

City of Fayetteville, Arkansas

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



City Council Meeting

**April 7, 2020
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
Teresa Turk Ward 4
Kyle Smith Ward 4*

***ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Kara Paxton***

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items

1. 2019-0959 MONTHLY FINANCIAL REPORT

Legislation Text

2. 2020-0237 AWARD OF FINANCIAL REPORTING ACHIEVEMENT

Legislation Text

Agenda Additions

A. Consent

A. 1 2019-0974 APPROVAL OF THE MARCH 16, 2020 SPECIAL CITY COUNCIL MEETING MINUTES

Legislation Text

A. 2 2020-0230 HAZMAT SERVICES REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$11,294.00 RECOGNIZING HAZMAT SERVICES REVENUE RECEIVED FROM WASHINGTON COUNTY AND INCREASING THE RELATED EXPENSE BUDGET

Legislation Text

HAZMAT SERVICES REVENUE

BA_HAZMAT SERVICES REVENUE

- A. 3 2020-0268 CROSS CHURCH, INC.: A RESOLUTION TO AUTHORIZE AN AGREEMENT WITH CROSS CHURCH, INC. FOR ACQUISITION OF A WATER/SEWER EASEMENT REQUIRED FOR UTILITY RELOCATIONS ASSOCIATED WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION I-49 AND WEDINGTON INTERCHANGE PROJECT

Legislation TextCROSS CHURCH, INC.

- A. 4 2020-0272 MATTHEW CHEADLE DAMAGE CLAIM: A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$33,825.00 TO MATTHEW AND FRANKIE CHEADLE FOR A WATER DAMAGE CLAIM ARISING AT 329 EAST SYCAMORE STREET

Legislation TextMATTHEW CHEADLE DAMAGE CLAIM

- A. 5 2020-0242 REALLOCATION OF 2018 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS: A RESOLUTION TO APPROVE THE REALLOCATION OF 2018 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$112,000.00, TO AUTHORIZE MAYOR JORDAN TO EXECUTE THE COMPLIANCE ACKNOWLEDGMENTS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation TextREALLOCATION OF FY 2018 FUNDSBA_REALLOCATION OF FY 2018 FUNDS

- A. 6 2020-0257 RFQ 20-01, SELECTION #2 MCCLELLAND CONSULTING ENGINEERS, INC.: A RESOLUTION TO AWARD RFQ #20-01 AND APPROVE THE PURCHASE OF ON-CALL SURVEYING SERVICES FROM MCCLELLAND CONSULTING ENGINEERS, INC. AS PRIMARY PROVIDER AND OLSSON ASSOCIATES, INC. AS SECONDARY PROVIDER BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2020

Legislation TextRFQ 20-01, SELECTION #2 MCCLELLAND CONSULTING ENGINEERS, INC.

- A. 7 2020-0256 RFQ #20-01 MCCLELLAND CONSULTING ENGINEERS, INC.: A

RESOLUTION TO AWARD RFQ #20-01 AND AUTHORIZE THE PURCHASE OF ON-CALL MATERIALS TESTING SERVICES FROM MCCLELLAND CONSULTING ENGINEERS, INC. AS PRIMARY SUPPLIER AND GTS, INC. AS SECONDARY SUPPLIER BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH THE END OF 2020

Legislation Text

BID #20-01 MCCLELLAND CONSULTING ENGINEERS, INC.

- A. 8 2020-0235 HIGHWAY 16 INTERCHANGE PROJECT: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO CONVEY A 175 SQUARE FOOT TEMPORARY CONSTRUCTION EASEMENT ALONG HIGHWAY 16 TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY 16 (WEDINGTON DRIVE) INTERCHANGE PROJECT

Legislation Text

HIGHWAY 16 INTERCHANGE PROJECT

B. Unfinished Business

- B. 1 2020-0100 C-PZD 19-6952 (5102 W. WEDINGTON DR./LBDG WEDINGTON): AN ORDINANCE TO APPROVE A COMMERCIAL PLANNED ZONING DISTRICT ENTITLED C-PZD 19-6952 FOR APPROXIMATELY 8.60 ACRES LOCATED AT 5102 WEST WEDINGTON DRIVE TO ALLOW THE DEVELOPMENT OF MINI-STORAGE UNITS AND ACCESSORY OFFICE AND RETAIL SPACE

