

# City of Fayetteville, Arkansas

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



## City Council Meeting

**September 17, 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. 2019-0561 NOMINATING COMMITTEE REPORT**

Legislation Text

**Agenda Additions**

**A. Consent**

- A. 1 2019-0512 ARKANSAS FASHION WEEK: A RESOLUTION TO APPROVE A SHORT TERM LEASE AGREEMENT WITH ARKANSAS FASHION WEEK FOR THE AIRPORT HANGAR AT 4578 SOUTH SCHOOL AVENUE FOR RENT IN THE AMOUNT OF \$1,000.00**

Legislation Text

ARKANSAS FASHION WEEK

- A. 2 2019-0478 WASTE SOLUTIONS, LLC D/B/A ORION WASTE SOLUTIONS: A RESOLUTION TO APPROVE AN AGREEMENT WITH INLAND WASTE SOLUTIONS, LLC D/B/A ORION WASTE SOLUTIONS FOR THE HAULING AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIAL IN THE CITY OF FAYETTEVILLE**

Legislation Text

WASTE SOLUTIONS, LLC D/B/A ORION WASTE SOLUTIONS

- A. 3 2019-0502 WASTE MANAGEMENT OF ARKANSAS, INC.: A RESOLUTION TO AUTHORIZE A TWO YEAR AGREEMENT WITH WASTE MANAGEMENT OF ARKANSAS, INC. TO HAUL AND DISPOSE OF SOLID WASTE AND RECYCLABLE MATERIAL IN FAYETTEVILLE WITH AUTOMATIC RENEWALS FOR TWO ADDITIONAL TWO YEAR TERMS**

Legislation Text

WASTE MANAGEMENT OF ARKANSAS, INC.

- A. 4 2019-0552 HOG EYE MFG. CO INC. D/B/A HOGBOX: A RESOLUTION TO AUTHORIZE A TWO YEAR AGREEMENT WITH HOG EYE MANUFACTURING CO, INC. D/B/A HOGBOX TO HAUL AND DISPOSE OF SOLID WASTE AND RECYCLABLE MATERIAL IN FAYETTEVILLE WITH AUTOMATIC RENEWALS FOR TWO ADDITIONAL TWO YEAR TERMS

Legislation Text

HOG EYE MFG. CO INC. D/B/A HOGBOX

- A. 5 2019-0556 GARVER, LLC - SHILOH DRIVE AND STEELE BOULEVARD: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN THE AMOUNT OF \$241,850.00 FOR THE DESIGN OF THE FULBRIGHT EXPRESSWAY ACCESS RAMP RELOCATION PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

GARVER, LLC

BA GARVER, LLC

- A. 6 2019-0510 JACOBS ENGINEERING GROUP, INC F/K/A CH2M HILL ENGINEERS, INC. AMENDMENT NO. 1: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND JACOBS ENGINEERING GROUP, INC F/K/A CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$3,860.00 FOR ADDITIONAL TRAVEL AND LABOR EXPENSES, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

JACOBS ENGINEERING GROUP, INC F/K/A CH2M HILL ENGINEERS, INC. AMENDMENT NO. 1

BA JACOBS ENGINEERING GROUP, INC F/K/A CH2M HILL ENGINEERS, INC. AMENDMENT NO. 1

- A. 7 2019-0560 POPLAR STREET RAILROAD CROSSING SIGNALS IMPROVEMENT PROJECT: A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO PARTNER WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE POPLAR STREET RAILROAD CROSSING SIGNALS IMPROVEMENT PROJECT WITH A 10% LOCAL MATCH IN THE ESTIMATED AMOUNT OF \$30,000.00

Legislation Text

POPLAR STREET RAILROAD CROSSING SIGNALS IMPROVEMENT PROJECT

- A. 8 2019-0559 HAWKINS-WEIR ENGINEERS, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC, IN THE AMOUNT OF \$54,220.00 FOR CONCEPTUAL DRAINAGE DESIGN SERVICES, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

HAWKINS-WEIR ENGINEERS, INC.

BA\_HAWKINS-WEIR ENGINEERS, INC.

