

# City of Fayetteville, Arkansas

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



## City Council Meeting

**August 4, 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. 2019-0963 MONTHLY FINANCIAL REPORT**

Legislation Text

**Agenda Additions**

**A. Consent**

- A. 1 2019-0982 APPROVAL OF THE JULY 14, 2020 SPECIAL CITY COUNCIL MEETING MINUTES AND THE JULY 21, 2020 CITY COUNCIL MEETING MINUTES**

Legislation Text

- A. 2 2020-0583 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. 3 2020-0590 KING ELECTRICAL CONTRACTORS, INC.: A RESOLUTION TO APPROVE TWO PROPOSAL FROM KING ELECTRICAL CONTRACTORS, INC. IN THE TOTAL AMOUNT OF \$36,951.00, PURSUANT TO BID NO. 15-57, FOR ELECTRICAL SERVICES ASSOCIATED WITH THE CHURCH AVENUE AND MEADOW STREET SIDEWALK IMPROVEMENTS PROJECT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$3,695.00

Legislation Text

KING ELECTRICAL CONTRACTORS, INC

- A. 4 2020-0601 H&E EQUIPMENT SERVICES: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A TANDEM ASPHALT ROLLER FROM H&E EQUIPMENT SERVICES OF SPRINGDALE FOR THE AMOUNT OF \$113,600.00, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT

Legislation Text

H&E EQUIPMENT SERVICES

- A. 5 2020-0595 BID #20-47 CROSSLAND HEAVY CONTRACTORS, INC.: A RESOLUTION TO AWARD BID #20-47 AND AUTHORIZE A CONTRACT WITH CROSSLAND HEAVY CONTRACTORS, INC. IN THE AMOUNT \$379,870.00 FOR THE CONSTRUCTION OF A NEW WATER PUMPING

STATION AND WATER MAIN ASSOCIATED WITH THE BENSON PRESSURE PLANE IMPROVEMENTS PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$56,980.50, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID #20-47 CROSSLAND HEAVY CONTRACTORS, INC.

BA BID #20-47 CROSSLAND HEAVY CONTRACTORS, INC.

- A. 6 2020-0596 HAWKINS-WEIR ENGINEERS, INC. AMENDMENT NO. 4: A RESOLUTION TO APPROVE AMENDMENT NO. 4 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN THE AMOUNT OF \$81,380.00 FOR CONSTRUCTION OBSERVATION AND PROJECT MANAGEMENT SERVICES ASSOCIATED WITH THE BENSON MOUNTAIN PRESSURE PLANE IMPROVEMENTS PROJECT

Legislation Text

HAWKINS-WEIR ENGINEERS, INC. AMENDMENT NO. 4

- A. 7 2020-0598 OLSSON, INC. AMENDMENT NO. 3: A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH OLSSON, INC. IN THE AMOUNT OF \$169,500.00 FOR CONSTRUCTION PHASE SERVICES RELATED TO THE EAST FAYETTEVILLE WATER SYSTEM AND TOWNSHIP PRESSURE PLANE IMPROVEMENTS PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

OLSSON, INC. AMENDMENT NO. 3

BA OLSSON, INC. AMENDMENT NO. 3

- A. 8 2020-0599 ELECTRIC MOTOR CENTER: A RESOLUTION TO AUTHORIZE A PAYMENT TO ELECTRIC MOTOR CENTER IN

THE AMOUNT OF \$18,418.42 PLUS APPLICABLE TAXES FOR THE REPAIR OF PUMP #2 AT THE NOLAND WATER RESOURCE RECOVERY FACILITY

Legislation Text

ELECTRIC MOTOR CENTER

- A. 9 2020-0600 JCI INDUSTRIES, INC.: A RESOLUTION TO ACCEPT A QUOTE IN THE AMOUNT OF \$23,746.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM JCI, INDUSTRIES, INC. FOR THE REPAIR OF A PUMP AT THE WEST SIDE WATER RESOURCE RECOVERY FACILITY

Legislation Text

JCI INDUSTRIES, INC.

