

# City of Fayetteville, Arkansas

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



## City Council Agenda Session

**November 29, 2016  
4:30 p.m.**

**City Hall Room 326**

### **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*

***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. 2016-0550 MAYOR CONFIRMATION OF THE PUBLIC FACILITIES BOARD APPOINTMENT

Legislation Text

MAYOR CONFIRMATION OF THE PUBLIC FACILITIES BOARD APPOINTMENT

2. 2016-0531 REPORT OF OPERATING RESULTS FOR THE 3RD QUARTER 2016 - PAUL BECKER

Legislation Text

**Agenda Additions**

**A. Consent:**

- A. 1 2015-0660 APPROVAL OF THE NOVEMBER 15, 2016 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2016-0530 COMMUNITY RESOURCES DEPARTMENT DONATIONS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$33,355.00 REPRESENTING DONATIONS TO RANGER'S PANTRY AND THE SENIOR GIVING TREE AND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME RECEIVED FROM FOUR HOUSING LIEN PAYOFFS

Legislation Text

COMMUNITY RESOURCES DEPARTMENT DONATIONS

BA COMMUNITY RESOURCES DEPARTMENT DONATIONS

- A. 3 2016-0536 FIRE STATION NO. 5 ICE MACHINE PURCHASE: A RESOLUTION

TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$3,593.00 RECOGNIZING REVENUE FROM THE SALE OF USED GENERATORS ON GOVDEALS.COM AND INCREASING THE RELATED EXPENSE BUDGET FOR THE PURCHASE OF AN ICE MACHINE FOR FIRE STATION NO. 5

Legislation Text

FIRE STATION NO. 5 ICE MACHINE PURCHASE

BA FIRE STATION NO. 5 ICE MACHINE PURCHASE

- A. 4 2016-0532 ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT MUD CREEK TRAIL: A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE ACCEPTANCE OF AN 80/20 ARKANSAS TRANSPORTATION ALTERNATIVES PROGRAM FEDERAL-AID GRANT IN THE AMOUNT OF \$500,000.00 FOR THE INSTALLATION OF LIGHTING ALONG MUD CREEK TRAIL AND PORTIONS OF THE RAZORBACK REGIONAL GREENWAY, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

AHTD MUD CREEK TRAIL

BA AHTD MUD CREEK TRAIL

- A. 5 2016-0533 ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT MAPLE STREET TO FRISCO AVENUE: A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE ACCEPTANCE OF AN 80/20 ARKANSAS RECREATIONAL TRAILS PROGRAM GRANT IN THE AMOUNT OF \$56,000.00 FOR THE REPAIR OF A DAMAGED SECTION OF THE RAZORBACK REGIONAL GREENWAY FROM MAPLE STREET TO FRISCO AVENUE, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

AHTD MAPLE STREET TO FRISCO AVENUE

BA AHTD MAPLE STREET TO FRISCO AVENUE

- A. 6 2016-0547 2017 T-HANGAR LEASE AGREEMENTS: A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2017 AT THE CURRENT RENTAL RATE OR AS ADJUSTED UPWARD BY THE AIRPORT BOARD FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE EXECUTIVE AIRPORT

Legislation Text

2017 T-HANGAR LEASE AGREEMENTS

- A. 7 2016-0553 KANSAS E3, LLC: A RESOLUTION TO APPROVE AN AGREEMENT WITH KANSAS E3, LLC FOR THE HAULING AND RECYCLING OF SOLID WASTE GENERATED FROM CONSTRUCTION AND DEMOLITION ACTIVITIES IN THE CITY OF FAYETTEVILLE

Legislation Text

KANSAS E3, LLC

- A. 8 2016-0556 GROUND-CHERRY CREEK: A RESOLUTION TO NAME THE UNNAMED TRIBUTARY ON THE SOUTH SIDE OF KESSLER MOUNTAIN REGIONAL PARK "GROUND-CHERRY CREEK"

Legislation Text

GROUND-CHERRY CREEK

- A. 9 2016-0540 RFP NO. 16-07 LAKE SEQUOYAH MARINA OPERATOR CONTRACT: A RESOLUTION TO AWARD RFP NO. 16-07 AND APPROVE THE LAKE SEQUOYAH MARINA OPERATOR CONTRACT WITH MICHAEL MCBRIDE IN THE AMOUNT OF \$22,800.00 FOR SERVICES IN 2017, WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS CONTINGENT UPON ANNUAL BUDGET APPROVAL

Legislation Text

RFP NO. 16-07 LAKE SEQUOYAH MARINA OPERATOR CONTRACT

- A. 10 2016-0545 AMENDED RESTATED ARTICLES OF INCORPORATION OF THE WALTON ARTS CENTER FOUNDATION, INC.: A RESOLUTION TO APPROVE THE AMENDED AND RESTATED ARTICLES OF INCORPORATION OF THE WALTON ARTS CENTER FOUNDATION, INC. AND TO AUTHORIZE MAYOR JORDAN'S SIGNATURE THEREON

Legislation Text

AMENDED RESTATED ARTICLES OF INCORPORATION OF THE WALTON ARTS CENTER FOUNDATION, INC.

