

# City of Fayetteville, Arkansas

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



## City Council Meeting

**June 7, 2016  
5:30 p.m.**

**City Hall Room 219  
113 West Mountain**

### **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*

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

**Call To Order**

**Roll Call**

**Pledge of Allegiance**

**Mayor's Announcements, Proclamations and Recognitions**

**City Council Meeting Presentations, Reports and Discussion Items:**

1. 2016-0264 FIRST QUARTER FINANCIAL REPORT TO CITY COUNCIL

Legislation Text

**Agenda Additions:**

**A. Consent:**

- A. 1 2015-0648 APPROVAL OF THE MAY 17, 2016 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2016-0269 BID #16-23 JBZ, INC. D/B/A ELLINGSON CONTRACTING: A RESOLUTION TO AWARD BID # 16-23 AND APPROVE A CONTRACT WITH JBZ, INC. D/B/A ELLINGSON CONTRACTING IN THE AMOUNT OF \$287,300.00 FOR THE CONSTRUCTION OF KITCHEN RENOVATIONS AT THE FAYETTEVILLE SENIOR CENTER; TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$30,153.00; TO APPROVE CHANGE ORDER NO. 1 TO REFLECT VALUE ENGINEERING ITEMS AND REDUCE THE CONTRACT AMOUNT BY \$53,560.00; AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID #16-23 JBZ, INC. D/B/A ELLINGSON CONTRACTING

BA BID #16-23 JBZ, INC. D/B/A ELLINGSON CONTRACTING

- A. 3 2016-0257 BID #16-31 HILBILT SALES CORPORATION: A RESOLUTION TO AWARD BID #16-31 AND AUTHORIZE THE PURCHASE OF A 2016 CLEMENT STARLIGHT 3829 TANDEM AXLE DUMP TRAILER FROM HILBILT SALES CORPORATION OF BENTON, ARKANSAS IN THE AMOUNT OF \$39,590.00 PLUS APPLICABLE TAXES FOR USE AT THE CITY WASTEWATER TREATMENT

## FACILITIES

### Legislation Text

#### BID #16-31 HILBILT SALES CORPORATION

- A. 4 2016-0258 BID #16-33 SUPERIOR AUTOMOTIVE GROUP: A RESOLUTION TO AWARD BID #16-33 AND AUTHORIZE THE PURCHASE OF TWO (2) 2016 FORD F-350 FLATBED TRUCKS FROM SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS, ARKANSAS IN THE TOTAL AMOUNT OF \$66,558.00 FOR USE AT THE CITY WASTEWATER TREATMENT FACILITIES

### Legislation Text

#### BID #16-33 SUPERIOR AUTOMOTIVE GROUP

- A. 5 2016-0256 RIGGS CAT 2016 CATERPILLAR 420F2 BACKHOE: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A 2016 CATERPILLAR 420F2 BACKHOE FROM RIGGS CAT OF SPRINGDALE, ARKANSAS IN THE AMOUNT OF \$95,620.00, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, FOR USE BY THE TRANSPORTATION DEPARTMENT

### Legislation Text

#### RIGGS CAT 2016 CATERPILLAR 420F2 BACKHOE

- A. 6 2016-0259 RIGGS CAT 2016 CATERPILLAR 259D SKID STEER: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A 2016 CATERPILLAR 259D SKID STEER FROM RIGGS CAT OF SPRINGDALE, ARKANSAS IN THE AMOUNT OF \$55,000.00, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, FOR USE BY THE WATER AND SEWER OPERATIONS DIVISION

### Legislation Text

#### RIGGS CAT 2016 CATERPILLAR 259D SKID STEER

- A. 7 2016-0260 LEWIS AUTOMOTIVE GROUP: A RESOLUTION TO APPROVE THE PURCHASE OF A 2013 DODGE CARAVAN FROM LEWIS AUTOMOTIVE GROUP OF FAYETTEVILLE, ARKANSAS IN THE AMOUNT OF \$17,771.00 FOR USE BY THE AIRPORT SERVICES DIVISION, AND TO APPROVE A BUDGET ADJUSTMENT

