

City of Fayetteville, Arkansas

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



City Council Meeting

**September 15, 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. 2019-0996 NOMINATING COMMITTEE REPORT

Legislation Text

Agenda Additions

A. Consent

- A. 1 2019-0984 APPROVAL OF THE AUGUST 18, 2020 CITY COUNCIL MEETING MINUTES AND THE AUGUST 26, 2020 SPECIAL CITY COUNCIL MEETING MINUTES**

Legislation Text

- A. 2 2020-0720 CEI ENGINEERING ASSOCIATES, INC.**

AMENDMENT NO. 1 - 2019 TRANSPORTATION BOND PROJECT: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CONTRACT WITH CEI ENGINEERING ASSOCIATES, INC. FOR PHASE I OF THE CENTENNIAL PARK AT MILLSAP MOUNTAIN IN THE AMOUNT OF \$9,400.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROJECT

Legislation Text

CEI ENGINEERING ASSOCIATES, INC. AMENDMENT NO. 1:

BA CEI ENGINEERING ASSOCIATES, INC. AMENDMENT NO. 1:

- A. 3 2020-0723 J.R. STEWART PUMP & EQUIPMENT, INC.: A RESOLUTION TO ACCEPT A QUOTE IN THE AMOUNT OF \$26,751.03 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM J.R. STEWART PUMP & EQUIPMENT, INC. FOR THE REPAIR OF PUMP AT THE WEST SIDE WATER RESOURCE RECOVERY FACILITY

Legislation Text

J.R. STEWART PUMP & EQUIPMENT, INC.

- A. 4 2020-0730 CARES ACT FUNDING: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$193,008.65 RECOGNIZING FUNDING FROM THE STATE OF ARKANSAS DEPARTMENT OF HUMAN SERVICES FOR EMS WORKER PAYMENTS TO FIRE DEPARTMENT EMPLOYEES AS PART OF CARES ACT FUNDING

Legislation Text

CARES ACT FUNDING

BA CARES ACT FUNDING

- A. 5 2020-0726 BENTONVILLE/BELLA VISTA TRAILBLAZER'S ASSOCIATION, INC. D/B/A NWA TRAILBLAZERS: A RESOLUTION TO AUTHORIZE A CONTRACT WITH

BENTONVILLE/BELLA VISTA TRAILBLAZER'S
ASSOCIATION, INC. D/B/A NWA TRAILBLAZERS FOR THE
CONSTRUCTION OF THE FAYETTEVILLE TRAVERSE TRAIL
ON CITY PROPERTY

Legislation Text

BENTONVILLE/BELLA VISTA TRAILBLAZER'S
ASSOCIATION, INC. D/B/A NWA TRAILBLAZERS

- A. 6 2020-0672 AFTERGLOW AIRCRAFT SOLUTIONS, LLC: A RESOLUTION TO APPROVE A THREE YEAR LEASE AGREEMENT WITH AFTERGLOW AIRCRAFT SOLUTIONS, LLC FOR THE AIRPORT HANGAR AT 4158 SOUTH SCHOOL AVENUE FOR RENT IN THE AMOUNT OF \$850.00 PER MONTH

Legislation Text

AFTERGLOW AIRCRAFT SOLUTIONS, LLC

- A. 7 2020-0707 CREAMER PILOT SERVICES, LLC: A RESOLUTION TO APPROVE A THREE YEAR LEASE AGREEMENT WITH CREAMER PILOT SERVICES, LLC FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING AND CORPORATE HANGER SPACE AT 4500 SOUTH SCHOOL AVENUE FOR RENT IN THE AMOUNT OF \$3,000.00 PER MONTH THROUGH DECEMBER 2021, \$4,000.00 PER MONTH FOR JANUARY THROUGH DECEMBER 2022, AND \$5,000.00 PER MONTH FROM JANUARY 2023 THROUGH THE END OF THE LEASE TERM

Legislation Text

CREAMER PILOT SERVICES, LLC

B. Unfinished Business

- B. 1 2020-0414 ARKANSAS AND MISSOURI RAILROAD FUTRALL DRIVE AND GREGG AVENUE - 2019 TRANSPORTATION BOND PROJECT: 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

