

# City of Fayetteville, Arkansas

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



## City Council Meeting

**September 20, 2016  
5:30 p.m.**

**City Hall Room 219  
113 West Mountain**

### **City Council**

*Adella Gray Ward 1  
Sarah Marsh Ward 1  
Mark Kinion Ward 2  
Matthew Petty Ward 2  
Justin Tennant Ward 3  
Martin W. Schoppmeyer, Jr. Ward 3*

*John S. La Tour Ward 4  
Alan Long Ward 4*

***ELECTED OFFICIALS:  
Mayor Lioneld Jordan  
City Attorney Kit Williams  
City Clerk Treasurer Sondra Smith***

**Call To Order**

**Roll Call**

**Pledge of Allegiance**

**Mayor's Announcements, Proclamations and Recognitions**

**City Council Meeting Presentations, Reports and Discussion Items:**

**1. 2016-0119 NOMINATING COMMITTEE REPORT**

Legislation Text

3rd Qtr Nominating Committee Report

**Agenda Additions:**

**A. Consent:**

**A. 1 2015-0655 APPROVAL OF THE SEPTEMBER 6, 2016 CITY COUNCIL MEETING MINUTES.**

Legislation Text

**A. 2 2016-0417 BID NO. 16-51 MULTI-CRAFT CONTRACTORS, INC.: A RESOLUTION TO AWARD BID NO. 16-51 AND AUTHORIZE A CONTRACT WITH MULTI-CRAFT CONTRACTORS, INC. FOR PLUMBING SERVICES ON AN ON-CALL BASIS FOR A PERIOD OF ONE YEAR WITH AN AUTOMATIC OPTION TO RENEW FOR FOUR ADDITIONAL YEARS**

Legislation Text

BID NO. 16-51 MULTI-CRAFT CONTRACTORS, INC.

**A. 3 2016-0418 BID NO. 16-52 ARACREBS II, LLC D/B/A ELITE BUILDING SOLUTIONS: A RESOLUTION TO AWARD BID NO. 16-52 AND AUTHORIZE A CONTRACT WITH ARACREBS II, LLC D/B/A ELITE BUILDING SOLUTIONS FOR HVAC SERVICES ON AN ON-CALL BASIS FOR A PERIOD OF ONE YEAR WITH AN AUTOMATIC OPTION TO RENEW FOR FOUR ADDITIONAL YEARS**

Legislation Text

- A. 4 2016-0416 WEX BANK: A RESOLUTION TO APPROVE A CONTRACT WITH WEX BANK, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, TO ENABLE THE CITY TO PARTICIPATE IN A FUEL CARD PROGRAM

Legislation Text

WEX BANK

- A. 5 2016-0399 2016-2017 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2016-2017 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT IN THE AMOUNT OF \$116,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

2016-2017 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT

BA\_2016-2017 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT

- A. 6 2016-0414 FAYETTEVILLE PUBLIC SCHOOLS JOINT LEASE AGREEMENT: A RESOLUTION TO APPROVE A JOINT LEASE AGREEMENT WITH THE FAYETTEVILLE SCHOOL DISTRICT FOR PORTIONS OF JEFFERSON ELEMENTARY SCHOOL, HOLCOMB ELEMENTARY SCHOOL AND LAKE FAYETTEVILLE

Legislation Text

FAYETTEVILLE PUBLIC SCHOOLS JOINT LEASE AGREEMENT

- A. 7 2016-0410 GAMETIME C/O CUNNINGHAM RECREATION: A RESOLUTION TO APPROVE THE PURCHASE OF PLAYGROUND EQUIPMENT FROM GAMETIME C/O CUNNINGHAM RECREATION FOR THE ELLEN SMITH HEAD START CENTER LOCATED AT 2052 SOUTH GARLAND AVENUE IN THE AMOUNT OF \$32,061.63, INCLUDING THE COST OF INSTALLATION, PURSUANT TO A U.S. COMMUNITIES NATIONAL COOPERATIVE PURCHASING PROGRAM CONTRACT

Legislation Text

GAMETIME C/O CUNNINGHAM RECREATION

- A. 8 2016-0422 TRIMARK STRATEGIC EQUIPMENT AND SUPPLY CORPORATION: A RESOLUTION TO AUTHORIZE THE PURCHASE OF KITCHEN EQUIPMENT FOR THE FAYETTEVILLE SENIOR CENTER FROM TRIMARK STRATEGIC EQUIPMENT AND SUPPLY CORPORATION IN AN AMOUNT NOT TO EXCEED \$95,000.00, PURSUANT TO A NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, CONTINGENT UPON APPROVAL

Legislation Text

TRIMARK STRATEGIC EQUIPMENT AND SUPPLY CORPORATION

- A. 9 2016-0420 BID NO. 16-49 GOODWIN & GOODWIN, INC.: A RESOLUTION TO AWARD BID NO. 16-49 AND AUTHORIZE A CONTRACT WITH GOODWIN & GOODWIN, INC. IN THE AMOUNT OF \$3,286,735.00 FOR THE WATER AND SEWER RELOCATIONS ASSOCIATED WITH ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT PROJECT BB0414 - PORTER ROAD-HIGHWAY 112/71B WIDENING AND INTERCHANGE IMPROVEMENTS, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$328,673.50, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

BID NO. 16-49 GOODWIN & GOODWIN, INC.