- A. 9 2019-0558 GARVER, LLC - MISSOURI CREEK DRAINAGE BASIN: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN THE AMOUNT OF \$346,700.00 FOR DESIGN SERVICES ASSOCIATED WITH A PROJECT TO ALLEVIATE FLOODING WITHIN THE MISSOURI CREEK DRAINAGE BASIN, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

GARVER, LLC

BA\_GARVER, LLC

- A. 10 2019-0513 BID #19-37 PROGRESSIVE TRAIL DESIGN, LLC: A RESOLUTION TO AWARD BID #19-37 AND AUTHORIZE A CONTRACT WITH PROGRESSIVE TRAIL DESIGN, LLC IN THE AMOUNT OF \$51,600.00 FOR THE CONSTRUCTION OF APPROXIMATELY 6,600 FEET OF NATURAL SURFACE TRAIL, ARMORED STREAM CROSSINGS, AND AN OVERLOOK AT KESSLER MOUNTAIN REGIONAL PARK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,300.00

Legislation Text

BID #19-37 PROGRESSIVE TRAIL DESIGN, LLC

- A. 11 2019-0532 DEMX ARCHITECTURE: A RESOLUTION TO APPROVE A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH DEMX ARCHITECTURE, PURSUANT TO RFQ #19-01, IN AN AMOUNT NOT TO EXCEED \$52,000.00 FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES ASSOCIATED WITH THE RENOVATION AND REPLACEMENT OF EXISTING RESTROOMS IN MULTIPLE CITY PARKS, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,000.00

Legislation Text

DEMX ARCHITECTURE

- A. 12 2019-0504 JACOBS ENGINEERING GROUP, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP, INC., PURSUANT TO RFQ #19-01, IN AN AMOUNT NOT TO EXCEED \$254,108.00.00 FOR BIOSOLIDS MASTER PLANNING SERVICES ASSOCIATED WITH THE CITY OF FAYETTEVILLE'S WASTEWATER TREATMENT OPTIONS

Legislation Text

JACOBS ENGINEERING GROUP, INC.

- A. 13 2019-0562 THEATRESQUARED PROJECT CONVEYANCE OF ACCESS EASEMENTS: A RESOLUTION TO APPROVE THE CONVEYANCE OF ACCESS EASEMENTS TO ADJACENT PROPERTY OWNERS AND A GENERAL UTILITY EASEMENT TO FRANCHISE UTILITIES ACROSS REAL PROPERTY OWNED BY THE CITY OF FAYETTEVILLE AT THE SOUTHEAST CORNER OF NORTH WEST AVENUE AND WEST SPRING STREET ASSOCIATED WITH THE THEATRESQUARED PROJECT

Legislation Text

THEATRESQUARED PROJECT CONVEYANCE OF ACCESS EASEMENTS

- A. 14 2019-0544 LSP 19-6795: (2763 N. CROSSOVER ROAD/CITY MULTI-USE TRAILS): A RESOLUTION PURSUANT TO § 164.20 OF THE UNIFIED DEVELOPMENT CODE TO APPROVE A LOT SPLIT FOR PROPERTY LOCATED AT 2763 NORTH CROSSOVER ROAD, AND TO AUTHORIZE THE CONSTRUCTION OF A PUBLIC MULTI-USE TRAIL ON THE NON-CONFORMING PARCEL

Legislation Text

LSP 19-6795: (2763 N. CROSSOVER ROAD/CITY MULTI-USE TRAILS)

**B. Unfinished Business**

- B. 1 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

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

ADDITIONAL AMEND 72.18 PARKING EMAIL

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

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

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

- B. 2 2019-0462 RZN 19-6716 (EAST OF 3638 N. FRONT ST./TRAILS AT MUD CREEK): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6716 FOR APPROXIMATELY 10.43 ACRES LOCATED EAST OF 3638 NORTH FRONT STREET FROM C-2, THOROUGHFARE COMMERCIAL AND I-1, HEAVY COMMERCIAL & LIGHT INDUSTRIAL TO CS, COMMUNITY SERVICES, SUBJECT TO THE BILL OF ASSURANCE**

Legislation Text

RZN 19-6716 (EAST OF 3638 N. FRONT ST./TRAILS AT MUD CREEK)

BOA RZN 19-6716 (EAST OF 3638 N. FRONT ST./TRAILS AT MUD CREEK)

- B. 3 2019-0452 ENTERTAINMENT DISTRICT BOUNDARIES: AN ORDINANCE TO ESTABLISH BOUNDARIES FOR AN ENTERTAINMENT DISTRICT IN THE CITY OF FAYETTEVILLE AND TO PROMULGATE RULES FOR THE LIMITED OUTDOOR CONSUMPTION OF ALCOHOL IN CERTAIN PUBLIC PLACES**

Legislation Text

ENTERTAINMENT DISTRICT BOUNDARIES:

- B. 4 2019-0471 BUFFINGTON WEIR, LLC: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH BUFFINGTON WEIR, LLC, FOR THE INSTALLATION OF A WATER MAIN ALONG A PORTION OF RUPPLE ROAD, WITH THE ESTIMATED AMOUNT OF \$206,070.00 TO BE PAID BY THE CITY OF FAYETTEVILLE, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$30,900.00, AND TO APPROVE A BUDGET ADJUSTMENT**