- A. 11 2016-0605 CITY AND COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA: A RESOLUTION TO APPROVE A RENEWAL OF THE CONTRACT WITH COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA IN THE AMOUNT OF \$157,520.04 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2017, CONTINGENT ON APPROVAL OF THE 2017 ANNUAL CITY BUDGET

Legislation Text

CITY AND COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA

**B. Unfinished Business:**

- B. 1 2016-0432 RZN 16-5550 (2155 N. RUPPLE RD./HAZEN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5550 FOR APPROXIMATELY 70 ACRES LOCATED EAST AND WEST OF RUPPLE ROAD AND SOUTH OF MOUNT COMFORT ROAD FROM RSF-1, RESIDENTIAL SINGLE FAMILY, 1 UNIT PER ACRE; RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE AND R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES AND R-A, RESIDENTIAL AGRICULTURAL (LEFT ON THE THIRD READING AND TABLED)**

Legislation Text

RZN 16-5550 (2155 N. RUPPLE RD./HAZEN)

ADDITIONAL RZN 16-5550 (2155 N. RUPPLE RD.HAZEN)

- B. 2 2016-0445 APPEAL OF LSD 16-5488 THE MACEY DRIVE TOWNHOMES: A RESOLUTION TO GRANT THE APPEAL OF TIM BRISIEL OF LEGACY VENTURES AND TO APPROVE LARGE SCALE DEVELOPMENT 16-5488 MACEY DRIVE TOWNHOMES**

Legislation Text

APPEAL OF LSD 16-5488 THE MACEY DRIVE TOWNHOMES

- B. 3 2016-0488 UARK CREDIT UNION REZONING APPEAL: AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5589 FOR APPROXIMATELY 0.37 ACRES LOCATED AT 714 WEST MARTIN LUTHER KING BOULEVARD AND 511 HILL AVENUE FROM RMF-40, RESIDENTIAL MULTI FAMILY, 40 UNITS PER ACRE TO C-1, NEIGHBORHOOD COMMERCIAL (LEFT ON THE SECOND READING)**

Legislation Text

UARK CREDIT UNION REZONING APPEAL

- B. 4 2016-0490 WG LAND COMPANY APPEAL: AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5590 FOR APPROXIMATELY 23 ACRES LOCATED NORTHEAST OF MCGUIRE STREET AND VAN ASCHE DRIVE FROM C-2, THOROUGHFARE COMMERCIAL AND C-3, CENTRAL COMMERCIAL TO C-3, CENTRAL COMMERCIAL (LEFT ON THE SECOND READING)**

Legislation Text

WG LAND COMPANY APPEAL

- B. 5 2016-0521 RZN 16-5609 (1764 N. STARR RD./HAYS): AN ORDINANCE TO**

REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5609 FOR APPROXIMATELY 26.83 ACRES LOCATED AT 1764 NORTH STARR ROAD FROM RSF-1, RESIDENTIAL SINGLE FAMILY, 1 UNIT PER ACRE TO RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE (LEFT ON THE FIRST READING)

Legislation Text

RZN 16-5609 (1764 N. STARR RD./HAYS)

- B.** 6 2016-0517 RZN 16-5633 (2350 W. WEDINGTON DR./UPTON): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5633 FOR APPROXIMATELY 0.80 ACRES LOCATED AT 2350 WEST WEDINGTON DRIVE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NS, NEIGHBORHOOD SERVICES (LEFT ON THE FIRST READING)

Legislation Text

RZN 16-5633 (2350 W. WEDINGTON DR./UPTON)

- B.** 7 2016-0523 RZN 16-5598 (1777 S. SMOKEHOUSE TRAIL/OZARK MOUNTAIN SMOKEHOUSE): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5598 FOR APPROXIMATELY 3.74 ACRES LOCATED AT 1777 SOUTH SMOKEHOUSE TRAIL FROM R-A, RESIDENTIAL AGRICULTURAL TO UT, URBAN THOROUGHFARE (LEFT ON THE FIRST READING)

Legislation Text

RZN 16-5598 (1777 S. SMOKEHOUSE TRAIL/OZARK MOUNTAIN SMOKEHOUSE)

- B.** 8 2016-0508 AMEND § 31.18 DISTRICT JUDGE COMPENSATION: AN ORDINANCE TO AMEND § 31.18 DISTRICT JUDGE COMPENSATION BECAUSE THE DISTRICT JUDGE OF WASHINGTON COUNTY DISTRICT COURT, FAYETTEVILLE DEPARTMENT WILL ON JANUARY 1, 2017 BECOME A FULL TIME STATE EMPLOYEE (LEFT ON THE FIRST READING)

