

# City of Fayetteville, Arkansas

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



## City Council Meeting

**November 17, 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**

**Agenda Additions**

**A. Consent**

**A.12019-0990 APPROVAL OF THE NOVEMBER 5, 2020 CITY COUNCIL MEETING MINUTES**

Legislation Text

**A.22020-0917 RFQ 20-03 GARVER LLC: A RESOLUTION TO AUTHORIZE A CONTRACT WITH GARVER, LLC, PURSUANT TO RFQ 20-03, TO PROVIDE ON-CALL AVIATION ENGINEERING SERVICES FOR A PERIOD OF ONE YEAR WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS, AND TO APPROVE TASK**

Legislation Text

RFQ 20-03 GARVER LLC

- A.3** 2020-0930 2020 BULLETPROOF VEST PARTNERSHIP (BVP) GRANT PROGRAM: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A MATCHING GRANT AWARD FROM THE 2020 BULLETPROOF VEST PARTNERSHIP PROGRAM IN THE AMOUNT OF \$21,200.00 FOR THE REPLACEMENT OF BODY ARMOR VESTS FOR FAYETTEVILLE POLICE OFFICERS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2020 BULLETPROOF VEST PARTNERSHIP (BVP) GRANT PROGRAM

BA 2020 BULLETPROOF VEST PARTNERSHIP (BVP) GRANT PROGRAM

- A.4** 2020-0983 FAYETTEVILLE POLICE DEPARTMENT POLICIES: A RESOLUTION TO APPROVE FAYETTEVILLE POLICE DEPARTMENT POLICIES 1.2.3 BIAS BASED PROFILING PROHIBITED; 22.2.8 MILITARY ACTIVATIONS; AND 49.1.1 PEER TO PEER SUPPORT PROGRAM

Legislation Text

FAYETTEVILLE POLICE DEPARTMENT POLICIES

- A.5** 2020-0935 ADVANCED INFORMATION MANAGEMENT (AIM): A RESOLUTION TO AUTHORIZE THE DESTRUCTION OF CERTAIN RECORDS SHOWN ON THE ATTACHED AFFIDAVITS PURSUANT TO RELEVANT SECTIONS OF THE ARKANSAS CODE RELATED TO MAINTENANCE AND DESTRUCTION OF ACCOUNTING AND OTHER CITY RECORDS

Legislation Text

**A.6** 2020-0938 MOHAWK RESOURCES LTD: A RESOLUTION TO APPROVE THE PURCHASE OF A TRUCK LIFT FROM MOHAWK RESOURCES LTD IN THE AMOUNT OF \$37,488.86 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE FLEET OPERATIONS DIVISION

Legislation Text

MOHAWK RESOURCES LTD

**A.7** 2020-0916 BID #20-82 SECOND NATURE LANDSCAPES, INC.: A RESOLUTION TO AWARD BID #20-82 AND AUTHORIZE A CONTRACT WITH SECOND NATURE LANDSCAPES, INC. IN THE AMOUNT OF \$134,397.50 FOR THE INSTALLATION AND MAINTENANCE OF TREES ALONG RUPPLE ROAD AND OLD WIRE ROAD, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$13,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID #20-82 SECOND NATURE LANDSCAPES INC

BA BID #20-82 SECOND NATURE LANDSCAPES, INC.

**A.8** 2020-0936 BID #20-80 LEGACY CONSTRUCTION MANAGEMENT, INC.: A RESOLUTION TO AWARD BID #20-80 AND AUTHORIZE A CONTRACT WITH LEGACY CONSTRUCTION MANAGEMENT, INC. IN THE AMOUNT OF \$378,794.00 FOR CONSTRUCTION SERVICES ASSOCIATED WITH ADDITIONS, REPAIRS, AND REPLACEMENTS AT RESTROOMS IN MULTIPLE CITY PARKS, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$37,236.00

Legislation Text

BID #20-80 LEGACY CONSTRUCTION MANAGEMENT, INC.

**A.9** 2020-0940 FAYETTEVILLE PUBLIC LIBRARY EXPANSION PROJECT CHANGE ORDER NO. 7: A RESOLUTION TO APPROVE CHANGE ORDER NO. 7 TO THE FAYETTEVILLE PUBLIC LIBRARY EXPANSION PROJECT CONTRACT WITH CROSSLAND CONSTRUCTION COMPANY, INC. TO SHIFT \$332,000.00 OF THE LIBRARY'S SCOPE OF WORK TO THE CITY, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

FAYETTEVILLE PUBLIC LIBRARY EXPANSION PROJECT CHANGE ORDER NO. 7

BA FAYETTEVILLE PUBLIC LIBRARY EXPANSION PROJECT CHANGE ORDER NO. 7

**A.10** 2020-0921 REPEAL RESOLUTION NO. 245-20 GOODWIN & GOODWIN, INC.: A RESOLUTION TO REPEAL RESOLUTION NO. 245-20, TO AWARD BID #20-71 AND AUTHORIZE A CONTRACT WITH GOODWIN & GOODWIN, INC. IN THE AMOUNT OF \$288,326.10 FOR THE CONSTRUCTION OF THE PALMER AVENUE DRAINAGE IMPROVEMENTS PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$43,240.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 DRAINAGE BOND PROJECT

Legislation Text

GOODWIN & GOODWIN, INC.

BA GOODWIN & GOODWIN, INC.

**A.11** 2020-0231 RFQ #19-03 DESIGN WORKSHOP, INC.: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN AN AGREEMENT WITH DESIGN WORKSHOP, INC., PURSUANT TO RFQ #19-03, IN THE AMOUNT OF \$185,739.00 FOR THE DEVELOPMENT OF A NEW TEN-YEAR PARK SYSTEM MASTER AND STRATEGIC PLAN, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00

Legislation Text

RFQ #19-03 DESIGN WORKSHOP, INC.

