

# City of Fayetteville, Arkansas

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



## City Council Agenda Session

**May 28, 2019  
4:30 p.m.**

**City Hall Room 326**

### **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  
Teresa Turk 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. 2018-0676 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

2. 2019-0327 ORT-OZARK REGIONAL TRANSIT - PERIODIC REPORT

Legislation Text

**Agenda Additions**

**A. Consent:**

- A. 1 2019-0009 APPROVAL OF THE MAY 21, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2019-0256 MULTI-CRAFT CONTRACTORS, INC.: A RESOLUTION TO APPROVE A CONTRACT WITH MULTI-CRAFT CONTRACTORS, INC. FOR THE REPAIR OF A MECHANICAL SWEEP-ARM AT THE WESTSIDE WASTEWATER TREATMENT FACILITY IN THE AMOUNT OF \$16,481.00 PLUS APPLICABLE TAXES, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

MULTI-CRAFT CONTRACTORS, INC.

BA MULTI-CRAFT CONTRACTORS, INC.

- A. 3 2019-0264 AIT SERVICES, INC.: A RESOLUTION TO ACCEPT A QUOTE IN THE AMOUNT OF \$58,250.00 PLUS APPLICABLE TAXES FROM AIT SERVICES, INC. FOR THE INSTALLATION OF CRITICAL REPLACEMENT PARTS FOR THE THERMAL DRYER AT THE BIOSOLIDS MANAGEMENT SITE, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,000.00, AND TO APPROVE

A BUDGET ADJUSTMENT

Legislation Text

AIT SERVICES, INC.

BA\_AIT SERVICES, INC.

- A. 4 2019-0319 HAWKINS-WEIR ENGINEERS, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN THE AMOUNT OF \$134,720.00 FOR WATER MODELING, ANALYSIS, AND DESIGN OF WATER SYSTEM IMPROVEMENTS TO IMPROVE FIRE FLOW THROUGHOUT FAYETTEVILLE

Legislation Text

HAWKINS-WEIR ENGINEERS, INC.

- A. 5 2019-0320 GARVER, LLC CHANGE ORDER NO. 1: A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH GARVER, LLC IN THE AMOUNT OF \$246,475.00 FOR ENGINEERING SERVICES ASSOCIATED WITH WATER AND SEWER RELOCATIONS REQUIRED FOR ARKANSAS DEPARTMENT OF TRANSPORTATION JOB 040683, THE WIDENING OF HIGHWAY 170 FROM HIGHWAY 62 TO CLYDE CARNES ROAD

Legislation Text

GARVER, LLC CHANGE ORDER NO. 1

- A. 6 2019-0324 PHILLIP HOSKINS SEWER DAMAGE CLAIM: A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$6,113.11 TO PHILLIP HOSKINS FOR A SEWER DAMAGE CLAIM ARISING AT 983 NORTH LEWIS AVENUE IN ADDITION TO PREVIOUS PAYMENTS OF \$3,600.58 TO SERVICEMASTER FOR SEWER DAMAGE MITIGATION SERVICES AND \$100.00 TO ACCELERATED PLUMBING FOR PLUMBING SERVICES

Legislation Text

PHILLIP HOSKINS SEWER DAMAGE CLAIM

- A. 7 2019-0287 TOTER, INC.: A RESOLUTION TO APPROVE THE PURCHASE OF TRASH CARTS AND RELATED PRODUCTS AND SERVICES FROM TOTER, INC., PURSUANT TO A NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE COOPERATIVE PURCHASING CONTRACT, THROUGH JANUARY 31, 2023, AND ANY FUTURE RENEWAL PERIODS

Legislation Text

TOTER, INC.

- A. 8 2019-0288 BID #19-25 DIAMOND C CONSTRUCTION: A RESOLUTION TO AWARD BID #19-25 AND AUTHORIZE A CONTRACT WITH DIAMOND C CONSTRUCTION COMPANY IN THE AMOUNT OF \$82,024.89 FOR THE REPLACEMENT OF A RETAINING WALL ON BLOCK AVENUE, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,004.23, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID #19-25 DIAMOND C CONSTRUCTION

BA BID #19-25 DIAMOND C CONSTRUCTION

- A. 9 2019-0313 STEVE BEAM CONSTRUCTION, INC. CHANGE ORDER #2: A RESOLUTION TO APPROVE CHANGE ORDER NO. 2 TO THE CONTRACT WITH STEVE BEAM CONSTRUCTION, INC. IN THE AMOUNT OF \$190,690.00 TO PERFORM ADDITIONAL REMEDIAL WORK ASSOCIATED WITH THE MEADOW STREET PARKING DECK REHABILITATION PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$19,069.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