Legislation Text

BUFFINGTON WEIR, LLC

**C. New Business**

- C. 1 2019-0539 AMEND §114.02 FARMER'S MARKET (B) EXPANDED SATURDAY USE OF THE SQUARE: AN ORDINANCE TO AMEND §114.02 FARMER'S MARKET (B) EXPANDED SATURDAY USE OF THE SQUARE TO CLOSE CENTER STREET TO VEHICULAR TRAFFIC

Legislation Text

AMEND §114.02 FARMER'S MARKET (B) EXPANDED SATURDAY USE OF THE SQUARE:

- C. 2 2019-0570 HIGHWAY 112 AND HIGHWAY 71B IMPROVEMENTS PROJECTS: A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO PARTNER WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY 112 - TRUCKERS DRIVE TO VAN ASCHE DRIVE IMPROVEMENTS PROJECT AND THE HIGHWAY 71B IMPROVEMENTS PROJECT

Legislation Text

HIGHWAY 112 AND HIGHWAY 71B IMPROVEMENTS PROJECTS

- C. 3 2019-0547 RZN 19-6748 (203 E. 13TH ST./DAVIS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6748 FOR APPROXIMATELY 0.21 ACRES LOCATED AT 203 EAST 13TH STREET FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Legislation Text

RZN 19-6748 (203 E. 13TH ST./DAVIS)

- C. 4 2019-0551 RZN 19-6787 (3313 W. MT. COMFORT./COOPER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6787 FOR APPROXIMATELY 0.60 ACRES LOCATED AT 3313 WEST MOUNT COMFORT ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES-GENERAL

Legislation Text

RZN 19-6787 (3313 W. MT. COMFORT./COOPER)

- C. 5 2019-0553 VAC 19-6768 (SE OF ARMSTRONG AVE. & HAPPY HOLLOW RD./FAY. FLEET): AN ORDINANCE TO APPROVE VAC 19-6768 FOR PROPERTY LOCATED SOUTHEAST OF SOUTH ARMSTRONG AVENUE AND HAPPY

Legislation Text

VAC 19-6768 (SE OF ARMSTRONG AVE. & HAPPY HOLLOW RD./FAY. FLEET)

- C. 6 2019-0548 VAC 19-6775 (2621 E. MISSION BLVD./EAST MISSION COMMERCIAL): AN ORDINANCE TO APPROVE VAC 19-6775 FOR PROPERTY LOCATED AT 2621 EAST MISSION BOULEVARD TO VACATE A PORTION OF A GENERAL UTILITY EASEMENT

Legislation Text

VAC 19-6775 (2621 E. MISSION BLVD./EAST MISSION COMMERCIAL)

- C. 7 2019-0555 VAC 19-6782 (SE OF W. MCMILLIAN DR. & N. PAM ANGUS DR./SPRINGS HOSPITALITY): AN ORDINANCE TO APPROVE VAC 19-6782 FOR PROPERTY LOCATED SOUTHEAST OF WEST MCMILLAN DRIVE AND NORTH PAM ANGUS DRIVE TO VACATE PORTIONS OF AN ELECTRICAL EASEMENT AND A GENERAL UTILITY EASEMENT

Legislation Text

VAC 19-6782 (SE of W. MCMILLIAN DR. & N. PAM ANGUS DR./SPRINGS HOSPITALITY)

- C. 8 2019-0505 AMEND ORDINANCE 6168: AN ORDINANCE TO AMEND ORDINANCE 6168 TO AUTHORIZE THE PAYMENT OF APPLICABLE FREIGHT CHARGES ASSOCIATED WITH THE REPLACEMENT OF A ROTATING ASSEMBLY AND REPAIR OF A MOTOR DRIVE IN AN INFLUENT PUMP USED AT THE NOLAND WASTEWATER TREATMENT FACILITY

Legislation Text

AMEND ORDINANCE 6168

- C. 9 2019-0540 2019 MILLAGE LEVY: AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR THE YEAR 2019 FIXING THE RATE THEREOF AT 2.3 MILLS FOR GENERAL FUND OPERATIONS, 0.4 MILLS FOR THE FIREMEN'S PENSION AND RELIEF FUND, 0.4 MILLS FOR THE POLICEMEN'S PENSION AND RELIEF FUND, 2.5 MILLS FOR FAYETTEVILLE PUBLIC LIBRARY OPERATIONS, AND 1.2 MILLS FOR THE FAYETTEVILLE PUBLIC LIBRARY EXPANSION; AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS

Legislation Text

2019 MILLAGE LEVY



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

### **D. 1 2019-0477 AGENDA SESSION PRESENTATION - 2019 LEVY RECOMMENDATION AND GENERAL FUND BUDGET DISCUSSION**

Legislation Text

### **D. 2 2019-0511 AGENDA SESSION PRESENTATION - THE FUTURE OF BIOSOLIDS STUDY**

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.