

City of Fayetteville, Arkansas

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



City Council Meeting

**July 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

City Council Meeting Presentations, Reports and Discussion Items

1. 2018-0677 MONTHLY FINANCIAL REPORT - PAUL BECKER

Legislation Text

Agenda Additions

A. Consent

- A. 1 2019-0012 APPROVAL OF THE JUNE 18, 2019 AND JULY 2, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2019-0339 2019 COMMUNITY DEVELOPMENT BLOCK GRANT: A RESOLUTION TO APPROVE THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN, TO AUTHORIZE MAYOR JORDAN TO EXECUTE THE CDBG AGREEMENT FOR 2019 IN THE AMOUNT OF \$702,439.00 WHEN RECEIVED, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2019 COMMUNITY DEVELOPMENT BLOCK GRANT

BA_2019 COMMUNITY DEVELOPMENT BLOCK GRANT

- A. 3 2019-0402 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$2,047.00 REPRESENTING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME RECEIVED FROM A LIEN PAYOFF AND DONATIONS FROM CITIZENS AND LOCAL BUSINESSES

Legislation Text

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME

BA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME

- A. 4 2019-0391 RFP 19-29 AMERICAN SOCCER COMPANY INC. D/B/A SCORE SPORTS: A RESOLUTION TO AWARD RFP 19-29 AND AUTHORIZE A CONTRACT FOR THE PURCHASE OF YOUTH SOCCER UNIFORMS FROM AMERICAN SOCCER COMPANY INC. D/B/A SCORE SPORTS IN THE AMOUNT OF \$12.10 PLUS APPLICABLE TAXES PER UNIFORM FOR THE FALL 2019 AND SPRING 2020 SEASONS WITH AN OPTION TO RENEW FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS

Legislation Text

RFP 19-29 AMERICAN SOCCER COMPANY INC. D/B/A SCORE SPORTS

- A. 5 2019-0403 CROSSLAND CONSTRUCTION COMPANY, INC. CHANGE ORDER NO. 4: A RESOLUTION TO APPROVE CHANGE ORDER NO. 4 TO THE CONTRACT WITH CROSSLAND CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$2,575,959.00 FOR ADDITIONAL TRADE PACKAGES ASSOCIATED WITH THE FAYETTEVILLE PUBLIC LIBRARY EXPANSION PROJECT, AND TO APPROVE A PROJECT CONTINGENCY OF 14.5% TO BE HELD BY THE FAYETTEVILLE PUBLIC LIBRARY

Legislation Text

CROSSLAND CONSTRUCTION COMPANY, INC. CHANGE ORDER NO. 4

- A. 6 2019-0418 CRAFTON, TULL & ASSOCIATES, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH CRAFTON, TULL & ASSOCIATES, INC., PURSUANT TO RFQ #19-01, IN THE TOTAL AMOUNT OF \$110,400.00 FOR STREET, DRAINAGE AND WATERLINE DESIGN SERVICES FOR A PORTION OF THE RUPPLE ROAD PROJECT

Legislation Text

CRAFTON, TULL & ASSOCIATES, INC.

- A. 7 2019-0419 MCCLELLAND CONSULTING ENGINEERS, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC., PURSUANT TO RFQ #14-01, IN THE TOTAL AMOUNT OF \$167,610.00 FOR UPDATED STREET, DRAINAGE AND WATER LINE DESIGN SERVICES FOR THE ZION ROAD - VANTAGE TO CROSSOVER PROJECT

Legislation Text

MCCLELLAND CONSULTING ENGINEERS, INC.

- A. 8 2019-0405 ARKANSAS HISTORIC PRESERVATION PROGRAM: A

RESOLUTION TO AUTHORIZE A CONTRACT WITH THE ARKANSAS HISTORIC PRESERVATION PROGRAM FOR ACCEPTANCE OF A CERTIFIED LOCAL GOVERNMENT GRANT IN THE AMOUNT OF \$790.00 TO PAY FOR TRAVEL AND TRAINING EXPENSES, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

ARKANSAS HISTORIC PRESERVATION PROGRAM

BA_ARKANSAS HISTORIC PRESERVATION PROGRAM

- A. 9 2019-0374 MULTI-CRAFT CONTRACTORS, INC.: A RESOLUTION TO APPROVE A CONTRACT WITH MULTI-CRAFT CONTRACTORS, INC., PURSUANT TO RESOLUTION 163-16, FOR REPAIRS TO THE DRAINAGE SYSTEM AT THE CITY TRANSFER STATION IN THE AMOUNT OF \$67,364.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$6,124.00

Legislation Text

MULTI-CRAFT CONTRACTORS, INC

- A. 10 2019-0406 AUTOMATIC ENGINEERING: A RESOLUTION TO ACCEPT A QUOTE IN THE AMOUNT OF \$16,537.39 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM AUTOMATIC ENGINEERING FOR THE REPLACEMENT OF A MIXER USED AT THE PAUL R. NOLAND WASTEWATER TREATMENT FACILITY, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

AUTOMATIC ENGINEERING

BA_AUTOMATIC ENGINEERING

ADDITIONAL_AUTOMATIC ENGINEERING

B. Unfinished Business

- B. 1 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

- B. 2** 2019-0426 AMEND §31.45(C) DUTIES OF THE FAYETTEVILLE CITY CODE: AN ORDINANCE TO AMEND §31.45(C) DUTIES OF THE FAYETTEVILLE CITY CODE TO AFFIRM THAT THE CITY PROSECUTOR HAS THE TRADITIONAL INHERENT POWER TO EXERCISE DISCRETION TO DISMISS MOST MISDEMEANOR CRIMINAL CASES

