDENTIAL PARKING REQUIREMENTS:**

AN ORDINANCE TO AMEND SECTION 172.05 OF THE UNIFIED DEVELOPMENT CODE TO REMOVE MINIMUM PARKING STANDARDS FOR NON-RESIDENTIAL USES

Attachments:[15-5088 CC EX A](#)[15-5088 CC Staff reports](#)[Supplemental Materials](#)[C. 4 Additional Amend 172.05 Memo](#)[C.4 Tom Overbey Email ADMIN 15-5088 090115](#)

At the September 1, 2015 City Council meeting, this ordinance was left on the first reading.

C. New Business:

C. 1 [2015-0409](#)**SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS:**

A RESOLUTION TO APPROVE SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE TOTAL AMOUNT OF \$414,161.00 FOR THE CITY TO ADMINISTER PROGRAMS TO ASSIST HOMELESS FAYETTEVILLE RESIDENTS

Attachments:[SNAP Grant Packet - 9.15.15 Council Mtg](#)[Original Grant Agreements](#)[Additional: Supplement - Grant Applications](#)**C. 2** [2015-0395](#)**ENACT ARTICLE XXVIII CITY BOARD OF HEALTH:**

AN ORDINANCE TO ENACT ARTICLE XXVIII CITY BOARD OF HEALTH IN CHAPTER 33 DEPARTMENTS, BOARDS, COMMISSIONS AND AUTHORITIES OF THE FAYETTEVILLE CODE

Attachments:[SRF_SRM_Ordinance for Board of Health](#)**C. 3** [2015-0400](#)**RZN 15-5148 (402 E. 7TH ST./NIEDERMAN):**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5148, FOR APPROXIMATELY 0.20 ACRES, LOCATED AT 402 E. 7th ST. FROM NC, NEIGHBORHOOD CONSERVATION TO RMF-12, RESIDENTIAL MULTI-FAMILY, 12 UNITS PER ACRE.

Attachments:[15-5148 CC EXHIBITS](#)[15-5148 CC DOCS](#)

C. 4 [2015-0410](#)**RZN 15-5149 (2975 OLD FARMINGTON RD./KING SIEVERT):**

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5149, FOR APPROXIMATELY 1.27 ACRES, LOCATED AT 2975 OLD FARMINGTON RD. FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

Attachments: [15-5149 CC EX A & B](#)
 [15-5149 Full Packet](#)

C. 5 [2015-0405](#)**2015 MILLAGE LEVY:**

AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR THE YEAR 2015 FIXING THE RATE THEREOF AT 2.3 MILLS FOR GENERAL FUND OPERATIONS, 0.4 MILLS FOR THE FIREMEN'S PENSION AND RELIEF FUND, 0.4 MILLS FOR THE POLICEMEN'S PENSION AND RELIEF FUND AND 1.0 MILL FOR THE FAYETTEVILLE PUBLIC LIBRARY; AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS

Attachments: [Millage Levy Agenda Packet](#)

D. City Council Agenda Session Presentations:**D. 1** [2015-0385](#)

AGENDA SESSION PRESENTATION, GENERAL FUND BUDGET PRESENTATION IN REGARD TO 2016 MILLAGE LEVY - PAUL BECKER, CHIEF FINANCIAL OFFICER

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.

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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 479-575-8330.

A copy of the complete City Council agenda is available at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.