

City of Fayetteville, Arkansas

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



City Council Meeting

**February 5, 2019
5:30 p.m.**

**City Hall Room 219
113 West Mountain**

City Council Members

*Sonia Gutierrez Ward 1
Sarah Marsh Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Sloan Scroggin Ward 3
Sarah Bunch Ward 3*

***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. 2018-0672 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

Agenda Additions

A. Consent

- A. 1 2019-0001 APPROVAL OF THE JANUARY 15, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2019-03 HAZMAT SERVICES REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT RECOGNIZING HAZMAT SERVICES REVENUE RECEIVED BY THE FIRE DEPARTMENT FROM WASHINGTON COUNTY IN THE AMOUNT OF \$3,509.00 AND INCREASING THE RELATED EXPENSE BUDGET

Legislation Text

HAZMAT SERVICES REVENUE

BA_HAZMAT SERVICES REVENUE

- A. 3 2019-05 FAYETTEVILLE FIRE DEPARTMENT DONATION REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,000.00 REPRESENTING DONATION REVENUE TO THE FAYETTEVILLE FIRE DEPARTMENT FROM THE BANK OF FAYETTEVILLE (FARMERS AND MERCHANTS BANK) FOR THE ANNUAL EMPLOYEE SERVICE AWARDS EVENT

Legislation Text

FAYETTEVILLE FIRE DEPARTMENT DONATION REVENUE

BA FAYETTEVILLE FIRE DEPARTMENT DONATION REVENUE

- A. 4 2019-0035 BKD, LLP: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN AN ENGAGEMENT LETTER WITH BKD, LLP AND PAY AN AMOUNT NOT TO EXCEED \$103,650.00 FOR AUDITING SERVICES FOR THE 2018 AUDIT

Legislation Text

BKD, LLP

- A. 5 2019-0041 BID #18-46 GEVEKO MARKINGS, INC: A RESOLUTION TO AWARD BID #18-56 AND AUTHORIZE THE PURCHASE OF PREFORMED THERMOPLASTIC PAVEMENT MARKINGS FROM GEVEKO MARKINGS, INC. IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED THROUGH THE END OF 2019

Legislation Text

BID #18-46 GEVEKO MARKINGS, INC.

- A. 6 2019-0043 REPEAL RESOLUTION 08-19: A RESOLUTION TO REPEAL RESOLUTION NO. 08-19 AND AUTHORIZE THE PURCHASE OF A DODGE DURANGO WITH TOWING PACKAGE FROM SUPERIOR AUTOMOTIVE OF SILOAM SPRINGS IN THE AMOUNT OF \$26,922.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE COMMUNITY RESOURCES DIVISION

Legislation Text

REPEAL RESOLUTION 08-19

- A. 7 2019-0044 SUPERIOR DODGE RAM - CHEVY TRAVERSE: A RESOLUTION TO APPROVE THE PURCHASE OF TWO CHEVROLET TRAVERSES FROM SUPERIOR DODGE RAM OF SILOAM SPRINGS IN THE TOTAL AMOUNT OF \$50,602.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE ENGINEERING AND BUILDING SAFETY DIVISIONS

Legislation Text

SUPERIOR DODGE RAM - CHEVY TRAVERSE

- A. 8 2019-0045 SUPERIOR DODGE RAM - DODGE RAM 1500: A RESOLUTION TO APPROVE THE PURCHASE OF THREE DODGE RAM 1500 PICKUP TRUCKS FROM SUPERIOR DODGE RAM OF SILOAM SPRINGS IN THE TOTAL AMOUNT OF \$67,401.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE ENGINEERING DIVISION

Legislation Text

SUPERIOR DODGE RAM - DODGE RAM 1500

- A. 9 2019-0026 EPA REGION 6 WETLAND PROGRAM DEVELOPMENT GRANT: A RESOLUTION TO AUTHORIZE AN APPLICATION FOR A 75/25 ENVIRONMENTAL PROTECTION AGENCY REGION 6 WETLAND PROGRAM DEVELOPMENT GRANT IN THE TOTAL AMOUNT OF \$400,000.00 FOR STREAM RESTORATION PROJECTS IN THE CITY OF FAYETTEVILLE