Legislation Text

AMEND §31.45(C) DUTIES OF THE FAYETTEVILLE CITY CODE

- B. 3** 2019-0407 ENACT CHAPTER 75 ELECTRIC MOTORIZED SCOOTERS AND SCOOTER-SHARE PROGRAMS: AN ORDINANCE TO ENACT CHAPTER 75 ELECTRIC MOTORIZED SCOOTERS AND SCOOTER-SHARE PROGRAMS

Legislation Text

ENACT CHAPTER 75 ELECTRIC MOTORIZED SCOOTERS AND SCOOTER-SHARE PROGRAMS

ADDITIONAL CHAPTER 75 ELECTRIC MOTORIZED SCOOTERS

- B. 4** 2019-0379 RZN 19-6666 (119 & 127 S. WEST ST./CANFIELD): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6666 FOR APPROXIMATELY 0.40 ACRES LOCATED AT 119 AND 127 SOUTH WEST AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO MSC, MAIN STREET/CENTER

Legislation Text

RZN 19-6666 (119 & 127 S. WEST ST./CANFIELD)

C. New Business

- C. 1** 2019-0364 AMEND CHAPTER 173 BUILDING REGULATIONS: AN ORDINANCE TO AMEND CHAPTER 173 BUILDING REGULATIONS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO ALIGN THE CITY'S BUILDING REGULATIONS WITH CURRENT BUILDING CODES AND ELIMINATE UNNECESSARY REQUIREMENTS THAT HAVE LITTLE OR NO IMPACT ON THE QUALITY OR SAFETY OF BUILDINGS WITHIN THE CITY

Legislation Text

AMEND CHAPTER 173 BUILDING REGULATIONS

- C. 2** 2019-0415 AMEND §161.29 NEIGHBORHOOD CONSERVATION: AN ORDINANCE TO AMEND §161.29 NEIGHBORHOOD CONSERVATION OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO CHANGE THE LOT WIDTH MINIMUM FOR ALL DWELLING TYPES TO 40 FEET

Legislation Text

AMEND § 161.29 NEIGHBORHOOD CONSERVATION

- C. 3 2019-0359 AMEND CHAPTER 166.08, STREET DESIGN AND ACCESS MANAGEMENT STANDARDS: AN ORDINANCE TO AMEND CHAPTER 166.08, STREET DESIGN AND ACCESS MANAGEMENT STANDARDS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO MODIFY THE APPLICABILITY, ACCESS MANAGEMENT, AND NONCONFORMING ACCESS FEATURES REGULATIONS TO REMOVE BARRIERS THAT DISCOURAGE RENOVATION AND IMPROVEMENT OF EXISTING STRUCTURES

Legislation Text

AMEND CHAPTER 166.08, STREET DESIGN AND ACCESS MANAGEMENT STANDARDS

- C. 4 2019-0401 AMEND §72.18, RESIDENTIAL PARKING PERMIT PROGRAM FOR THE ENTERTAINMENT DISTRICT PARKING ZONE: AN ORDINANCE TO AMEND §72.18, RESIDENTIAL PARKING PERMIT PROGRAM FOR THE ENTERTAINMENT DISTRICT PARKING ZONE OF THE FAYETTEVILLE CITY CODE TO CONVERT PORTIONS OF RESTRICTED RESIDENTIAL-ONLY PARKING ALONG LOCUST AVENUE AND LAFAYETTE STREET AND PORTIONS OF PAID-ONLY ON-STREET PARKING ALONG VANDEVENTER AVENUE, LAFAYETTE STREET, AND CHURCH AVENUE TO MIXED-USE PARKING AREAS

Legislation Text

AMEND §72.18, RESIDENTIAL PARKING PERMIT PROGRAM FOR THE ENTERTAINMENT DISTRICT PARKING ZONE

- C. 5 2019-0417 RZN 19-6696 (1960 E. HUNTSVILLE RD./TRIPODI-QUINN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6696 FOR APPROXIMATELY 0.28 ACRES LOCATED AT 1960 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES-GENERAL

Legislation Text

RZN 19-6696 (1960 E. HUNTSVILLE RD./TRIPODI-QUINN)

- C. 6 2019-0420 RZN 19-6703 (535 S. BROYLES AVE./WOOLSEY FARM): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6703 FOR APPROXIMATELY 30.17 ACRES LOCATED AT 535 SOUTH BROYLES AVENUE FROM R-A, RESIDENTIAL AGRICULTURAL TO P-1, INSTITUTIONAL

Legislation Text

RZN 19-6703 (535 S. BROYLES AVE./WOOLSEY FARM)

- C. 7 2019-0358 AMEND CHAPTER 157, NOTIFICATION AND PUBLIC HEARINGS: AN ORDINANCE TO AMEND CHAPTER 157, NOTIFICATION AND PUBLIC HEARINGS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE BY EXPANDING THE NOTIFICATION REQUIREMENTS FOR PUBLIC HEARINGS ON APPLICATIONS FOR DEVELOPMENTS, ANNEXATIONS, ZONING MAP AMENDMENTS, CONDITIONAL USE PERMITS, ZONING VARIANCES, AND LARGE SITE IMPROVEMENT PLANS

Legislation Text

AMEND CHAPTER 157, NOTIFICATION AND PUBLIC HEARINGS

- C. 8 2019-0348 SHORT TERM RENTALS: A RESOLUTION TO REQUEST THAT CITY STAFF STUDY AND DEVELOP AN ORDINANCE TO REGULATE SHORT-TERM RENTALS IN THE CITY OF FAYETTEVILLE

Legislation Text

SHORT TERM RENTALS

ADDITIONAL SHORT TERM RENTAL

D. City Council Agenda Session Presentations

- D. 1 2019-0394 AGENDA SESSION PRESENTATION: BEAVER WATERSHED ALLIANCE

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.