Legislation Text

C-PZD 19-6952 (5102 W. WEDINGTON DR./LBDG WEDINGTON)

- B. 2 2020-0147 ENACT §114.20 REGULATION OF SINGLE-USE DISPOSABLE BAGS: AN ORDINANCE TO ENACT §114.20 REGULATION OF SINGLE-USE DISPOSABLE BAGS PROVIDED BY LARGE FOOD STORES

Legislation Text

ENACT §114.20 REGULATION OF SINGLE-USE DISPOSABLE BAGS

ADDITIONAL ENACT §114.20 REGULATION OF SINGLE-USE DISPOSABLE BAGS

- B. 3 2020-0198 HACH COMPANY: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND APPROVE THE PURCHASE OF TWO ANALYZERS AND FOUR SLUDGE LEVEL DETECTION ASSEMBLIES FROM HACH COMPANY FOR THE NOLAND AND WEST SIDE WATER RESOURCE RECOVERY FACILITIES IN THE

TOTAL AMOUNT OF \$56,943.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES

Legislation Text

HACH COMPANY

- B.** 4 2020-0187 SAIN STREET EXTENSION PROJECT: AN ORDINANCE TO VACATE A PORTION OF RIGHT-OF-WAY FROM FRONT STREET TO JOYCE BOULEVARD FOR THE SAIN STREET EXTENSION PROJECT

Legislation Text

SAIN STREET EXTENSION PROJECT

- B.** 5 2020-0061 ADM 20-6998 AMEND ORDINANCE NO. 2883 SAIN STREET: AN ORDINANCE TO AMEND ORDINANCE NO. 2883 BY REMOVING THE REQUIREMENT TO CONSTRUCT A CUL-DE-SAC AT THE END OF SAIN STREET

Legislation Text

ADM 20-6998 AMEND ORDINANCE NO. 2883 SAIN STREET

- B.** 6 2020-0159 AMEND RULES OF ORDER AND PROCEDURE: A RESOLUTION TO AMEND THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL TO LIMIT PUBLIC COMMENTS TO THREE MINUTES EACH AND RECOGNIZE THE STATUTORY READING REQUIREMENT FOR ORDINANCES MAY BE DISPENSED WITH A SINGLE MOTION TO SUSPEND OR DISPENSE WITH THE RULE

Legislation Text

AMEND RULES OF ORDER AND PROCEDURE

ADDITIONAL AMEND RULES OF ORDER AND PROCEDURE

- B.** 7 2020-0160 ENACT ARTICLE X PEDAL CARRIAGES: AN ORDINANCE TO ENACT ARTICLE X PEDAL CARRIAGES INTO CHAPTER 117: VEHICLE-RELATED BUSINESSES

Legislation Text

ENACT ARTICLE X PEDAL CARRIAGES

- B.** 8 2020-0180 2020 MERIT STAFF PAY AND BENEFITS STUDY: A RESOLUTION TO APPROVE THE 2020 MERIT STAFF PAY AND BENEFITS STUDY REPORT

PREPARED BY THE JOHANSON GROUP, AND TO ADOPT THE 2020 MERIT STAFF PAY PLAN STRUCTURE

Legislation Text

2020 MERIT STAFF PAY AND BENEFITS STUDY

- B.** 9 2020-0181 2020 EMPLOYEE COMPENSATION: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,322,000.00 TO FACILITATE THE CITY-WIDE 2020 EMPLOYEE COMPENSATION ADJUSTMENT

Legislation Text

2020 EMPLOYEE COMPENSATION

BA_2020 EMPLOYEE COMPENSATION

ADDITIONAL_2020 EMPLOYEE COMPENSATION

C. New Business

- C.** 1 2020-0265 RZN 20-6984 (2160 N. CROSSOVER RD./SALMON-KLINGER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-6984 FOR APPROXIMATELY 2.25 ACRES LOCATED AT 2160 NORTH CROSSOVER ROAD FROM R-O, RESIDENTIAL OFFICE TO CS, COMMUNITY SERVICES AND FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES GENERAL