Revised 072220: 2020-0414 Futrall Update Memo

BA 2020-0414 Futrall Railroad Crossing

B. 1 and B. 2 Full Recapture and Combined Tax Revenue__grade seperated_included

B. 2 Drake Farms Memo 8_4_20 with Letter Final Revised

B. 2 ORD BID WAIVER - RAILROAD AND MAINTENANCE AGREEMENT AMRR FUTRALL DRIVE

Public Comment Email Jerry Hogan

Public Comment Jerry Hogan

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

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

08/18/20 ADDITIONAL ARKANSAS AND MISSOURI RAILROAD FUTRALL DRIVE AND GREGG AVENUE - 2019 TRANSPORTATION BOND PROJECT

ADDITIONAL ARKANSAS AND MISSOURI RAILROAD FUTRALL DRIVE AND GREGG AVENUE - 2019 TRANSPORTATION BOND PROJECT

09/01/20 ADDITIONAL ARKANSAS AND MISSOURI
RAILROAD FUTRALL DRIVE AND GREGG AVENUE -

- B. 2** 2020-0647 APPEAL: RZN 20-7133: (6040 & 6074 W. WEDINGTON DR./HOUSTON): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7133 FOR APPROXIMATELY 3.05 ACRES LOCATED AT 6040 AND 6074 WEST WEDINGTON DRIVE FROM R-A, RESIDENTIAL AGRICULTURAL AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

Legislation Text

APPEAL: RZN 20-7133: (6040 & 6074 W. WEDINGTON DR./HOUSTON)

- B. 3** 2020-0635 AMEND UDC 166.23: URBAN RESIDENTIAL DESIGN STANDARDS: AN ORDINANCE TO AMEND §166.23 URBAN RESIDENTIAL DESIGN STANDARDS OF THE UNIFIED DEVELOPMENT CODE TO INCREASE FLEXIBILITY FOR SMALL BUILDING DESIGN

Legislation Text

AMEND UDC 166.23: URBAN RESIDENTIAL DESIGN STANDARDS:

09/10/20 ADDITIONAL AMEND UDC 166.23 URBAN RESIDENTIAL DESIGN STANDARDS

- B. 4** 2020-0689 RZN 20-7170 (921 W. BERRY ST./HOMESTEAD, INC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7170 FOR APPROXIMATELY 0.18 ACRES LOCATED AT 921 WEST BERRY STREET FROM RMF-40, RESIDENTIAL MULTI-FAMILY, 40 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Legislation Text

RZN 20-7170 (921 W. BERRY ST./HOMESTEAD, INC.)

- B. 5 2020-0706 BRIAN AND DAY CROWNE LAND SALE: A RESOLUTION TO AUTHORIZE THE SALE OF A SMALL PARCEL OF LAND SOUTH OF GEORGE'S MAJESTIC LOUNGE AND WEST OF THE RAILROAD TRACKS TO BRIAN AND DAY CROWNE FOR THE AMOUNT OF \$17,000.00

Legislation Text

BRIAN AND DAY CROWNE LAND SALE

ADDITIONAL BRIAN AND DAY CROWNE LAND SALE

09/01/20 ADDITIONAL BRIAN AND DAY CROWNE LAND SALE

09/10/20 ADDITIONAL BRIAN AND DAY CROWNE LAND SALE

- B. 6 2020-0665 APPEAL RZN 20-7140 (5152 W. WEDINGTON DR./DEDUSHAJ): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7140 LOCATED AT 5152 WEST WEDINGTON DRIVE FOR APPROXIMATELY 6.91 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO NS-G, NEIGHBORHOOD SERVICES-GENERAL AND RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Legislation Text

APPEAL RZN 20-7140 (5152 W. WEDINGTON DR./DEDUSHAJ)

C. New Business

- C. 1 2020-0725 RZN 2020-000004 (NORTH OF 2262 S. SCHOOL AVE./FIRE STATION #9, 640): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-04 LOCATED NORTH OF 2262 SOUTH SCHOOL AVENUE FOR APPROXIMATELY 1.76 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO P-1,

INSTITUTIONAL

Legislation Text

RZN 2020-000004 (NORTH OF 2262 S. SCHOOL AVE./FIRE STATION #9, 640).

