

City of Fayetteville, Arkansas

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



City Council Meeting

**February 7, 2017
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
Sarah Bunch 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

1. 2017-0031 ORT-OZARK REGIONAL TRANSIT - SEMI-MONTHLY REPORT

Legislation Text

2. 2017-0009 FAYETTEVILLE NATURAL HERITAGE ASSOCIATION CHECK PRESENTATION

Legislation Text

3. 2017-0042 KESSLER MOUNTAIN REGIONAL PARK ROTARY PLAYGROUND PROJECT PRESENTATION - PRESENTED BY ROTARY CLUB PRESIDENT HARRISON PITTMAN

Legislation Text

City Council Meeting Presentations, Reports and Discussion Items:

Agenda Additions:

A. Consent:

- A. 1 2016-0568 APPROVAL OF THE JANUARY 17, 2017 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2017-0011 BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY: A RESOLUTION TO AWARD BID NO. 16-65 AND AUTHORIZE THE PURCHASE OF A GENIE S-45 TELESCOPIC BOOM LIFT FROM J.A. RIGGS TRACTOR COMPANY OF SPRINGDALE IN THE AMOUNT OF \$64,710.96 FOR USE AT THE BIOSOLIDS MANAGEMENT SITE

Legislation Text

BID NO. 16-65 J.A. RIGGS TRACTOR COMPANY

- A. 3 2017-0010 BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY: A RESOLUTION TO AWARD BID NO. 16-66 AND AUTHORIZE THE PURCHASE OF AN ELGIN CROSSWIND STREET SWEEPER FROM SCRUGGS EQUIPMENT COMPANY OF MEMPHIS, TENNESSEE IN THE AMOUNT OF \$202,265.00 FOR USE BY THE TRANSPORTATION SERVICES DEPARTMENT

Legislation Text

BID NO. 16-66 SCRUGGS EQUIPMENT COMPANY

- A. 4 2016-0639 BID NO. 16-67 SWEETSER CONSTRUCTION, INC.: A RESOLUTION TO AWARD BID NO. 16-67 AND AUTHORIZE A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$158,422.00 FOR THE CONSTRUCTION OF A BRIDGE ALONG SALEM ROAD FOR THE CLABBER CREEK TRAIL, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,921.00

Legislation Text

BID 16-67 SWEETSER CONSTRUCTION, INC.

- A. 5 2017-0038 SANDERS CREST, INC.: A RESOLUTION TO APPROVE A ONE YEAR LEASE AGREEMENT WITH AN OPTION TO RENEW FOR THREE ADDITIONAL ONE YEAR TERMS WITH SANDERS CREST, INC. FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING IN THE AMOUNT OF \$780.16 PER MONTH FOR THE FIRST YEAR

Legislation Text

SANDERS CREST, INC.

- A. 6 2017-0043 FRANKLIN AND SON, INC.: A RESOLUTION TO AWARD BID NO. 17-21 AND APPROVE A CONSTRUCTION CONTRACT WITH FRANKLIN AND SON, INC. OF FARMINGTON, ARKANSAS FOR THE AIRFIELD ROOF REHABILITATION PROJECT AT DRAKE FIELD IN THE AMOUNT OF \$378,253.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$79,374.00

Legislation Text

FRANKLIN AND SON. INC.

- A. 7 2017-0013 BANK OF FAYETTEVILLE DONATION REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,000.00 REPRESENTING DONATION REVENUE FROM THE BANK OF FAYETTEVILLE TO THE FAYETTEVILLE FIRE DEPARTMENT FOR THE ANNUAL EMPLOYEE SERVICE AWARDS EVENT

Legislation Text

BANK OF FAYETTEVILLE DONATION REVENUE

BA BANK OF FAYETTEVILLE DONATION REVENUE

- A. 8 2017-0007 CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7: A RESOLUTION TO APPROVE A TWO MONTH EXTENSION OF AMENDMENT NO. 7 TO THE CONTRACT WITH CH2M HILL ENGINEERS, INC. BEGINNING JANUARY 1, 2017 AND ENDING FEBRUARY 28, 2017 AT A COST OF \$656,019.58 PER MONTH FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES

Legislation Text

CH2M HILL ENGINEERS, INC. AMENDMENT NO. 7:

- A. 9 2017-0032 DAVIS LAW FIRM WATER DAMAGE CLAIM: A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$26,759.34 TO DAVIS, CLARK, BUTT, CARITHERS & TAYLOR, PLC FOR A WATER DAMAGE CLAIM AT 15 AND 19 EAST MOUNTAIN STREET

Legislation Text

DAVIS LAW FIRM WATER DAMAGE CLAIM

- A. 10 2017-0045 DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM: A RESOLUTION PURSUANT TO FAYETTEVILLE CODE OF ORDINANCES SECTION 39.10(C)(4) TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$13,903.57 TO DANIEL AND MEGAN KELSEY AS REIMBURSEMENT FOR DAMAGE TO THEIR REAL AND PERSONAL PROPERTY IN ADDITION TO PREVIOUS PAYMENTS OF \$6,587.78 TO SERVPRO FOR WATER DAMAGE MITIGATION SERVICES, \$350.00 TO WFC, INC. FOR BATHROOM REPAIR WORK, AND \$396.04 TO HILTON HOTELS FOR DISLOCATION EXPENSES

Legislation Text

DANIEL AND MEGAN KELSEY SEWER DAMAGE CLAIM

- A. 11 2017-0014 LAKE SEQUOYAH DREDGING FACILITIES: A RESOLUTION TO APPROVE A NEW CAPITAL PROJECT FOR CONTINUED CONSTRUCTION OF DREDGING FACILITIES AT LAKE SEQUOYAH, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$503,242.00 TO FUND THE PROJECT