### Legislation Text

#### LEWIS AUTOMOTIVE GROUP

#### BA LEWIS AUTOMOTIVE GROUP

- A. 8 2016-0147 SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENT: A RESOLUTION TO APPROVE A SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$188,525.00 FOR THE CITY TO ADMINISTER PROGRAMS TO PROVIDE RENTAL ASSISTANCE AND SUPPORTIVE SERVICES TO HOMELESS FAYETTEVILLE RESIDENTS

Legislation Text

SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENT

- A. 9 2016-0223 MCGOODWIN, WILLIAMS AND YATES, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCGOODWIN, WILLIAMS AND YATES, INC. IN AN AMOUNT NOT TO EXCEED \$182,077.00 FOR A WATER MASTER PLAN UPDATE AND FOR DESIGN, BIDDING AND CONSTRUCTION PHASE SERVICES FOR THE REPLACEMENT OF APPROXIMATELY 3,000 FEET OF WATER LINE ON DINSMORE TRAIL

Legislation Text

MCGOODWIN, WILLIAMS AND YATES, INC.

- A. 10 2016-0239 TAXIWAY LIGHTING REHABILITATION CONSTRUCTION GRANT APPLICATION: A RESOLUTION TO AUTHORIZE APPLICATION FOR AND ACCEPTANCE OF A 90/10 MATCHING GRANT FROM THE FEDERAL AVIATION ADMINISTRATION TO PROVIDE FUNDING FOR THE TAXIWAY LIGHTING REHABILITATION PROJECT AT DRAKE FIELD, TO APPROVE A CONTRACT WITH H&H ELECTRIC, INC. IN THE AMOUNT OF \$222,755.00 FOR THE PROJECT CONTINGENT UPON A GRANT AWARD, AND TO APPROVE A BUDGET ADJUSTMENT AUTHORIZING THE AIRPORT FUND MATCHING EXPENSE AND RECOGNIZING GRANT REVENUE CONTINGENT UPON APPROVAL OF THE GRANT APPLICATION AND RECEIPT OF GRANT FUNDS

Legislation Text

TAXIWAY LIGHTING REHABILITATION CONSTRUCTION GRANT APPLICATION

BA TAXIWAY LIGHTING REHABILITATION CONSTRUCTION GRANT APPLICATION

- A. 11 2016-0243 UNIVERSITY OF ARKANSAS OSHER LIFELONG LEARNING INSTITUTE LEASE AGREEMENT: A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS FOR THE UNOCCUPIED BANQUET AREA IN THE AIRPORT TERMINAL BUILDING TO BE USED BY THE OSHER LIFELONG LEARNING INSTITUTE TO CONDUCT CLASSES DURING THE FALL 2016 AND SPRING 2017 SEMESTERS IN THE AMOUNT OF \$25.00 FOR EACH DAY THE SPACE IS USED

Legislation Text

UNIVERSITY OF ARKANSAS OSHER LIFELONG LEARNING INSTITUTE  
LEASE AGREEMENT

- A. 12 2016-0271 ROGERS, INC.: A RESOLUTION TO APPROVE A ONE YEAR LEASE AGREEMENT WITH ROGERS, INC. FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF \$330.00 PER MONTH TO PROVIDE IN-FLIGHT CATERING SERVICES

Legislation Text

Rogers, Inc.