- C. 2 2020-0721 RFQ # 20-09 EMERY SAPP AND SONS, INC. - 2019 TRANSPORTATION BOND PROGRAM: A RESOLUTION TO AWARD RFQ # 20-09 AND AUTHORIZE A CONTRACT WITH EMERY SAPP AND SONS, INC. IN THE AMOUNT OF \$52,720.00 TO PROVIDE CONSTRUCTION MANAGER AT RISK SERVICES FOR THE MAPLE STREET IMPROVEMENTS PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,272.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROGRAM

Legislation Text

RFQ # 20-09 EMERY SAPP AND SONS, INC.

BA RFQ # 20-09 EMERY SAPP AND SONS, INC.

- C. 3 2020-0729 BID NO. 20-61 FEDERAL AVIATION ADMINISTRATION (FAA) GRANT FUNDS: A RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN A GRANT AGREEMENT ACCEPTING A 90/10 MATCHING GRANT FROM THE FEDERAL AVIATION ADMINISTRATION IN THE AMOUNT OF \$1,305,778.00 FOR THE AIRPORT TERMINAL IMPROVEMENTS PROJECT, TO AWARD BID NO. 20-61 AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT WITH C.R. CRAWFORD CONSTRUCTION, LLC IN THE AMOUNT OF \$1,289,873.00 FOR CONSTRUCTION OF THE TERMINAL IMPROVEMENTS, TO AUTHORIZE THE MAYOR TO EXECUTE TASK ORDER NO. 14 WITH GARVER, LLC IN THE AMOUNT OF \$55,000.00 FOR CONSTRUCTION PHASE SERVICES, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

FEDERAL AVIATION ADMINISTRATION (FAA) GRANT FUNDS

FEDERAL AVIATION ADMINISTRATION (FAA) GRANT FUNDS

BA FEDERAL AVIATION ADMINISTRATION (FAA) GRANT FUNDS

- C. 4 2020-0724 RZN 2020-000001: (3670 W. MT. COMFORT RD./KUM & GO #2424): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-01 LOCATED AT 3670 WEST MOUNT COMFORT ROAD FOR APPROXIMATELY 2.01 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES

Legislation Text

RZN 2020-000001: (3670 W. MT. COMFORT RD./KUM & GO #2424)

09/10/20 ADDITIONAL RZN 2020-000001 (3670 W. MT. COMFORT RD./KUM & GO #2424)

- C. 5 2020-0728 NELSON BYRD WOLTZ, LLC CHANGE ORDER NO. 3 - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT: A RESOLUTION TO APPROVE CHANGE ORDER NO. 3 TO THE CONTRACT WITH NELSON BYRD WOLTZ, LLC IN THE AMOUNT OF \$90,400.00 FOR THE DEVELOPMENT OF A GRAPHICS, IDENTITY AND SIGNAGE PACKAGE FOR THE FIVE PRIMARY ELEMENTS OF THE CULTURAL ARTS CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT

Legislation Text

NELSON BYRD WOLTZ, LLC CHANGE ORDER NO. 3

BA NELSON BYRD WOLTZ, LLC CHANGE ORDER NO. 3

- C. 6 2020-0722 2020 MILLAGE LEVY: AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR

THE YEAR 2020 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, 3.7 MILLS FOR FAYETTEVILLE PUBLIC LIBRARY OPERATIONS; AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS

Legislation Text

2020 MILLAGE LEVY

09/10/20 ADDITIONAL 2020 MILLAGE LEVY

- C. 7 2020-0738 PROHIBIT FEES AND LATE CHARGES FOR LATE PAYMENT OF RENT: AN ORDINANCE TO PROHIBIT FEES AND LATE CHARGES FOR LATE PAYMENT OF RENT UNTIL THE GOVERNOR DECLARES THE END OF THE COVID-19 PANDEMIC EMERGENCY AND TO PASS AN EMERGENCY CLAUSE

Legislation Text

PROHIBIT FEES AND LATE CHARGES FOR LATE PAYMENT OF RENT

D. City Council Agenda Session Presentations

- D. 1 2020-0624 AGENDA SESSION PRESENTATION - 2020 LEVY AND GENERAL FUND BUDGET DISCUSSION, PAUL BECKER

Legislation Text

- E. **City Council Tour: Monday, September 14, 2020 at 4:30 PM Meet at Majestic Lounge at 4:30 and the second stop will be about 45 minutes later at Mt Comfort and Ruppel Road. Visitor parking available at Holt Middle School which is a short walk North on the West side of Ruppel Road.**

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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