

City of Fayetteville, Arkansas

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



City Council Meeting

**April 16, 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

1. 2019-0196 FINANCIAL REPORTING ACHIEVEMENT AWARD PRESENTED TO THE CITY OF FAYETTEVILLE ACCOUNTING DIVISION

Legislation Text

City Council Meeting Presentations, Reports and Discussion Items

Agenda Additions

A. Consent

- A. 1 2019-0006 APPROVAL OF THE APRIL 2, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2019-0119 BID #19-19 O'REILLY AUTO PARTS: A RESOLUTION TO AWARD BID #19-19 AND AUTHORIZE THE PURCHASE OF OIL, AIR, AND FUEL FILTERS FROM O'REILLY AUTO PARTS FOR VARYING UNIT PRICES AS NEEDED FOR A TERM OF ONE (1) YEAR WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS

Legislation Text

BID #19-19 O'REILLY AUTO PARTS

- A. 3 2019-02 2018 BOSTON MOUNTAIN RECYCLING GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2018 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT THROUGH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF \$7,000.00 FOR A COMPOST BIN SALE, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2018 BOSTON MOUNTAIN RECYCLING GRANT

BA_2018 BOSTON MOUNTAIN RECYCLING GRANT

- A. 4 2019-0192 RANGERS PANTRY DONATIONS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$50.00 REPRESENTING DONATIONS TO RANGER'S PANTRY

Legislation Text

RANGERS PANTRY DONATIONS

BA_RANGERS PANTRY DONATIONS

- A. 5 2019-0208 YVONNE RICHARDSON COMMUNITY CENTER SUMMER FUN4KIDS PROGRAM: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$4,056.00 REPRESENTING A DONATION FROM FRIENDS OF YRCC TO FUND A PAID SUMMER INTERNSHIP OPPORTUNITY WITH THE YVONNE RICHARDSON COMMUNITY CENTER SUMMER FUN4KIDS PROGRAM

Legislation Text

YRCC SUMMER FUN4KIDS PROGRAM

BA_YRCC SUMMER FUN4KIDS PROGRAM

- A. 6 2019-0199 UNITED STATES POSTAL SERVICE LEASE AMENDMENT: A RESOLUTION TO APPROVE A LEASE AMENDMENT WITH THE UNITED STATES POSTAL SERVICE FOR THE TERMINAL SPACE LOCATED AT 4500 SOUTH SCHOOL AVENUE, SUITE P TO EXTEND THE TERM OF THE LEASE THROUGH FEBRUARY 16, 2025, FOR ANNUAL RENT IN THE AMOUNT OF \$27,648.00

Legislation Text

UNITED STATES POSTAL SERVICE LEASE AMENDMENT

- A. 7 2019-0202 EPA REGION 6 WETLAND PROGRAM DEVELOPMENT GRANT APPLICATION: A RESOLUTION TO AUTHORIZE AN EPA REGION 6 WETLAND PROGRAM DEVELOPMENT GRANT APPLICATION IN THE TOTAL AMOUNT OF \$500,000.00 FOR RESTORATION OF TANGLEWOOD BRANCH WITHIN THE CULTURAL ARTS CORRIDOR

Legislation Text

EPA REGION 6 WETLAND PROGRAM DEVELOPMENT GRANT APPLICATION

- A. 8 2019-0210 BID #19-28 SCURLOCK INDUSTRIES: A RESOLUTION TO AWARD BID #19-28 AND AUTHORIZE THE PURCHASE OF PRECAST CONCRETE BOX CULVERTS FROM SCURLOCK INDUSTRIES IN THE AMOUNT OF \$51,821.50

PLUS APPLICABLE TAXES FOR A TUNNEL CROSSING UNDER OLD WIRE ROAD ON THE NIOKASKA CREEK TRAIL

Legislation Text

BID #19-28 SCURLOCK INDUSTRIES

- A. 9 2019-0216 AMEND RESOLUTION 39-19: A RESOLUTION TO AMEND THE 2019 BUDGET BY REDUCING THE AMOUNT OF REAPPROPRIATIONS FROM THE 2018 BUDGET BY \$2,532,487.00