**B. Unfinished Business**

- B. 1 2020-0413 ARKANSAS AND MISSOURI RAILROAD SHILOH DRIVE AND GREGG AVENUE - 2019 TRANSPORTATION BOND PROJECT: THIS ITEM WAS TABLED INDEFINITELY AT THE JUNE 4, 2020 CITY COUNCIL MEETING. AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE A NEW RAILROAD CROSSING COST AND MAINTENANCE AGREEMENT AND AN EASEMENT AGREEMENT WITH THE ARKANSAS AND MISSOURI RAILROAD FOR A NEW RAILROAD CROSSING AT SHILOH DRIVE AND GREGG AVENUE, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$32,892.43, AND TO APPROVE A BUDGET ADJUSTMENT FOR THE ESTIMATED TOTAL PROJECT COST OF \$750,000.00 - 2019 TRANSPORTATION BOND PROJECT

Legislation Text

Revised 072220: 2020-0413 Shiloh Update Memo

BA 2020-0413 Shiloh Railroad Crossing

06/04/20 City Council Packet Info: ARKANSAS AND MISSOURI

RAILROAD SHILOH DRIVE AND GREGG AVENUE

06/04/20 City Council Packet Info: BA ARKANSAS AND MISSOURI RAILROAD SHILOH DRIVE AND GREGG AVENUE

- B. 2** 2020-0414 ARKANSAS AND MISSOURI RAILROAD FUTRALL DRIVE AND GREGG AVENUE - 2019 TRANSPORTATION BOND PROJECT: THIS ITEM WAS TABLED INDEFINITELY AT THE JUNE 4, 2020 CITY COUNCIL MEETING. AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE A NEW RAILROAD CROSSING COST AND MAINTENANCE AGREEMENT AND AN EASEMENT AGREEMENT WITH THE ARKANSAS AND MISSOURI RAILROAD FOR A NEW RAILROAD CROSSING AT FUTRALL DRIVE AND GREGG AVENUE, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$28,344.86, AND TO APPROVE A BUDGET ADJUSTMENT FOR THE ESTIMATED TOTAL PROJECT COST OF \$750,000.00 - 2019 TRANSPORTATION BOND PROJECT

Legislation Text

06/04/20 City Council Packet Info: BA ARKANSAS AND MISSOURI RAILROAD FUTRALL DRIVE AND GREGG AVENUE

BA 2020-0414 Futrall Railroad Crossing

06/04/20 City Council Packet Info: ARKANSAS AND MISSOURI RAILROAD FUTRALL DRIVE AND GREGG AVENUE

Revised 072220: 2020-0414 Futrall Update Memo

- B. 3** 2020-0531 RZN 20-7123 (23 W. 5TH ST./QOZB, LLC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7123 FOR APPROXIMATELY 0.21 ACRES LOCATED AT 23 WEST 5TH STREET FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Legislation Text

RZN 20-7123 (23 W. 5TH ST./QOZB, LLC.)

ADDITIONAL RZN 20-7123 (23 W. 5TH ST./QOZB, LLC.)

073020 ADDITIONAL RZN 20-7123 (23 W. 5th St.Qozb, LLC.)

- B. 4 2020-0534 RZN 20-7128 (1355 W. DEANE ST./PINES ON DEANE): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7128 FOR APPROXIMATELY 1.44 ACRES LOCATED AT 1355 WEST DEANE STREET FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE**

Legislation Text

RZN 20-7128 (1355 W. DEANE ST./PINES ON DEANE)

