

# City of Fayetteville, Arkansas

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



## City Council Meeting

**October 15, 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**

**Agenda Additions**

**A. Consent**

- A. 1 2019-0018 APPROVAL OF THE SEPTEMBER 17, 2019 CITY COUNCIL MEETING MINUTES

Legislation Text

- A. 2 2019-0628 WASTE MANAGEMENT OF ARKANSAS, INC.: A RESOLUTION TO EXERCISE THE SECOND FIVE YEAR OPTION TO RENEW THE AGREEMENT WITH WASTE MANAGEMENT OF ARKANSAS, INC. FOR SOLID WASTE TRANSFER AND DISPOSAL SERVICES

Legislation Text

WASTE MANAGEMENT OF ARKANSAS, INC.

- A. 3 2019-0631 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME AND DONATIONS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$3,324.00 REPRESENTING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME AND DONATIONS FROM CITIZENS AND LOCAL BUSINESSES

Legislation Text

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME AND DONATIONS

BA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME AND DONATIONS

- A. 4 2019-0632 2019 JUSTICE ASSISTANCE GRANT LOCAL SOLICITATION

AWARD: A RESOLUTION AUTHORIZE ACCEPTANCE OF A 2019 JUSTICE ASSISTANCE GRANT LOCAL SOLICITATION AWARD IN THE TOTAL AMOUNT OF \$76,984.00 WHICH WILL BE USED TO PURCHASE LAW ENFORCEMENT TRAINING, EQUIPMENT AND SUPPLIES FOR THE FAYETTEVILLE AND SPRINGDALE POLICE DEPARTMENTS AND THE WASHINGTON COUNTY SHERIFF'S OFFICE, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2019 JUSTICE ASSISTANCE GRANT LOCAL SOLICITATION AWARD

BA\_2019 JUSTICE ASSISTANCE GRANT LOCAL SOLICITATION AWARD

- A. 5 2019-0644 WALTON FAMILY FOUNDATION: A RESOLUTION TO AUTHORIZE AN APPLICATION FOR A 50/50 MATCHING GRANT FROM THE WALTON FAMILY FOUNDATION IN THE AMOUNT OF \$400,000.00 FOR THE DESIGN OF BICYCLE AND PEDESTRIAN IMPROVEMENTS ALONG PORTER ROAD, DEANE STREET AND POPLAR STREET

Legislation Text

WALTON FAMILY FOUNDATION

- A. 6 2019-0645 NORTHWEST ARKANSAS COUNCIL: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A TRAVEL EXPENSE REIMBURSEMENT AGREEMENT WITH THE NORTHWEST ARKANSAS COUNCIL TO PROVIDE FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH BUSINESS DEVELOPMENT MANAGER CHUNG TAN'S ATTENDANCE AT THE ECONOMIX CONFERENCE

Legislation Text

NORTHWEST ARKANSAS COUNCIL

- A. 7 2019-0640 ADM 19-6816 (380 N. COLLEGE AVE./OZARK NATURAL FOOD CO-OP): A RESOLUTION PURSUANT TO § 166.04(B)(3) OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO APPROVE THE APPLICANT'S REQUEST TO NOT DEDICATE ADDITIONAL RIGHT OF WAY FOR A REDEVELOPMENT PROJECT AT 380 NORTH COLLEGE AVENUE

Legislation Text

ADM 19-6816 (380 N. COLLEGE AVE./OZARK NATURAL FOOD CO-OP)

- A. 8 2019-0646 2020 RECYCLING AND TRASH USER FEES: A RESOLUTION PURSUANT TO § 50.40(A) OF THE FAYETTEVILLE CITY CODE TO WAIVE THE AUTOMATIC ANNUAL PRICE ADJUSTMENT FOR ALL 2020 RECYCLING AND TRASH USER FEES

Legislation Text

## 2020 RECYCLING AND TRASH USER FEES

### **B. Unfinished Business**

- B. 1 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. 2 2019-0579 AMEND §172.11 AND § 166.08: AN ORDINANCE TO AMEND §172.11, DRIVEWAY AND PARKING STANDARDS FOR FOUR (4) OR LESS PARKING SPACES AND § 166.08 STREET DESIGN AND ACCESS MANAGEMENT STANDARDS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO REDUCE DRIVEWAY WIDTHS IN ZONING DISTRICTS REQUIRING A BUILD-TO ZONE AND TO REDUCE DRIVEWAY SETBACKS FOR SINGLE FAMILY HOMES IN ZONING DISTRICTS REQUIRING A BUILD-TO ZONE**

#### Legislation Text

#### AMEND §172.11 AND § 166.08

### **C. New Business**

- C. 1 2019-0508 RFQ #19-01 JACOBS ENGINEERING GROUP INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP, INC. PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$116,450.00 FOR THE DEVELOPMENT OF AN ADVANCED METERING INFRASTRUCTURE STRATEGY FOR CITY WATER METERS**

#### Legislation Text

#### RFQ #19-01 JACOBS ENGINEERING GROUP INC.

- C. 2 2019-0627 KESSLER MOUNTAIN REGIONAL PARK BASEBALL COMPLEX: A RESOLUTION TO APPROVE THE PURCHASE AND INSTALLATION OF SYNTHETIC TURF FOR THE KESSLER MOUNTAIN REGIONAL PARK BASEBALL COMPLEX FROM UNITED TURF IN THE AMOUNT OF \$547,140.00 PLUS ANY APPLICABLE SALES TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$82,071.00, AND TO APPROVE A BUDGET ADJUSTMENT**