Legislation Text

AMEND RESOLUTION 39-19

BA_AMEND RESOLUTION 39-19

- A. 10 2019-0179 RFQ #19-01 GARVER ENGINEERS, LLC: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC, PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$246,450.00 FOR THE ENGINEERING DESIGN OF WATERLINE REPLACEMENTS ALONG SOUTH GARLAND AVENUE AND EAST ROLLING HILLS DRIVE, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

RFQ #19-01 GARVER ENGINEERS, LLC

BA_RFQ #19-01 GARVER ENGINEERS, LLC

B. Unfinished Business: None

C. New Business

- C. 1 2019-0226 JOINT LAND PURCHASE, USE AND CONSERVATION CONTRACT - WCRC: A RESOLUTION TO APPROVE A LAND PURCHASE, USE AND CONSERVATION CONTRACT WITH THE WATERSHED CONSERVATION RESOURCE CENTER FOR THE JOINT PURCHASE OF ABOUT 98 ACRES OF LAND NEAR DEAD HORSE MOUNTAIN ROAD FOR THE AMOUNT OF \$250,000.00 PLUS CLOSING COSTS, WITH THE CITY'S PORTION OF THE COSTS NOT TO EXCEED \$160,000.00

Legislation Text

JOINT LAND PURCHASE, USE AND CONSERVATION CONTRACT - WCRC

- C. 2 2019-0174 WASHINGTON COUNTY JAIL SERVICES INTERLOCAL AGREEMENT: A RESOLUTION TO APPROVE THE TENTH AMENDED INTERLOCAL AGREEMENT FOR JAIL SERVICES WITH WASHINGTON COUNTY, ARKANSAS FOR CONTINUING FEES OF SIXTY-TWO DOLLARS

Legislation Text

WASHINGTON COUNTY JAIL SERVICES INTERLOCAL AGREEMENT

- C. 3 2019-0185 BAUMANN CONSTRUCTION, LLC: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH BAUMANN CONSTRUCTION, LLC FOR THE INSTALLATION OF SEWER MAIN ALONG A PORTION OF SOUTH SCHOOL AVENUE BETWEEN WEST SOUTH STREET AND SOUTH ARCHIBALD YELL BOULEVARD, WITH THE ESTIMATED AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$37,189.38, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$3,720.00

Legislation Text

BAUMANN CONSTRUCTION, LLC

- C. 4 2019-0189 RIGGS POWER SYSTEMS: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$31,503.35 PLUS APPLICABLE TAXES FROM RIGGS POWER SYSTEMS FOR THE REPLACEMENT OF AN EXHAUST CATALYST ON THE BACKUP GENERATOR AT THE NOLAND WASTEWATER TREATMENT FACILITY, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

RIGGS POWER SYSTEMS

BA RIGGS POWER SYSTEMS

- C. 5 2019-0173 RZN 19-6553 (510 S. COLLEGE AVE./COODY): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6553 FOR APPROXIMATELY 0.22 ACRES LOCATED AT 510 SOUTH COLLEGE AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO NS-L, NEIGHBORHOOD SERVICES-LIMITED

Legislation Text

RZN 19-6553 (510 S. COLLEGE AVE./COODY)

- C. 6 2019-0203 RZN 19-6555 (1924 S. ASHWOOD AVE./COTTAGES AT ASHWOOD): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6555 FOR APPROXIMATELY 0.16 ACRES LOCATED AT 1924 SOUTH ASHWOOD AVENUE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Legislation Text

RZN 19-6555(1924 S. ASHWOOD AVE./COTTAGES AT ASHWOOD)

- C. 7 2019-0200 RZN 19-6572 (1540 E. 15TH ST./EZ MART): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6572 FOR APPROXIMATELY 2.16 ACRES LOCATED AT 1540 E 15TH STREET FROM C-1, NEIGHBORHOOD COMMERCIAL TO CS, COMMUNITY SERVICES