Legislation Text

EPA REGION 6 WETLAND PROGRAM DEVELOPMENT GRANT

- A. 10 2019-0027 NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION: A RESOLUTION TO APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$41,812.00 FOR A STORMWATER EDUCATION PROGRAM FOR 2019

Legislation Text

NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION:

- A. 11 2019-0049 WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO. 1: A RESOLUTION TO APPROVE AN AMENDMENT TO TASK ORDER NO. 1 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE ADDITIONAL AMOUNT OF \$16,702.35 FOR WORK PERFORMED DURING THE ASSESSMENT OF STREAMS THROUGH THE CITY ASSOCIATED WITH A WETLAND PROGRAM DEVELOPMENT GRANT

Legislation Text

2019-0049 Stream Assesment Revised Task Order

- A. 12 2019-0050 RAZORBACK GREENWAY TUNNEL IMPROVEMENTS: A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO UTILIZE FEDERAL-AID RECREATIONAL TRAILS PROGRAM FUNDS FOR RAZORBACK REGIONAL GREENWAY - FULBRIGHT EXPRESSWAY TUNNEL IMPROVEMENTS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

RAZORBACK GREENWAY TUNNEL IMPROVEMENTS

BA RAZORBACK GREENWAY TUNNEL IMPROVEMENTS

- A. 13 2019-0061 COMMUNITY ACCESS TELEVISION DBA YOUR MEDIA: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$10,000.00 RECOGNIZING PUBLIC ACCESS TELEVISION FEE REVENUE TO BE

Legislation Text

COMMUNITY ACCESS TELEVISION DBA YOUR MEDIA

BA COMMUNITY ACCESS TELEVISION DBA YOUR MEDIA

- A. 14 2018-0762 KAJACS CONTRACTORS, INC.: A RESOLUTION TO AWARD BID # 18-55 AND AUTHORIZE A CONTRACT WITH KAJACS CONTRACTORS, INC. IN THE AMOUNT OF \$1,067,000.00 FOR CONSTRUCTION SERVICES ASSOCIATED WITH THE ELIMINATION OF THE MASTERS SEWER LIFT STATION, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$106,700.00

Legislation Text

KAJACS CONTRACTORS, INC.

- A. 15 2018-0761 HAWKINS-WEIR ENGINEERS, INC.: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$33,860.00 FOR CONSTRUCTION MANAGEMENT AND OBSERVATION SERVICES ASSOCIATED WITH THE ELIMINATION OF THE MASTERS SEWER LIFT STATION

Legislation Text

HAWKINS-WEIR ENGINEERS, INC.

- A. 16 2019-0051 RANGER'S PANTRY/SENIOR GIVING TREE DONATIONS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$600.00 REPRESENTING DONATIONS TO RANGER'S PANTRY AND THE SENIOR GIVING TREE

Legislation Text

RANGER'S PANTRY/SENIOR GIVING TREE DONATIONS

BA RANGER'S PANTRY/SENIOR GIVING TREE DONATIONS

B. Unfinished Business

- B. 1 2018-0770 APPEAL RZN 18-6380 (1882 STARR RD./JB HAYES): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6380 FOR APPROXIMATELY 1.20 ACRES LOCATED AT 1882 NORTH STARR DRIVE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NS-L, NEIGHBORHOOD SERVICES-LIMITED

Legislation Text

C. Public Hearing:

- C. 1 2018-0774 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY - PAYLESS TAXI: A RESOLUTION TO GRANT A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO KYLE EMPSALL D/B/A PAYLESS TAXI FOR THE OPERATION OF TWO (2) TAXICABS IN THE CITY OF FAYETTEVILLE

Legislation Text

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY - PAYLESS TAXI

- C. 2 2019-0052 RAZE AND REMOVAL LIEN CERTIFICATION 16 NORTH WILLOW AVENUE: A RESOLUTION CERTIFYING TO THE TAX COLLECTOR OF WASHINGTON COUNTY, ARKANSAS THE COSTS OF RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE UPON THE PROPERTY OWNED BY TOMMIE JO FLOWERS-DAVIS AND GEORGE E. FLOWERS LOCATED AT 16 NORTH WILLOW AVENUE IN THE CITY OF FAYETTEVILLE, ARKANSAS

