

City of Fayetteville, Arkansas

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



City Council Meeting

**May 5, 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. 2019-0960 MONTHLY FINANCIAL REPORT

Legislation Text

Agenda Additions

A. Consent

A. 1 2019-0976 APPROVAL OF THE APRIL 21, 2020 CITY COUNCIL MEETING MINUTES

Legislation Text

A. 2 2020-0294 ARKANSAS DEPARTMENT OF TRANSPORTATION: A RESOLUTION TO AUTHORIZE

MAYOR JORDAN TO CONVEY 1,434 SQUARE FEET OF RIGHT-OF-WAY ALONG HIGHWAY 16 TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY 16 INTERCHANGE PROJECT FOR THE AMOUNT OF \$5,175.00

Legislation Text

ARKANSAS DEPARTMENT OF TRANSPORTATION

- A. 3 2020-0328 BID # 20-28 THE MCPHERSON COMPANIES, INC.: A RESOLUTION TO AWARD BID #20-28 AND AUTHORIZE THE PURCHASE OF OIL AND LUBRICANTS FROM THE MCPHERSON COMPANIES, INC. IN VARIABLE AMOUNTS AND FOR VARYING UNIT PRICES AS NEEDED FOR A TERM OF ONE YEAR WITH THE OPTION TO RENEW FOR FOUR ADDITIONAL ONE YEAR TERMS

Legislation Text

BID # 20-28 THE MCPHERSON COMPANIES, INC.

- A. 4 2020-0322 BID # 20-35 LEWIS FORD SALES: A RESOLUTION TO AWARD BID # 20-35 AND APPROVE THE PURCHASE OF TWO FORD 550 AND ONE FORD 350 TRUCKS FROM LEWIS FORD OF FAYETTEVILLE IN THE TOTAL AMOUNT OF \$172,298.00 FOR USE BY THE PARKS AND RECREATION DEPARTMENT AND WATER AND SEWER OPERATIONS DIVISION

Legislation Text

BID # 20-35 LEWIS FORD SALES

- A. 5 2020-0323 H&E EQUIPMENT SERVICES: A RESOLUTION TO APPROVE THE PURCHASE OF A COMPACT EXCAVATOR WITH HAMMER ATTACHMENT FROM H&E EQUIPMENT SERVICES OF SPRINGDALE, ARKANSAS IN THE AMOUNT OF \$72,491.21 PLUS APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE UTILITIES DEPARTMENT

Legislation Text

H&E EQUIPMENT SERVICES

- A. 6 2020-0324 MHC KENWORTH: A RESOLUTION TO AUTHORIZE THE PURCHASE OF THREE KENWORTH DUMP TRUCKS FROM MHC KENWORTH OF SPRINGDALE, ARKANSAS FOR THE TOTAL AMOUNT OF \$500,927.32, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE UTILITIES DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

MHC KENWORTH

BA MHC KENWORTH

- A. 7 2020-0325 PETERBILT DUMP TRUCK: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A DUMP TRUCK FROM PETERBILT OF FORT SMITH, ARKANSAS FOR THE AMOUNT OF \$174,480.00, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT

Legislation Text

PETERBILT DUMP TRUCK

- A. 8 2020-0341 FRIENDS OF YRCC DONATIONS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$4,329.00 REPRESENTING DONATIONS FROM FRIENDS OF YRCC TO FUND A SUMMER INTERNSHIP WITH THE SUMMER FUN4KIDS AND FUN4TEENS CAMP PROGRAMS OFFERED AT THE YVONNE RICHARDSON COMMUNITY CENTER

Legislation Text

FRIENDS OF YRCC DONATION

BA FRIENDS OF YRCC DONATION

- A. 9 2020-0337 WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO. 4: A RESOLUTION TO APPROVE TASK ORDER NO. 4 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$58,000.00 FOR CONTINUING NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS WITHIN THE STREAM AS NECESSARY TO ENSURE CONTINUED SUCCESS OF RESTORATION PROJECTS

Legislation Text

WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO. 4

- A. 10 2020-0321 HENARD UTILITY PRODUCTS, INC.: A RESOLUTION TO APPROVE THE PURCHASE OF 1,000 CELLULAR ADVANCED METERING INFRASTRUCTURE WATER METERS FROM HENARD UTILITY PRODUCTS, INC. IN THE AMOUNT OF \$196,960.00, PLUS APPLICABLE TAXES AND FREIGHT CHARGES, FOR USE BY THE UTILITIES DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

HENARD UTILITY PRODUCTS, INC.

BA HENARD UTILITY PRODUCTS, INC.

- A. 11 2020-0352 BID # 20-33 THE FIELD SHOP, INC.: A RESOLUTION TO AWARD BID # 20-33 AND AUTHORIZE A CONTRACT WITH THE FIELD SHOP, INC. IN THE AMOUNT OF \$47,020.41 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FOR THE INSTALLATION OF NEW LED LIGHTING FIXTURES AND A DIMMING SYSTEM IN THE TELEVISION CENTER STUDIO

Legislation Text

BID # 20-33 THE FIELD SHOP, INC.

B. Unfinished Business

- B. 1 2020-0292 ZION ROAD CONSTRUCTION PROJECT CONDEMNATION AND POSSESSION: A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO SEEK CONDEMNATION AND POSSESSION OF CERTAIN LANDS OWNED BY TRACY GADDY-MAYES NEEDED FOR THE ZION ROAD CONSTRUCTION PROJECT**

Legislation Text

ZION ROAD CONSTRUCTION PROJECT CONDEMNATION AND POSSESSION

- B. 2 2020-0282 RZN 20-7014 (1324 W. MT. COMFORT RD./TILLMAN B, LLC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7014 FOR APPROXIMATELY 0.27 ACRES LOCATED AT 1324 WEST MOUNT COMFORT ROAD FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN**

Legislation Text

RZN 20-7014 (1324 W. MT. COMFORT RD./TILLMAN B, LLC.):

ADDITIONAL RZN 20-7014 (1324 W. MT. COMFORT RD./TILLMAN B, LLC.)