Legislation Text

RZN 20-6984 (2160 N. CROSSOVER RD./SALMON-KLINGER)

- C.** 2 2020-0271 RZN 20-6999 (3509 E. HUNTSVILLE RD./PALMER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-6999 FOR APPROXIMATELY 0.67 ACRES LOCATED AT 3509 EAST HUNTSVILLE ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE AND C-1, NEIGHBORHOOD COMMERCIAL TO RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE

Legislation Text

RZN 20-6999 (3509 E. HUNTSVILLE RD./PALMER)

- C.** 3 2020-0267 VAC 20-7002 (NW OF DRAKE ST. & GREGG AVE./DRAKE FARMS): AN ORDINANCE TO APPROVE VAC 20-7002 FOR PROPERTY LOCATED NORTHWEST OF DRAKE STREET AND GREGG AVENUE TO VACATE ABOUT 1.21 ACRES OF A GENERAL UTILITY EASEMENT

Legislation TextVAC 20-7002 (NW OF DRAKE ST. & GREGG AVE./DRAKE FARMS)

- C. 4 2020-0260 FOOD LOOPS, LLC: A RESOLUTION TO APPROVE AN AGREEMENT WITH FOOD LOOPS, LLC FOR THE HAULING OF ORGANIC COMPOSTABLE AND RECYCLABLE MATERIAL IN THE CITY OF FAYETTEVILLE

Legislation TextARKANSAS AND FOOD LOOPS, LLC

- C. 5 2020-0240 AMEND §111.30 RETAIL: AN ORDINANCE TO AMEND §111.30 RETAIL IN CHAPTER 111: ALCOHOLIC BEVERAGES OF THE CITY CODE TO PROVIDE FOR THE ISSUANCE OF PERMITS THAT ALIGN WITH ARKANSAS STATUTES AND ALCOHOLIC BEVERAGE CONTROL ADMINISTRATIVE REGULATIONS

Legislation TextAMEND §111.30 RETAIL

- C. 6 2020-0247 EMERY SAPP AND SONS, INC.: A RESOLUTION TO AUTHORIZE A CONTRACT WITH EMERY SAPP AND SONS, INC. IN THE AMOUNT OF \$1,250,152.54 FOR CONSTRUCTION OF THE RUPPLE ROAD EXTENSION FROM TANYARD DRIVE TO WEIR ROAD, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$187,500.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROGRAM

Legislation TextEMERY SAPP AND SONS, INC.BA EMERY SAPP AND SONS, INC.

- C. 7 2020-0258 TRAILBLAZER'S ASSOCIATION, INC. D/B/A NWA TRAILBLAZERS: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CONTRACT WITH BENTONVILLE/BELLA VISTA TRAILBLAZER'S ASSOCIATION, INC. D/B/A NWA TRAILBLAZERS IN THE AMOUNT OF \$674,281.00 FOR THE CONSTRUCTION OF THE START/FINISH AREA AND OTHER IMPROVEMENTS WITHIN CENTENNIAL PARK, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation TextTRAILBLAZER'S ASSOCIATION, INC. D/B/A NWA TRAILBLAZERS

BA TRAILBLAZER'S ASSOCIATION, INC. D/B/A NWA TRAILBLAZERS

- C. 8 2020-0270 BID #20-36 CROSSLAND HEAVY CONTRACTORS: A RESOLUTION TO AWARD BID #20-36 AND AUTHORIZE A CONTRACT WITH CROSSLAND HEAVY CONTRACTORS, INC. IN THE AMOUNT \$3,144,343.60 FOR THE CONSTRUCTION OF IMPROVEMENTS TO CENTENNIAL PARK, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$314,434.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 SALES TAX BOND PROJECT

Legislation TextBID #20-36 CROSSLAND HEAVY CONTRACTORSBA BID #20-36 CROSSLAND HEAVY CONTRACTORS**D. City Council Agenda Session Presentations**

- D. 1 2020-0280 AGENDA SESSION PRESENTATION JANUARY'S SALES TAX REPORT AND ENERGY REPORT

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 Devise 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.