Legislation Text

RAZE AND REMOVAL LIEN CERTIFICATION 16 NORTH WILLOW AVENUE:

D. New Business

- D. 1 2019-0046 CROSSLAND CONSTRUCTION COMPANY, INC. CHANGE ORDER NO. 2: A RESOLUTION TO AWARD FPL BID PACKAGE #19-17 AND APPROVE CHANGE ORDER NO. 2 TO THE CONSTRUCTION MANAGER AT RISK CONTRACT WITH CROSSLAND CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$2,806,481.00 FOR EARLY SITE WORK AND UTILITY RELOCATIONS, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$140,324.00

Legislation Text

CROSSLAND CONSTRUCTION COMPANY, INC. CHANGE ORDER NO. 2:

- D. 2 2018-0741 AIT SERVICES, INC.: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF SPARE PARTS AND REPAIR SERVICES FOR THE THERMAL DRYING UNIT LOCATED AT THE BIOSOLIDS MANAGEMENT SITE FROM AIT SERVICES, INC. IN THE AMOUNT OF \$117,917.67 PLUS APPLICABLE TAXES, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$20,000.00, AND TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING FOR FUTURE PURCHASES OF PARTS AND REPAIR SERVICES FOR THE THERMAL DRYING UNIT FROM AIT SERVICES, INC. THROUGH DECEMBER 31, 2021

Legislation Text

AIT SERVICES, INC.

- D. 3** 2018-0777 AMEND THE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF WATER LINES AND SEWER LINES: AN ORDINANCE TO AMEND THE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF WATER LINES AND SEWER LINES, 2017 EDITION AS ORIGINALLY ADOPTED IN § 173.12 STANDARD SPECIFICATIONS FOR WATER AND SEWER LINES IN CHAPTER 173 BUILDING REGULATIONS OF THE UNIFIED DEVELOPMENT CODE AND TO MOVE THE AMENDED REGULATIONS TO CHAPTER 51 WATER AND SEWERS

Legislation Text

AMEND THE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF WATER LINES AND SEWER LINES

ADDITIONAL AMEND THE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF WATER LINES AND SEWER LINES

- D. 4** 2019-0062 RZN 18-6462: (3030 OLD FARMINGTON RD./WILLBANKS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6462 FOR APPROXIMATELY 0.35 ACRES LOCATED AT 3030 OLD FARMINGTON ROAD FROM R-A, RESIDENTIAL AGRICULTURAL TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

Legislation Text

RZN 18-6462: (3030 OLD FARMINGTON RD./WILLBANKS)

- D. 5** 2019-0060 RZN 18-6464 (2081 N. SHADY AVE./TOBIN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6464 FOR APPROXIMATELY 1.16 ACRES LOCATED AT 2081 NORTH SHADY AVENUE FROM C-2, THOROUGHFARE COMMERCIAL TO NS-G, NEIGHBORHOOD SERVICES-GENERAL

Legislation Text

RZN 18-6464 (2081 N. SHADY AVE./TOBIN):

- D. 6** 2019-0064 RZN 18-6472: (3033 & 3035 W. SANDRA ST./MILLIGAN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6472 FOR APPROXIMATELY 0.42 ACRES LOCATED AT 3033 AND 3035 WEST SANDRA STREET FROM R-A, RESIDENTIAL AGRICULTURAL TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

Legislation Text

RZN 18-6472: (3033 & 3035 W. SANDRA ST./MILLIGAN)

- D. 7 2019-0055 RZN 18-6490(4847 W. WEDINGTON DR./WEDINGTON LANDING SD): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 18-6490 FOR APPROXIMATELY 7.64 ACRES LOCATED AT 4847 WEST WEDINGTON DRIVE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE AND NC, NEIGHBORHOOD CONSERVATION TO RMF-12, RESIDENTIAL MULTI-FAMILY, 12 UNITS PER ACRE**

Legislation Text

RZN 18-6490(4847 W. WEDINGTON DR./WEDINGTON LANDING SD).