- B. 5 2020-0571 AMEND § 155.04 ALDERMAN APPEAL: AN ORDINANCE TO AMEND § 155.04 ALDERMAN APPEAL ON BEHALF OF RESIDENT TO USE THE PROPER TERM "COUNCIL MEMBER" AND CLARIFY WHEN APPEALS CAN BE MADE AND TO AMEND § 155.05 APPEALS FROM PLANNING COMMISSION DECISIONS (A) APPEALS TO CITY COUNCIL (3) CONDITIONAL USE REQUEST TO REDUCE THE REQUIRED NUMBER OF COUNCIL MEMBERS NEEDED FOR AN APPEAL TO TWO**

Legislation Text

AMEND SECTION 155.04 ALDERMAN APPEAL

ADDITIONAL AMEND § 155.04 ALDERMAN APPEAL

ADDITIONAL AMEND § 155

- B. 6 2020-0570 AMEND § 155.06 APPEALS FROM STAFF INTERPRETATIONS AND ACTIONS: AN ORDINANCE TO AMEND § 155.06 APPEALS FROM STAFF INTERPRETATIONS AND ACTIONS TO DIRECT MORE APPEALS TO THE PLANNING COMMISSION RATHER THAN TO THE CITY**

# COUNCIL

## Legislation Text

### AMEND § 155.06 APPEALS FROM STAFF INTERPRETATIONS AND ACTIONS

### ADDITIONAL AMEND § 155.06 APPEALS FROM STAFF INTERPRETATIONS AND ACTIONS

### ADDITIONAL AMEND § 155

## **C. New Business**

- C. 1 2020-0638 AMEND § 164.04 URBAN AGRICULTURE: AN ORDINANCE TO AMEND § 164.04 URBAN AGRICULTURE (FOWL, BEES & GOATS) TO REDUCE THE MINIMUM SQUARE FOOTAGE REQUIREMENT FOR GOATS

## Legislation Text

### Urban Agriculture - Goat Square Foot Minimum Packet

- C. 2 2020-0580 2020 COPS HIRING PROGRAM GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE 2020 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM GRANT IN THE AMOUNT OF \$250,000.00 TO FUND TWO (2) POLICE OFFICERS FOR A PERIOD OF FOUR (4) YEARS WITH THE \$312,710.00 REQUIRED MATCH PAID BY FAYETTEVILLE PUBLIC SCHOOLS, AND TO APPROVE A BUDGET ADJUSTMENT

## Legislation Text

### 2020 COPS HIRING PROGRAM GRANT

### BA 2020 COPS HIRING PROGRAM GRANT

- C. 3 2020-0597 BID #20-54 CB & I STORAGE TANK SOLUTIONS, LLC: A RESOLUTION TO AWARD BID #20-54 AND AUTHORIZE A CONTRACT WITH CB&I STORAGE TANK SOLUTIONS, LLC IN THE AMOUNT OF \$2,517,000.00 FOR



THE CONSTRUCTION OF A NEW ELEVATED WATER STORAGE TANK ON GULLEY ROAD, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$251,700.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID #20-54 CB & I STORAGE TANK SOLUTIONS, LLC

BA BID #20-54 CB & I STORAGE TANK SOLUTIONS, LLC

- C. 4 2020-0592 2021 EMPLOYEE BENEFITS PACKAGE: A RESOLUTION TO APPROVE THE 2021 EMPLOYEE BENEFITS PACKAGE

Legislation Text

2021 EMPLOYEE BENEFITS PACKAGE

- C. 5 2020-0587 STONEBROOK ACQUISITIONS, LLC: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH STONEBROOK ACQUISITIONS, LLC FOR THE INSTALLATION OF A 36-INCH STORM SEWER WITH A REFUND IN AN AMOUNT NOT TO EXCEED \$165,829.60 TO BE PAID BY THE CITY OF FAYETTEVILLE FOR THE COST OF IMPROVEMENTS THAT EXCEED THE ROUGH PROPORTIONALITY OF THE IMPACT OF THE DEVELOPMENT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$25,000.00

Legislation Text

STONEBROOK ACQUISITIONS, LLC

- C. 6 2020-0609 VAC 20-7136 (NORTH OF 310 S. WILLOW AVE./NWA CUSTOM HOMES): AN ORDINANCE TO APPROVE VAC 20-7136 FOR PROPERTY LOCATED AT 310 SOUTH WILLOW AVENUE TO VACATE A PORTION OF STREET RIGHT-OF-WAY

Legislation Text

VAC 20-7136 (NORTH OF 310 S. WILLOW AVE./NWA CUSTOM HOMES).