STEVE BEAM CONSTRUCTION, INC. CHANGE ORDER #2

BA STEVE BEAM CONSTRUCTION, INC. CHANGE ORDER #2

- A. 10 2019-0310 MHC KENWORTH - DUMP TRUCKS: A RESOLUTION TO AUTHORIZE THE PURCHASE OF FOUR KENWORTH T800 DUMP TRUCKS FROM MHC KENWORTH OF SPRINGDALE IN THE TOTAL AMOUNT OF \$791,238.00, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE TRANSPORTATION DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

MHC KENWORTH - DUMP TRUCKS

BA MHC KENWORTH - DUMP TRUCKS

- A. 11 2019-0311 MHC KENWORTH - SNOW PLOWS: A RESOLUTION TO AUTHORIZE THE PURCHASE OF TWO HENDERSON SNOW PLOWS FROM MHC KENWORTH OF SPRINGDALE IN THE TOTAL AMOUNT OF \$28,038.00, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE TRANSPORTATION DEPARTMENT

Legislation Text

MHC KENWORTH - SNOW PLOWS

- A. 12 2019-0312 MHC KENWORTH - HENDERSON TASK FORCE SPREADERS: A RESOLUTION TO AUTHORIZE THE PURCHASE OF TWO HENDERSON TASK FORCE SPREADERS FROM MHC KENWORTH OF SPRINGDALE IN THE TOTAL AMOUNT OF \$71,390.00, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE TRANSPORTATION DEPARTMENT

Legislation Text

MHC KENWORTH - HENDERSON TASK FORCE SPREADERS:

- A. 13 2019-0315 BURNS & MCDONNELL ENGINEERING COMPANY INC. AGREEMENT: A RESOLUTION TO AUTHORIZE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC., FOR ENGINEERING DESIGN SERVICES FOR THE HIGHWAY 112 PROJECT, POPLAR STREET TO DRAKE STREET, IN THE AMOUNT OF \$618,186.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BURNS & MCDONNELL ENGINEERING COMPANY INC. AGREEMENT

BA\_BURNS & MCDONNELL ENGINEERING COMPANY INC. AGREEMENT

**B. Unfinished Business:**

- B. 1 2019-0272 RZN 19-6620 (NW OF JOYCE BLVD. & OLD MISSOURI RD./JEL ACQUISITIONS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6620 FOR APPROXIMATELY 11.79 ACRES LOCATED NORTHWEST OF JOYCE BOULEVARD AND OLD MISSOURI ROAD, FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES AND RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE

Legislation Text

RZN 19-6620 (NW OF JOYCE BLVD. & OLD MISSOURI RD./JEL ACQUISITIONS)

**C. New Business:**

- C. 1 2019-0300 YRCC PROGRAM DONATION: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$23,500.00 REPRESENTING A DONATION FROM FRIENDS OF YRCC TO FUND SUMMER AND FALL PROGRAMS OFFERED AT THE YVONNE RICHARDSON COMMUNITY CENTER

Legislation Text

YRCC PROGRAM DONATION

BA\_YRCC PROGRAM DONATION

- C. 2 2019-0123 PLASTIC SHOPPING BAGS AND EPS UTENSILS REGULATION STUDY: A RESOLUTION TO EXPRESS THE INTENTION OF THE CITY COUNCIL TO CONSIDER REGULATION OF SINGLE USE PLASTIC SHOPPING BAGS AND DIFFICULT TO RECYCLE OR COMPOST SINGLE USE PLATES, BOWLS, CUPS AND UTENSILS

Legislation Text

PLASTIC SHOPPING BAGS AND EPS UTENSILS REGULATION STUDY

- C. 3 2019-0255 OVIVO USA, LLC: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$24,823.15 PLUS APPLICABLE TAXES, FROM OVIVO USA, LLC FOR THE PURCHASE OF TWO CRITICAL SPARE PART KITS FOR THE MACERATOR PUMPS USED AT THE NOLAND AND WEST SIDE WASTEWATER TREATMENT FACILITIES, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

OVIVO USA, LLC

BA\_OVIVO, USA, LLC

- C. 4 2019-0305 CENTENNIAL PARK CONCEPTUAL MASTER PLAN: A RESOLUTION TO APPROVE AND ADOPT THE CENTENNIAL PARK AT MILLSAP MOUNTAIN CONCEPTUAL MASTER PLAN CREATED BY NWA TRAILBLAZERS, CEI ENGINEERING ASSOCIATES, INC., AND CITY OF FAYETTEVILLE STAFF

Legislation Text

CENTENNIAL PARK CONCEPTUAL MASTER PLAN

- C. 5 2019-0317 RZN 19-6640 (WEST OF 3231 W. MLK BLVD./COBB BROTHERS & WESTPHAL): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6640 FOR APPROXIMATELY 5.24 ACRES LOCATED WEST OF 3231 WEST MARTIN LUTHER KING, JR. BOULEVARD FROM R-O, RESIDENTIAL OFFICE AND C-2, THOROUGHFARE COMMERCIAL TO UT, URBAN THOROUGHFARE

Legislation Text

RZN 19-6640 (WEST OF 3231 W. MLK BLVD./COBB BROTHERS & WESTPHAL)

