

# City of Fayetteville, Arkansas

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



## City Council Meeting

**June 4, 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. 2018-0676 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 STREEET 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,

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**

**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](http://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.