- C. 7 2020-0605 VAC 20-7137 (1468 S. COOPERS COVE/THARP-CAVANAUGH): AN ORDINANCE TO APPROVE VAC 20-7137 FOR PROPERTY LOCATED AT 1468 SOUTH COOPERS COVE TO VACATE A PORTION OF A GENERAL UTILITY EASEMENT

Legislation Text

VAC 20-7137 (1468 S. COOPERS COVE/THARP-CAVANAUGH).

- C. 8 2020-0607 RZN 20-7149 (NW OF OLD MISSOURI RD. & JOYCE BLVD./TRAILS AT PARADISE APTS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7149 FOR APPROXIMATELY 0.34 ACRES LOCATED NORTHWEST OF OLD MISSOURI ROAD AND JOYCE BOULEVARD FROM CS, COMMUNITY SERVICES TO RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE

Legislation Text

RZN 20-7149 (NW OF OLD MISSOURI RD. & JOYCE BLVD./TRAILS AT PARADISE APTS).

- C. 9 2020-0574 AMEND CHAPTER 120: REAL ESTATE SALE AND LEASING REGULATIONS : AN ORDINANCE TO AMEND CHAPTER 120: REAL ESTATE SALE AND LEASING REGULATIONS BY ENACTING §120.02 LANDLORD'S REPRESENTATIVE REGISTRY TO REQUIRE ALL LANDLORDS LEASING MORE THAN TWO RESIDENTIAL PROPERTIES TO PROVIDE ACCURATE CONTACT INFORMATION

Legislation Text

AMEND CHAPTER 120: REAL ESTATE SALE AND LEASING REGULATIONS

- C. 10 2020-0604 AMEND § 171.02 MINIMUM STREET STANDARDS, 2020 EDITION: AN ORDINANCE TO AMEND § 171.02 GENERAL PROVISIONS AND ADOPT THE MINIMUM STREET STANDARDS, 2020 EDITION, AND TO AMEND VARIOUS PROVISIONS IN CHAPTER 151 DEFINITIONS, CHAPTER 166 DEVELOPMENT, CHAPTER 171 STREETS AND SIDEWALKS, AND CHAPTER 172 PARKING AND LOADING OF THE UNIFIED DEVELOPMENT CODE TO BE CONSISTENT WITH THE CHANGES IN THE CITY'S MASTER STREET PLAN

Legislation Text

Exhibits A-G - Minimum Street Standards

AMEND § 171.02 GENERAL PROVISIONS

**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. When the Mayor or Chair recognizes you, please start your public comment by giving 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 to speak 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 a Council Member 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:**

**Overview Period:** Agenda items at a City Council meeting 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 a Council Member later to answer questions. City staff, Council Members and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item. City staff's presentation and an Applicant's presentation whether presented by one or more than one presenter shall each be limited to a maximum of ten (10) minutes unless the City Council by unanimous consent or majority vote allows additional time.

**Public Comments:** Public comment at a City Council meeting shall be allowed for all members of the audience who have signed up prior to the beginning of the agenda item they wish to address being opened for public comment. Speakers shall be limited to a maximum of five (5) minutes to be broken into segments of three and two minutes. Amendments may receive public comments only if approved by the City Council by unanimous consent or majority vote. If public comment is allowed for an amendment, speakers will only be allowed to speak for three (3) minutes. The City Council may allow both a speaker additional time and an unsigned-up person to speak by unanimous consent or majority vote.

**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.

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