- B. 3 2020-0262 AMEND § 96.02 UNREASONABLE OR EXCESSIVE NOISE PROHIBITED: AN ORDINANCE TO AMEND § 96.02 UNREASONABLE OR EXCESSIVE NOISE PROHIBITED; EXCEPTIONS TO EXTEND THE CITY'S NOISE REGULATIONS TO ALL VEHICLE-RELATED BUSINESSES**

Legislation Text

AMEND § 96.02 UNREASONABLE OR EXCESSIVE NOISE PROHIBITED

C. New Business

- C. 1 2020-0332 CHAMBERS BASEBALL COMPLEX: A RESOLUTION TO NAME THE BASEBALL COMPLEX AT KESSLER MOUNTAIN REGIONAL PARK THE CHAMBERS BASEBALL COMPLEX

Legislation Text

CHAMBERS BASEBALL COMPLEX

- C. 2 2020-0285 OZONE DISINFECTION SYSTEM CLEANING AND REFURBISHMENT SERVICES: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND APPROVE A QUOTE FROM PINNACLE OZONE SOLUTIONS, LLC FOR CLEANING AND REFURBISHMENT OF THE OZONE DISINFECTION SYSTEM AT THE NOLAND WATER RESOURCE RECOVERY FACILITY IN THE AMOUNT OF \$39,300.00 PLUS APPLICABLE TAXES

Legislation Text

PINNACLE OZONE SOLUTIONS, LLC

- C. 3 2020-0286 OZONE EQUIPMENT SERVICE NOLAND WATER RESOURCE RECOVERY FACILITY: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND APPROVE A CONTRACT WITH PINNACLE OZONE SOLUTIONS, LLC FOR AN INITIAL TERM OF ONE YEAR WITH AUTOMATIC RENEWALS TO PROVIDE REGULAR SERVICING OF THE OZONE DISINFECTION SYSTEM AT THE NOLAND WATER RESOURCE RECOVERY FACILITY IN THE AMOUNT OF \$24,920.00 PER YEAR

Legislation Text

PINNACLE OZONE SOLUTIONS, LLC

- C. 4 2020-0297 APPEAL RZN 20-7035 (618 N. RUPPLE RD./RUPPLE RD. LLC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7035 FOR APPROXIMATELY 8.60 ACRES LOCATED AT 618 NORTH RUPPLE ROAD FROM NS-L, NEIGHBORHOOD

Legislation Text

APPEAL RZN 20-7035 (618 N. RUPPLE RD./RUPPLE RD. LLC.)

- C. 5 2020-0338 RZN 20-7025 (1318 S. COLLEGE AVE./HOFFMAN TRUST-COLLEGE): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7025 FOR APPROXIMATELY 0.18 ACRES LOCATED AT 1318 SOUTH COLLEGE AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Legislation Text

RZN 20-7025 (1318 S. COLLEGE AVE./HOFFMAN TRUST-COLLEGE):

- C. 6 2020-0339 RZN 20-7026 (1023 S. WASHINGTON AVE./HOFFMAN TRUST-WASHINGTON): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7026 FOR APPROXIMATELY 0.15 ACRES LOCATED AT 1023 SOUTH WASHINGTON AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Legislation Text

RZN 20-7026 (1023 S. WASHINGTON AVE./HOFFMAN TRUST-WASHINGTON)

- C. 7 2020-0349 VAC 20-7042 (815 S. SCHOOL./FARMERS CO-OP): AN ORDINANCE TO APPROVE VAC 20-7042 FOR PROPERTY LOCATED AT 815 SOUTH SCHOOL AVENUE TO VACATE PORTIONS OF RIGHTS OF WAY AND A GENERAL UTILITY EASEMENT

Legislation Text

VAC 20-7042 (815 S. SCHOOL./FARMERS CO-OP)

ADDITIONAL VAC 20-7042 (815 S. SCHOOL./FARMERS CO-OP).

- C. 8 2020-0334 STEFFAN AND CATHERINE SARKIN - STREET AND DRAINAGE IMPROVEMENTS: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH STEFFAN AND CATHERINE SARKIN FOR STREET AND DRAINAGE IMPROVEMENTS ALONG STORER AVENUE WITH A REFUND IN AN AMOUNT NOT TO EXCEED \$36,696.63 TO BE PAID BY THE CITY OF FAYETTEVILLE FOR THE COST OF IMPROVEMENTS THAT EXCEED THE ROUGH PROPORTIONALITY OF THE IMPACT OF THE DEVELOPMENT

Legislation Text

STEFFAN AND CATHERINE SARKIN FOR STREET AND DRAINAGE IMPROVEMENTS

- C. 9 2020-0312 AMEND § 72.58 OFF STREET PARKING FACILITIES; RULES AND RATES: AN ORDINANCE TO AMEND § 72.58 OFF STREET PARKING FACILITIES; RULES AND RATES TO AUTHORIZE THE MAYOR TO PROHIBIT NON-ELECTRIC VEHICLES FROM PARKING IN DESIGNATED ELECTRIC VEHICLE CHARGING PARKING SPACES IN ALL CITY PARKING FACILITIES

Legislation Text

AMEND § 72.58 OFF STREET PARKING FACILITIES

D. City Council Agenda Session Presentations

- D. 1 2020-0361 SALES TAX REPORT, PAUL BECKER

Legislation Text

- D. 2 2020-0362 ENERGY USAGE UPDATE, PETER NIERENGARTEN

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.