- D. 8 2019-0066 VAC 18-6470 (NE OF 650 N. VINSON AVE./REBECCA ST. ROW): AN ORDINANCE TO APPROVE VAC 18-6470 TO VACATE A PORTION OF UNBUILT REBECCA STREET RIGHT-OF-WAY BETWEEN VINSON AVENUE AND SEQUOYAH DRIVE**

Legislation Text

VAC 18-6470 (NE OF 650 N. VINSON AVE./REBECCA ST. ROW):

- D. 9 2019-0054 VAC 18-6475 (3024 N. OAK BAILEY RD./ACREY): AN ORDINANCE TO APPROVE VAC 18-6475 FOR PROPERTY LOCATED AT 3024 NORTH OAK BAILEY ROAD TO VACATE A PORTION OF A UTILITY EASEMENT**

Legislation Text

VAC 18-6475 (3024 N. OAK BAILEY RD./ACREY).

- D. 10 2019-0057 U.S. GEOLOGICAL SURVEY: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGE OPERATION AND MAINTENANCE AND WATER QUALITY SAMPLING AND MONITORING AT VARIOUS LOCATIONS IN THE CITY OF FAYETTEVILLE IN 2019 WITH THE AMOUNT PAID BY THE CITY NOT TO EXCEED \$61,721.00**

Legislation Text

U.S. GEOLOGICAL SURVEY

- D. 11 2019-0025 AMEND 2019 ADOPTED BUDGET: A RESOLUTION TO AMEND THE 2019 ADOPTED BUDGET BY REAPPROPRIATING \$100,186,000.00 IN BONDED OR ONGOING CAPITAL PROJECTS, OUTSTANDING OBLIGATIONS AND GRANT FUNDED ITEMS**

Legislation Text

AMEND 2019 ADOPTED BUDGET

- D. 12 2019-0070 AMEND ARTICLE IX TELECOMMUNICATIONS BOARD: AN ORDINANCE TO AMEND ARTICLE IX TELECOMMUNICATIONS BOARD IN CHAPTER 33 DEPARTMENTS, BOARDS, COMMISSIONS, AND AUTHORITIES OF THE CITY CODE TO CHANGE THE NAME TO PEG ADVISORY BOARD, REDUCE THE NUMBER OF MEMBERS, AND REFOCUS THE PURPOSE AND INTENT OF THE BOARD TO ADVISING THE CITY COUNCIL ON ISSUES RELATED TO THE CITY'S PUBLIC ACCESS, EDUCATIONAL, AND GOVERNMENT (PEG) CHANNELS**

Legislation Text

AMEND ARTICLE IX TELECOMMUNICATIONS BOARD

- D. 13 2019-0024 OPIOID EPIDEMIC LITIGATION: A RESOLUTION RECOGNIZING THE OPIOID EPIDEMIC IN THE UNITED STATES OF AMERICA AND IN ARKANSAS; AND TO ENGAGE IN LITIGATION AGAINST THOSE ENTITIES AND PEOPLE RESPONSIBLE FOR THIS SOCIETAL CRISIS**

Legislation Text

OPIOID EPIDEMIC LITIGATION

ADDITIONAL OPIOID EPIDEMIC LITIGATION

E. City Council Agenda Session Presentations

- E. 1 2018-0753 AGENDA SESSION PRESENTATION: CULTURAL ARTS CORRIDOR**

Legislation Text

- E. 2 2019-0065 AGENDA SESSION PRESENTATION - FPTV (PUBLIC ACCESS) OPERATIONS UPDATE, PRESENTED BY DAN ROBINSON, EXECUTIVE DIRECTOR OF YOUR MEDIA**

Legislation Text

F. City Council Tour

G. Announcements

H. Adjournment

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council on an agenda item, please wait for the Mayor or Chair to request public comment then queue behind the podium. When the Mayor or Chair recognizes you, approach the podium and give your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or

Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn at the microphone for discussion of an agenda item.

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.

Unfinished 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. City staff, City Council members, and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item.

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. A simple majority of the City Council members, present and voting, may authorize a representative of a Fayetteville citizens' group opposing the ordinance or resolution to present an electronic visual aid not to exceed five minutes, but no other electronic visual aid presentations will be allowed; however, 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's 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 City Council. 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 City Council member 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 a City Council member 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 Telecommunications Device for the Deaf (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 on our website at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas (479) 575-8323.

All cell phones must be silenced and may not be used within the City Council Chambers.