**B. Unfinished Business**

**B.1 2020-0269 MARKHAM HOSPITALITY OWNER, LLC ACCESS EASEMENT: A RESOLUTION TO APPROVE THE CONVEYANCE OF A PERMANENT ACCESS EASEMENT TO MARKHAM HOSPITALITY OWNER, LLC AND MARKHAM RESIDENTIAL OWNER, LLC ACROSS REAL PROPERTY OWNED BY THE CITY OF FAYETTEVILLE**

Legislation Text

ADDITIONAL MARKHAM HOSPITALITY OWNER, LLC.  
ACCESS EASEMENT

ADDITIONAL MARKHAM HOSPITALITY OWNER, LLC.  
ACCESS EASEMENT

MARKHAM HOSPITALITY OWNER, LLC. ACCESS  
EASEMENT

**C. New Business**

**C.1 2020-0952 MULTI-CRAFT CONTRACTORS, INC.: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$29,750.00 FROM MULTI-CRAFT CONTRACTORS, INC. FOR REPAIRS TO A PUMP STATION DAMAGED IN A MOTOR VEHICLE ACCIDENT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$2,975.00, TO AUTHORIZE THE MAYOR TO SIGN A RELEASE OF PROPERTY DAMAGE RELATED TO THE VEHICLE ACCIDENT, AND TO ACCEPT INSURANCE FUNDS IN THE AMOUNT OF \$25,000.00 AS A SETTLEMENT OF ALL CLAIMS**

Legislation Text

MULTI-CRAFT CONTRACTORS, INC.

**C.2** 2020-0948 VAC 2020-004 (800 BLOCK OF N. PARK AVE./PARK AVE. ALLEY): AN ORDINANCE TO APPROVE VAC 20-004 FOR PROPERTY LOCATED IN THE 800 BLOCK OF NORTH PARK AVENUE TO VACATE A PORTION OF ALLEY RIGHT-OF-WAY

Legislation Text

VAC 2020-004 (800 BLOCK OF N. PARK AVE./PARK AVE. ALLEY):

**C.3** 2020-0955 RZN 2020-015 (NE OF ZION RD. & RANDAL PL./LA HACIENDA OF NWA): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-015 LOCATED NORTHWEST OF ZION ROAD AND RANDAL PLACE FOR APPROXIMATELY 3.27 ACRES FROM RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE AND R-O, RESIDENTIAL OFFICE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN AND CS, COMMUNITY SERVICES

Legislation Text

RZN 2020-015 (NE OF ZION RD. & RANDAL PL./LA HACIENDA OF NWA)

**C.4** 2020-0953 GRADING PERMIT APPEAL: A RESOLUTION TO GRANT THE APPEAL OF MANNY TERMINELLA REGARDING A NOTICE OF VIOLATION ISSUED BY THE CITY ENGINEERING DIVISION FOR FAILURE TO OBTAIN A GRADING PERMIT FOR WORK BEING PERFORMED AT 3180 EAST TOWNSHIP STREET

Legislation Text

GRADING PERMIT APPEAL

Memo re investigating citizen complaint of unpermitted grading or construction

**C.5** 2020-0943 RFQ-19-01 OLSSON , INC. AMENDMENT #2: A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT

WITH OLSSON, INC., PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$154,900.00 FOR THE REMAINING ARCHITECTURAL SERVICES RELATED TO THE REPLACEMENT PARKING DECK FOR THE CULTURAL ARTS CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT

Legislation Text

RFQ-19-01 OLSSON, INC. AMENDMENT #2

BA RFQ-19-01 OLSSON, INC. AMENDMENT #2

**C.6** 2020-0944 ECONOMIC DEVELOPMENT ADMINISTRATION GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF AN 80/20 ECONOMIC DEVELOPMENT ADMINISTRATION GRANT IN THE AMOUNT OF \$2,000,000.00 FOR THE CONSTRUCTION OF THE INDUSTRIAL DRIVE EXTENSION, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 ECONOMIC DEVELOPMENT BOND PROJECT

Legislation Text

ECONOMIC DEVELOPMENT ADMINISTRATION GRANT

BA ECONOMIC DEVELOPMENT ADMINISTRATION GRANT

**C.7** 2020-0929 RFQ # 20-01 GARVER, LLC: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN THE AMOUNT OF \$392,725.00, PURSUANT TO RFQ # 20-01, SELECTION 21, FOR THE DESIGN OF THE ROLLING HILLS DRIVE PROJECT, TO AUTHORIZE THE MAYOR TO ACQUIRE THE EASEMENTS AND RIGHT-OF-WAY NECESSARY FOR THE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROJECT

Legislation Text

RFQ # 20-01 GARVER, LLC



**C.8** 2020-0933 OLSSON ASSOCIATES, INC. AMENDMENT # 1: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH OLSSON, INC. IN THE AMOUNT OF \$196,190.00 FOR ENGINEERING SERVICES RELATED TO THE DESIGN OF THE MIDTOWN CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROJECT

Legislation Text

OLSSON ASSOCIATES, INC. AMENDMENT # 1

BA\_OLSSON ASSOCIATES, INC. AMENDMENT # 1

**C.9** 2020-0947 2021 ANNUAL BUDGET AND WORK PROGRAM: A RESOLUTION TO ADOPT THE 2021 ANNUAL BUDGET AND WORK PROGRAM

Legislation Text

2021 ANNUAL BUDGET AND WORK PROGRAM

**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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