- C. 6 2019-0321 RZN 19-6644 (125 W. SUNBRIDGE DR./SUNBRIDGE CENTER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6644 FOR APPROXIMATELY 1.30 ACRES LOCATED 125 WEST SUNBRIDGE DRIVE FROM R-O, RESIDENTIAL OFFICE TO NS-G, NEIGHBORHOOD SERVICES-GENERAL

Legislation Text

RZN 19-6644 (125 W. SUNBRIDGE DR./SUNBRIDGE CENTER)

- C. 7 2019-0316 VAC 19-6634 (EAST OF 902 S. SCHOOL AVE./STEVENS): AN ORDINANCE TO APPROVE VAC 19-6634 FOR PROPERTY LOCATED EAST OF 902 SOUTH SCHOOL AVENUE TO VACATE A PORTION OF A WATER AND SEWER EASEMENT

Legislation Text

VAC 19-6634 (EAST OF 902 S. SCHOOL AVE./STEVENS)

- C. 8 2019-0155 WALTON FAMILY FOUNDATION: A RESOLUTION TO AUTHORIZE AN APPLICATION FOR A GRANT THROUGH THE WALTON FAMILY FOUNDATION IN THE MAXIMUM AMOUNT OF \$2,000,000.00 FOR CONSTRUCTION OF THE MAPLE STREET CYCLE TRACK FROM THE RAZORBACK REGIONAL GREENWAY TO GARLAND AVENUE

Legislation Text

WALTON FAMILY FOUNDATION

- C. 9 2019-0299 TREE PRESERVATION EASEMENT: A RESOLUTION TO APPROVE THE VACATION AND ABOLISHMENT OF A TREE PRESERVATION EASEMENT DEDICATED AS PART OF THE LARGE SCALE DEVELOPMENT FOR THE CONSTRUCTION OF THE JD CHINA RESTAURANT ON MARTIN LUTHER KING BOULEVARD IN 2001, CONTINGENT ON THE DEDICATION OF TWO REPLACEMENT TREE PRESERVATION EASEMENTS TOTALING APPROXIMATELY 1 ACRE

Legislation Text

TREE PRESERVATION EASEMENT

- C. 10 2019-0307 SALES AND USE TAX CAPITAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2019A: AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY'S NOT TO EXCEED (i) \$139,500,000 OF SALES AND USE TAX CAPITAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2019A, FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF CERTAIN STREET, TRAIL, DRAINAGE, PARK, CITY FACILITIES, ARTS CORRIDOR, POLICE FACILITIES AND FIREFIGHTING FACILITIES IMPROVEMENTS AND FOR THE PURPOSE OF REFUNDING THE CITY'S OUTSTANDING SALES AND USE TAX BONDS, AND (ii) \$3,170,000 OF SALES AND USE TAX CAPITAL IMPROVEMENT BONDS, TAXABLE SERIES 2019B, FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF CERTAIN ECONOMIC DEVELOPMENT IMPROVEMENTS; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE PURSUANT TO WHICH THE BONDS WILL BE ISSUED AND SECURED; AUTHORIZING THE

EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT PURSUANT TO WHICH THE BONDS WILL BE OFFERED; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT PROVIDING FOR THE DEFEASANCE AND REDEMPTION OF THE CITY'S OUTSTANDING SALES AND USE TAX BONDS; AND PRESCRIBING OTHER MATTERS RELATING THERETO

Legislation Text

SALES AND USE TAX CAPITAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2019A

- C. 11 2019-0293 AMEND § 166.04 REQUIRED INFRASTRUCTURE IMPROVEMENTS - DEVELOPMENT IN CITY LIMITS: AN ORDINANCE TO AMEND § 166.04(B)(3) (a) TO REMOVE THE EXEMPTION OF SMALL SITE IMPROVEMENT PLANS FROM THE NORMAL REQUIREMENT TO DEDICATE STREET RIGHT-OF-WAY TO MEET MASTER PLAN STREET REQUIREMENTS

Legislation Text

AMEND § 166.04 REQUIRED INFRASTRUCTURE IMPROVEMENTS - DEVELOPMENT IN CITY LIMITS:

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

- D. 1 2019-0277 AGENDA SESSION PRESENTATION - ANNUAL PRESENTATION FROM URBAN FORESTRY ADVISORY BOARD TO CITY COUNCIL AT THE CITY COUNCIL AGENDA SESSION. PRESENTATION WILL BE GIVEN BY UFAB CHAIRMAN, WILL DOCKERY.

Legislation Text

- D. 2 2019-0304 AGENDA SESSION PRESENTATION: PHASE 1 BOND PRESENTATION FOR FACILITIES, CULTURAL ARTS CORRIDOR, PARKS AND ECONOMIC DEVELOPMENT - CITY STAFF

Legislation Text

**E. City Council Tour:**

**F. Announcements:**

**G. Adjournment**