Legislation Text

RZN 19-6572 (1540 E. 15TH ST./EZ MART)

- C. 8 2019-0209 RZN 18-6573 (509 W. PRAIRIE ST./PRAIRIE ST. LIVE): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6573 FOR APPROXIMATELY 0.93 ACRES LOCATED AT 509 WEST PRAIRIE STREET FROM DG, DOWNTOWN GENERAL TO MSC, MAIN STREET/CENTER

Legislation Text

RZN 18-6573 (509 W. PRAIRIE ST./PRAIRIE ST. LIVE)

- C. 9 2019-0205 VAC 19-6575 (2090 W. HENSON HILL RD./HENSON HILL): AN ORDINANCE TO APPROVE VAC 19-6575 FOR PROPERTY LOCATED AT 2090 WEST HENSON HILL TO VACATE A PORTION OF A UTILITY EASEMENT

Legislation Text

VAC 19-6575 (2090 W. HENSON HILL RD./HENSON HILL)

- C. 10 2019-0206 VAC 19-6571 (WEST OF 1248 E. PUMP STATION RD./TREE CLIMBERS, INC): AN ORDINANCE TO APPROVE VAC 19-6571 FOR PROPERTY LOCATED AT 1248 E PUMP STATION RD TO VACATE A PORTION OF A UTILITY EASEMENT

Legislation Text

VAC 19-6571 (WEST OF 1248 E. PUMP STATION RD./TREE CLIMBERS, INC)

- C. 11 2019-0207 VAC 19-6574 (1270 & 1272 N. CORSICA DR./BASHAM HOMES): AN ORDINANCE TO APPROVE VAC 19-6574 FOR PROPERTY LOCATED AT 1270 & 1272 NORTH CORSICA DRIVE TO VACATE A PORTION OF A UTILITY EASEMENT

Legislation Text

VAC 19-6574 (1270 & 1272 N. CORSICA DR./BASHAM HOMES)

- C. 12 2019-0197 AMEND ARTICLE XXII ARTS COUNCIL: AN ORDINANCE TO AMEND ARTICLE XXII ARTS COUNCIL IN CHAPTER 33 DEPARTMENTS, BOARDS, COMMISSIONS, AND AUTHORITIES OF THE CITY CODE TO

PROVIDE THAT ONE MEMBER OF THE ARTS COUNCIL SHALL BE A CITY COUNCIL MEMBER APPOINTED BY THE MAYOR

Legislation Text

FAYETTEVILLE ARTS COUNCIL

- C. 13 2019-0198 AMEND § 33.361 COMPOSITION OF ARTICLE XXIV TOWN AND GOWN ADVISORY COMMITTEE: AN ORDINANCE TO AMEND § 33.361 COMPOSITION OF ARTICLE XXIV TOWN AND GOWN ADVISORY COMMITTEE OF THE FAYETTEVILLE CITY CODE TO ADD THE PRESIDENT OF THE UNIVERSITY OF ARKANSAS GRADUATE PROFESSIONAL STUDENT CONGRESS AS A MEMBER

Legislation Text

AMEND § 33.361 COMPOSITION OF ARTICLE XXIV TOWN AND GOWN ADVISORY COMMITTEE

- C. 14 2019-0230 AMEND 166.08 ACCESS MANAGEMENT: AN ORDINANCE TO AMEND § 166.08(G) NON-CONFORMING ACCESS FEATURES TO REQUIRE ACCESS MANAGEMENT IMPROVEMENTS UPON EXPANSION OR IMPROVEMENTS COSTING GREATER THAN 50% OF THE MARKET VALUE OF A PROPERTY RATHER THAN THE ASSESSED VALUE

Legislation Text

AMEND 166.08 ACCESS MANAGEMENT

D. City Council Agenda Session Presentations

- D. 1 2019-0182 AGENDA SESSION PRESENTATION: CITY PLAN 2030 UPDATE (SURVEY RESULTS)

Legislation Text

E. City Council Tour

F. Announcements

G. 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.