**B. Public Hearing:**

- B. 1 2016-0190 550 WEST SKELTON STREET: A RESOLUTION CERTIFYING TO THE TAX COLLECTOR OF WASHINGTON COUNTY, ARKANSAS THE COSTS OF ABATING UNSIGHTLY AND UNSANITARY CONDITIONS AND THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE UPON THE PROPERTY OWNED BY U.S. BANK NATIONAL ASSOCIATION AT 550 WEST SKELTON STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS

Legislation Text

550 WEST SKELTON STREET

**C. Unfinished Business:**

- C. 1 2016-0248 FALLING WATERS APPEAL: AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5385 FOR APPROXIMATELY 35.31 ACRES ON DEAD HORSE MOUNTAIN ROAD FROM R-A, RESIDENTIAL AGRICULTURE TO RSF-2, RESIDENTIAL SINGLE FAMILY, 2 UNITS PER ACRE SUBJECT TO A BILL OF ASSURANCE LIMITING DEVELOPMENT TO 51 HOMES (LEFT ON FIRST READING)

Legislation Text

FALLING WATERS APPEAL

**D. New Business:**

- D. 1 2016-0266 RZN 16-5400 (SOUTHEAST CORNER OF PERSIMMON & BROYLES AVE./CROSS KEYS SOUTH SD): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5400 FOR APPROXIMATELY 1.43 ACRES LOCATED AT THE SOUTHEAST CORNER OF PERSIMMON AND BROYLES AVENUE FROM R-A, RESIDENTIAL AGRICULTURAL AND NC, NEIGHBORHOOD CONSERVATION TO NC, NEIGHBORHOOD CONSERVATION AND R-A, RESIDENTIAL AGRICULTURAL

Legislation Text

RZN 16-5400 (SOUTHEAST CORNER OF PERSIMMON & BROYLES AVE./CROSS KEYS SOUTH SD).

- D. 2 2016-0255 VAC 16-5404 (1649 W. FARMINGTON ST./STEVENS): AN ORDINANCE TO APPROVE VAC 16-5404 SUBMITTED BY ANGELA STEPHENS FOR PROPERTY LOCATED AT 1649 WEST FARMINGTON STREET TO VACATE PORTIONS OF AN ACCESS EASEMENT

Legislation Text

VAC 16-5404 (1649 W. FARMINGTON ST./STEVENS).

- D. 3 2016-0278 THEATRE SQUARED, INC.: A RESOLUTION TO APPROVE A LONG TERM LEASE OF THE SPRING AND WEST PARKING LOT WITH THEATRE SQUARED, INC. TO CONSTRUCT A PERFORMANCE THEATER WITH EDUCATIONAL AND COMMUNITY EVENT SPACE

Legislation Text

THEATRE SQUARED, INC.

Additional Theatre Squared, Inc.

- D. 4 2016-0276 MARK ZWEIG, INC.: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH MARK ZWEIG, INC. FOR A WATER MAIN UPGRADE ALONG COLLEGE AVENUE BETWEEN EAST DAVIDSON STREET AND EAST MAPLE STREET WITH THE AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$73,100.40

Legislation Text

MARK ZWEIG, INC.

- D. 5 2016-0272 OZARKS ELECTRIC COOPERATIVE CORPORATION, INC.: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE A 25 YEAR LICENSE AGREEMENT WITH OZARKS ELECTRIC COOPERATIVE CORPORATION, INC. FOR THE PURCHASE OF 100 SHARES AT THE OZARKS NATURAL ENERGY SOLAR FACILITY IN THE AMOUNT OF \$34,000.00

Legislation Text

OZARKS ELECTRIC COOPERATIVE CORPORATION, INC.

- D. 6 2016-0273 TREE PRESERVATION AREA MODIFICATION: A RESOLUTION TO APPROVE A MODIFICATION TO AN EXISTING TREE PRESERVATION AREA AT THE WALTON ARTS CENTER FOR THE PURPOSE OF INSTALLING PUBLIC ART

Legislation Text

TREE PRESERVATION AREA MODIFICATION

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

- E. 1 2016-0245 AGENDA SESSION PRESENTATION - CH2M ANNUAL REPORT, BILLY AMMONS

Legislation Text

- E. 2 2016-0250 AGENDA SESSION PRESENTATION - TRAIL CONSTRUCTION STATUS UPDATE - MATT MIHALEVICH

Legislation Text

**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.*