#### Legislation Text

KESSLER MOUNTAIN REGIONAL PARK BASEBALL COMPLEX

BA\_KESSLER MOUNTAIN REGIONAL PARK BASEBALL COMPLEX

- C. 3 2019-0533 RFQ #19-01 GARVER, LLC: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC, PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$438,950.00 TO PROVIDE SURVEYING, DESIGN, ENGINEERING, ARCHITECTURAL, AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE ADDITION OF A FOUR FIELD BASEBALL COMPLEX AND PARKING LOT AT KESSLER MOUNTAIN REGIONAL PARK, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$61,050.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

RFQ #19-01 GARVER, LLC

BA\_RFQ #19-01 GARVER, LLC

- C. 4 2019-0647 ENACT §114.10 REGULATION OF EXPANDED POLYSTYRENE (EPS) FOAM SINGLE-USE PLATES, BOWLS, CLAMSHELLS, CUPS, AND SIMILAR PRODUCTS: AN ORDINANCE TO ENACT §114.10 REGULATION OF EXPANDED POLYSTYRENE (EPS) FOAM SINGLE-USE PLATES, BOWLS, CLAMSHELLS, CUPS, AND SIMILAR PRODUCTS

Legislation Text

ENACT §114.10

- C. 5 2019-0642 AMEND CHAPTERS 151, 161, 162 AND 164: AN ORDINANCE TO AMEND CHAPTERS 151, 161, 162 AND 164 OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO REMOVE BARRIERS TO THE DEVELOPMENT OF SOLAR ENERGY SYSTEMS IN THE CITY OF FAYETTEVILLE ESTABLISH DEVELOPMENT STANDARDS FOR PRINCIPAL AND ACCESSORY USE GROUND AND ROOF MOUNTED SOLAR ENERGY SYSTEMS

Legislation Text

AMEND CHAPTERS 151, 161, 162 AND 164

- C. 6 2019-0624 JACK TYLER ENGINEERING, INC.: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$22,120.39 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM JACK TYLER ENGINEERING, INC. FOR THE REBUILD OF A PUMP AND MOTOR FOR THE HAMESTRING SEWER LIFT STATION, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

JACK TYLER ENGINEERING, INC.

BA JACK TYLER ENGINEERING, INC.

- C. 7 2019-0649 RZN 19-6708 (NW OF RUPPLE RD. & FAITH ST./SLOANBROOKE PH. IV): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6708 FOR APPROXIMATELY 1.63 ACRES LOCATED NORTHWEST OF RUPPLE ROAD AND FAITH STREET FROM R-A, RESIDENTIAL AGRICULTURAL TO NC, NEIGHBORHOOD CONSERVATION

Legislation Text

RZN 19-6708 (NW OF RUPPLE RD. & FAITH ST./SLOANBROOKE PH. IV)

- C. 8 2019-0638 RZN 19-6809 (NE OF GREGG AVE. & VAN ASCHE DR./FITZROY FAYETTEVILLE, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6809 FOR APPROXIMATELY 20.71 ACRES LOCATED NORTHEAST OF GREGG AVENUE AND VAN ASCHE DRIVE FROM P-1, INSTITUTIONAL TO UT, URBAN THOROUGHFARE

Legislation Text

RZN 19-6809 (NE OF GREGG AVE. & VAN ASCHE DR./FITZROY FAYETTEVILLE, LLC)

- C. 9 2019-0641 RZN 19-6810 (1961 N. PORTER RD./PARADIGM DEVELOPMENT, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6810 FOR APPROXIMATELY 0.92 ACRES LOCATED AT 1961 NORTH PORTER ROAD FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES

Legislation Text

RZN 19-6810 (1961 N. PORTER RD./PARADIGM DEVELOPMENT, LLC.)

- C. 10 2019-0648 RZN 19-6818 (690 S. RAY AVE./MILLS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6818 FOR APPROXIMATELY 0.60 ACRES LOCATED AT 690 SOUTH RAY AVENUE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

Legislation Text

RZN 19-6818 (690 S. RAY AVE./MILLS)

- C. 11 2019-0639 RZN 19-6819 (4170 N. HILLSIDE TERR./CHAISSON): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 19-6819 FOR APPROXIMATELY 3.35 ACRES LOCATED AT 4170 NORTH HILLSIDE TERRACE FROM R-A, RESIDENTIAL AGRICULTURAL TO RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, SUBJECT TO A BILL OF ASSURANCE

Legislation Text

RZN 19-6819 (4170 N. HILLSIDE TERR./CHAISSON)

ADDITIONAL RZN 19-6819 (4170 N. HILLSIDE TERR./CHAISSON)

- C. 12 2019-0594 ADM 19-6808 (NORTH OF RAVEN LANE/CRYSTAL SPRINGS SD MSP): A RESOLUTION TO AMEND THE MASTER STREET PLAN BY DOWNGRADING THE PLANNED COLLECTOR STREETS FOR PROPERTY WITHIN THE CRYSTAL SPRINGS SUBDIVISION NORTH OF MOUNT COMFORT ROAD AND EAST OF SALEM ROAD TO LOCAL STREETS

Legislation Text

ADM 19-6808 (NORTH OF RAVEN LANE/CRYSTAL SPRINGS SD MSP)

**D. City Council Agenda Session Presentations**

**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.