

# City of Fayetteville, Arkansas

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



## Meeting Agenda - Final Agenda

Tuesday, February 16, 2016

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**      [2015-0641](#)

APPROVAL OF THE FEBRUARY 2, 2016 CITY COUNCIL MEETING MINUTES.

**A. 2**      [2016-0009](#)

**MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC  
AMENDMENT NO. 3:**

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE CONTRACT WITH MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC IN THE AMOUNT OF \$25,000.00 FOR ADDITIONAL LEGAL SERVICES RELATED TO THE WHITE RIVER WATER QUALITY STANDARDS PETITION TO THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION, AND TO APPROVE A BUDGET ADJUSTMENT

**Attachments:**

[NEWLY REVISED Mitchell Williams Amendment No. 3 Legistar Packet](#)

[NEWLY REVISED BA - Mitchell Williams Amendment No. 3](#)

[PACKET HAS BEEN REVISED Mitchell Williams Amendment No. 3 Legistar Pa](#)

**B. Unfinished Business: None****C. Public Hearing:**

**C. 1**      [2016-0059](#)**RAZE AND REMOVAL AND CLEAN-UP AT 550 W. SKELTON STREET:**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE AND CLEAN-UP OF UNSANITARY AND UNSIGHTLY CONDITIONS ON PROPERTY OWNED BY U.S. BANK NATIONAL ASSOCIATION LOCATED AT 550 W. SKELTON STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

**Attachments:**      [550 Skelton Agenda Packet](#)  
[BA - 550 Skelton](#)

**C. 2**      [2016-0058](#)**RAZE AND REMOVAL 1180 E. HUNTSVILLE ROAD:**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY AARON KENDALL KIRK AND JOHN PAUL KEARY LOCATED AT 1180 E. HUNTSVILLE ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

**Attachments:**      [1180 Huntsville Agenda Packet](#)  
[BA - 1180 Huntsville](#)

**D. New Business:****D. 1**      [2016-0067](#)**WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO. 4:**

A RESOLUTION TO APPROVE TASK ORDER NO. 4 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$79,500.00 FOR CONTINUED NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS TO EXISTING RESTORATION AREAS TO ENHANCE STREAM CHANNEL STABILITY

**Attachments:**      [2016-0067 Vegetation Restoration and Stability](#)

**D. 2**      [2016-0056](#)**NORTHWEST ARKANSAS REGIONAL PLANNING  
COMMISSION ONE-YEAR CONTRACT:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$40,017.86 FOR A STORMWATER EDUCATION PROGRAM FOR 2016

**Attachments:**      [2016-0056 Stormwater Education Agreement](#)

**D. 3**      [2016-0065](#)**AMEND THE MASTER STREET PLAN:**

A RESOLUTION TO AMEND THE MASTER STREET PLAN BY RECLASSIFYING NORTH COLLEGE AVENUE BETWEEN MAPLE STREET AND NORTH STREET FROM FIVE LANE PRINCIPAL ARTERIAL WITH AN 87 FOOT RIGHT OF WAY TO A FOUR LANE THOROUGHFARE WITH A 63 FOOT RIGHT OF WAY

**Attachments:**      [15-5283 Full CC Packet](#)

**D. 4**      [2016-0064](#)**VAC 15-5280 (5 W. APPLEBY RD./WRMC OFFICES):**

AN ORDINANCE TO APPROVE VAC 15-5280 SUBMITTED BY USI CONSULTING ENGINEERS, INC. FOR PROPERTY LOCATED AT 5 W. APPLEBY ROAD TO VACATE PORTIONS OF SEWER AND DRAINAGE EASEMENTS

**Attachments:**      [15-5280 Full CC Packet](#)

**D. 5**      [2016-0060](#)**VAC 15-5287 (SW CORNER OF PERSIMMON & MTN.RANCH  
BLVD./PARK HILL MTN. RANCH):**

AN ORDINANCE TO APPROVE VAC 15-5287 SUBMITTED BY JORGENSEN AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PERSIMMON AND MOUNTAIN RANCH BOULEVARD TO VACATE PORTIONS OF UTILITY EASEMENTS

**Attachments:**      [15-5287 CC reports](#)

**D. 6**      [2016-0062](#)**VAC 16-5303 (4200 W. MAHOGANY DR./BRADFORD):**

AN ORDINANCE TO APPROVE VAC 16-5303 SUBMITTED BY REID AND ASSOCIATES, INC. FOR PROPERTY LOCATED AT 4200 WEST MAHOGANY TO VACATE A PORTION OF UTILITY EASEMENT

**Attachments:**      [16-5303 CC packet](#)

**D. 7**      [2016-0061](#)**RZN 15-5240 (2514 W. LORI RD./RAZORBACK GOLF COURSE):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 15-5240 FOR APPROXIMATELY 128 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL-AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY ONE UNIT PER ACRE; AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO R - A, RESIDENTIAL-AGRICULTURAL; RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS, NEIGHBORHOOD SERVICES, SUBJECT TO A BILL OF ASSURANCE

**Attachments:**      [RZN 15-5240 CC reports](#)

**D. 8**      [2016-0057](#)**AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES:**

AN ORDINANCE TO AMEND § 72.58 **OFF-STREET PARKING FACILITIES; RULES AND RATES** (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL

**Attachments:**      [Agenda Request Form § 72.58](#)  
                                 [Additional Amend 72.58](#)

**E. City Council Agenda Session Presentations:**

**E. 1**      [2015-0587](#)

AGENDA SESSION PRESENTATION: AIRPORT UPDATE BY JOHNNY ROSCOE, AIRPORT DIRECTOR

**E. 2**      [2016-0043](#)

AGENDA SESSION PRESENTATION: QUARTERLY ECONOMIC DEVELOPMENT PRESENTATION, 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 479-575-8330.*

*A copy of the complete City Council agenda is available at [www.fayetteville-ar.gov](http://www.fayetteville-ar.gov) or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.*