Legislation Text

AMEND § 31.18 DISTRICT JUDGE COMPENSATION

- B.** 9 2016-0520 AMEND § 33.350 PURPOSE AND ESTABLISHMENT AND § 33.351 COMPOSITION: AN ORDINANCE TO AMEND § 33.350 PURPOSE AND ESTABLISHMENT AND § 33.351 COMPOSITION OF ARTICLE XXIII ACTIVE TRANSPORTATION ADVISORY COMMITTEE OF THE FAYETTEVILLE CITY CODE TO EXPAND THE SCOPE OF THE COMMITTEE'S DUTIES, TO RECOMMEND THAT THE CITY COUNCIL APPOINTEE SHOULD ALSO SERVE ON THE TRANSPORTATION COMMITTEE, AND TO ESTABLISH A TIME FOR

Legislation Text

AMEND § 33.350 PURPOSE AND ESTABLISHMENT AND § 33.351  
COMPOSITION

**C. New Business:**

- C. 1 2016-0522 FOUR SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS: A RESOLUTION TO APPROVE THE RENEWAL OF FOUR SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE TOTAL AMOUNT OF \$380,278.00 FOR THE CITY TO ADMINISTER PROGRAMS TO ASSIST HOMELESS FAYETTEVILLE RESIDENTS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

FOUR SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS

BA \_FOUR SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS

- C. 2 2016-0541 FAYETTEVILLE YOUTH CENTER, INC.: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A CONTRACT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND FAYETTEVILLE YOUTH CENTER, INC. IN THE AMOUNT OF \$225,000.00 TO PROVIDE PUBLIC RECREATION SERVICES FOR THE YOUTH AND CITIZENS OF FAYETTEVILLE FOR 2017 CONTINGENT UPON APPROVAL OF THE 2017 CITY BUDGET

Legislation Text

FAYETTEVILLE YOUTH CENTER, INC.

- C. 3 2016-0549 AREA AGENCY ON AGING OF NORTHWEST ARKANSAS: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A CONTRACT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND THE AREA AGENCY ON AGING OF NORTHWEST ARKANSAS IN THE AMOUNT OF \$98,887.00 TO PROVIDE PUBLIC RECREATION SERVICES FOR THE SENIOR CITIZENS OF FAYETTEVILLE FOR 2017, CONTINGENT ON APPROVAL OF THE 2017 ANNUAL CITY BUDGET AND WORK PROGRAM

Legislation Text

AREA AGENCY ON AGING OF NORTHWEST ARKANSAS

- C. 4 2016-0558 THE FIELD SHOP, INC. CHANGE ORDER AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND

APPROVE A CHANGE ORDER TO THE CONTRACT WITH THE FIELD SHOP, INC. OF LITTLE ROCK TO EXPAND THE SCOPE OF SERVICES TO INCLUDE THE PURCHASE AND INSTALLATION OF A VIDEO PRODUCTION DIGITAL SERVER AND ARCHIVE SYSTEM AND RELOCATION OF THE RECORDING TRANSFER STATION AT THE TELEVISION CENTER

Legislation Text

THE FIELD SHOP, INC.

- C. 5 2016-0506 SOLID WASTE REDUCTION, DIVERSION AND RECYCLING MASTER PLAN: A RESOLUTION TO ADOPT THE SOLID WASTE REDUCTION, DIVERSION AND RECYCLING MASTER PLAN AS DEVELOPED BY KESSLER CONSULTING, INCORPORATED

Legislation Text

SOLID WASTE REDUCTION, DIVERSION AND RECYCLING MASTER PLAN

- C. 6 2016-0555 RZN 16-5624 (SW CORNER OF GREGG AVE. & DRAKE ST./DRAKE ST. HOLDINGS, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5624 FOR APPROXIMATELY 8.95 ACRES LOCATED AT THE SOUTHWEST CORNER OF GREGG AVENUE AND DRAKE STREET FROM RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE TO CS, COMMUNITY SERVICES

Legislation Text

RZN 16-5624: (SW CORNER OF GREGG AVE. & DRAKE ST./DRAKE ST. HOLDINGS, LLC)

- C. 7 2016-0525 VAC 16-5582 (41 E. NORTH ST./ANDONA PROPERTIES): AN ORDINANCE TO APPROVE VAC 16-5582 SUBMITTED BY ANDREA FOURNET TO VACATE THE UNBUILT PIKE STREET RIGHT-OF-WAY BETWEEN HIGHLAND AND POLLARD AVENUE

Legislation Text

VAC 16-5582 (41 E. NORTH ST./ANDONA PROPERTIES)

- C. 8 2016-0554 2017 ANNUAL BUDGET AND WORK PROGRAM: A RESOLUTION TO ADOPT THE 2017 ANNUAL BUDGET AND WORK PROGRAM

Legislation Text

2017 ANNUAL BUDGET AND WORK PROGRAM

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

- D. 1 2016-0552 AGENDA SESSION PRESENTATION - SEVEN HILLS HOMELESS



Legislation Text

**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 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.*