Legislation Text

LAKE SEQUOYAH DREDGING FACILITIES

BA LAKE SEQUOYAH DREDGING FACILITIES

- A. 12 2017-0048 FAYETTEVILLE RENTALS, LLC: A RESOLUTION TO APPROVE A 50/50 COST SHARE AGREEMENT WITH FAYETTEVILLE RENTALS, LLC FOR CONSTRUCTION OF A SEWER MAIN ALONG A PORTION OF SOUTH STREET BETWEEN SOUTH COLLEGE AVENUE AND SOUTH WASHINGTON AVENUE AT A TOTAL ESTIMATED COST OF \$10,174.86 INCLUDING A 20% PROJECT CONTINGENCY

Legislation Text

FAYETTEVILLE RENTALS, LLC

- A. 13 2017-0040 BID NO. 17-22 BLUE RIBBON LAWNS, INC.: A RESOLUTION TO AWARD BID NO. 17-22 AND AUTHORIZE A CONTRACT WITH BLUE RIBBON LAWNS, INC. IN THE AMOUNT OF \$169,810.24 FOR THE INSTALLATION OF TREES AND SHRUBS WITHIN THE MEDIAN OF RUPPLE ROAD BETWEEN WEST PERSIMMON STREET AND WEST MARTIN LUTHER KING, JR. BOULEVARD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00

Legislation Text

BLUE RIBBON LAWNS, INC.

B. Unfinished Business:

- B. 1 2016-0674 PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT APPEAL: A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER ADELLA GRAY AND TO DENY PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) BECAUSE SUCH DEVELOPMENT WOULD CREATE OR COMPOUND A DANGEROUS TRAFFIC CONDITION IN VIOLATION OF § 166.02 (C)(2)(a)(iv) OF THE UNIFIED DEVELOPMENT CODE

Legislation Text

PRELIMINARY PLAT 16-5574 (MOUNTAIN VISTA SUBDIVISION) GRANT APPEAL

C. New Business:

- C. 1 2017-0034 WALTON FAMILY FOUNDATION MATCHING GRANT: A RESOLUTION TO ACCEPT A WALTON FAMILY FOUNDATION MATCHING GRANT IN THE AMOUNT OF \$210,000.00 FOR THE IMPLEMENTATION OF A PORTION OF THE KESSLER MOUNTAIN MASTER TRAILS PLAN, TO AUTHORIZE MAYOR JORDAN TO SIGN THE GRANT AGREEMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

WALTON FAMILY FOUNDATION MATCHING GRANT

BA WALTON FAMILY FOUNDATION MATCHING GRANT

- C. 2 2017-0033 2017 ENERGY ACTION PLAN: A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE STUDY AND DEVELOPMENT OF AN ENERGY ACTION PLAN IN 2017

Legislation Text

2017 ENERGY ACTION PLAN

- C. 3 2017-0029 CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8: A RESOLUTION TO APPROVE AMENDMENT NO. 8 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$7,807,453.00 FOR SERVICES IN 2017

Legislation Text

CH2M HILL ENGINEERS, INC. AMENDMENT NO. 8

- C. 4 2017-0030 21 WEST, LLC COST SHARE: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH 21 WEST, LLC FOR THE INSTALLATION OF SEWER MAIN ALONG A PORTION OF MEADOW STREET BETWEEN WEST AVENUE AND GREGG AVENUE, WITH THE ESTIMATED AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$36,128.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,225.60

Legislation Text

21 WEST LLC

- C. 5 2017-0012 CRUSE UNIFORMS AND EQUIPMENT, INC.: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING THROUGH DECEMBER 31, 2018 AND AUTHORIZE THE PURCHASE OF POLICE SERVICE WEAPONS AND HOLSTERS FROM CRUSE UNIFORMS AND EQUIPMENT, INC. IN THE AMOUNT OF \$109,237.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

CRUSE UNIFORMS AND EQUIPMENT, INC.

BA CRUSE UNIFORMS AND EQUIPMENT, INC.

- C. 6 2017-0017 RZN 16-5677 (3535 E. HUNTSVILLE RD./HARRIS): AN ORDINANCE TO REZONE ABOUT 1.27 ACRES DESCRIBED IN REZONING PETITION 16-5677 LOCATED AT 3535 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY-FOUR UNITS PER ACRE TO R-A, RESIDENTIAL AGRICULTURE.

Legislation Text

RZN 16-5677 (3535 E. HUNTSVILLE RD./HARRIS)

- C. 7 2016-0524 AMEND §164.02 ACCESSORY STRUCTURES AND USES: AN ORDINANCE TO AMEND §164.02 ACCESSORY STRUCTURES AND USES OF THE UNIFIED DEVELOPMENT CODE TO ALLOW THE CONSTRUCTION OF SHARED ACCESSORY STRUCTURES

Legislation Text

AMEND §164.02 ACCESSORY STRUCTURES AND USES

- C. 8 2017-0015 AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION: AN ORDINANCE TO AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION OF THE UNIFIED DEVELOPMENT CODE TO REPEAL UNNEEDED DEFINITIONS AND TO REMOVE A REQUIREMENT THAT SIGN ILLUMINATION IN THE I-540 OVERLAY DISTRICT BE INDIRECT

Legislation Text

AMEND §151.01 DEFINITIONS AND §174.09 SIGN ILLUMINATION

D. City Council Agenda Session Presentations:

E. City Council Tour: FEBRUARY 6, 2017 4:30 PM - PRELIMINARY PLAT 16-5574

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 or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.