BA BID NO. 16-49 GOODWIN & GOODWIN, INC.

- A. 10 2016-0421 GARVER, LLC AMENDMENT NO. 2: A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE CONTRACT WITH GARVER, LLC IN THE AMOUNT OF \$196,800.00 TO ADD CONSTRUCTION PHASE SERVICES FOR THE WATER AND SEWER RELOCATIONS ASSOCIATED WITH ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT PROJECT BB0414 - PORTER ROAD-HIGHWAY 112/71B WIDENING AND INTERCHANGE IMPROVEMENTS, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

GARVER, LLC AMENDMENT NO. 2

BA GARVER, LLC AMENDMENT NO. 2

**B. Unfinished Business:**

- B. 1 2016-0328 RZN 16-5442 (2514 W. LORI RD./RAZORBACK GOLF COURSE): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5442 FOR APPROXIMATELY 99.10 ACRES LOCATED AT 2514 WEST LORI ROAD FROM R-A, RESIDENTIAL AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY, ONE UNIT PER ACRE AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION; R-A, RESIDENTIAL AGRICULTURAL AND NS, NEIGHBORHOOD SERVICES (LEFT ON FIRST READING)

Legislation Text

RZN 16-5442 (2514 W. LORI RD./RAZORBACK GOLF COURSE)

BILL OF ASSURANCE

- B.** 2 2016-0382 RZN 16-5500 (335 E. 7TH ST./NIEDERMAN) APPEAL: AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5500 FOR APPROXIMATELY 0.23 ACRES LOCATED AT 335 EAST 7TH STREET FROM NC, NEIGHBORHOOD CONSERVATION TO DG, DOWNTOWN GENERAL (LEFT ON FIRST READING)

Legislation Text

RZN 16-5500 (335 E. 7TH ST./NIEDERMAN) APPEAL

ADDITIONAL\_ RZN 16-5500 335 E. 7TH ST.NIEDERMAN APPEAL

**C. Public Hearing:**

- C.** 1 2016-0419 CONDEMNATION AND POSSESSION FOR WATER AND SEWER RELOCATIONS: A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO SEEK CONDEMNATION AND POSSESSION OF CERTAIN LANDS OWNED BY DRAKE ST PROPERTY, LLC, 1155 PROPERTIES, RPM1 PROPERTIES - FAYETTEVILLE, LLC A/K/A RPM1 PROPERTIES, LLC, AND NELMS, LLLP FOR THE WATER AND SEWER RELOCATIONS ASSOCIATED WITH ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT PROJECT BB0414 - INTERSTATE 49 AND HIGHWAY 112 INTERCHANGE, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

CONDEMNATION AND POSSESSION FOR WATER AND SEWER RELOCATIONS

BA\_ CONDEMNATION AND POSSESSION FOR WATER AND SEWER RELOCATIONS

ADDITIONAL: CONDEMNATION AND POSSESSION FOR WATER AND SEWER RELOCATIONS

**D. New Business:**

- D.** 1 2016-0413 LIBRARY IMPROVEMENT BONDS: AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY'S PUBLIC LIBRARY IMPROVEMENT BONDS FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF CAPITAL IMPROVEMENTS TO THE FAYETTEVILLE PUBLIC LIBRARY; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE PURSUANT TO WHICH THE BONDS WILL BE ISSUED AND SECURED; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT PURSUANT TO WHICH THE BONDS WILL BE OFFERED; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; AND PRESCRIBING OTHER MATTERS RELATING THERETO

Legislation Text

LIBRARY IMPROVEMENT BONDS

- D.** 2 2016-0398 2016 MILLAGE LEVY: AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR THE YEAR 2016 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, 2.5 MILLS FOR FAYETTEVILLE PUBLIC LIBRARY OPERATIONS, AND 1.2 MILLS FOR THE FAYETTEVILLE PUBLIC LIBRARY EXPANSION; AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS

Legislation Text

2016 MILLAGE LEVY

- D.** 3 2016-0406 RZN 16-5521 (SE OF SOUTH ST. & S. COLLEGE AVE./FAYETTEVILLE RENTALS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5521 FOR APPROXIMATELY 0.67 ACRES LOCATED SOUTHEAST OF SOUTH STREET AND SOUTH COLLEGE AVENUE FROM NC, NEIGHBORHOOD CONSERVATION TO RSF-18, RESIDENTIAL SINGLE FAMILY, 18 UNITS PER ACRE

Legislation Text

RZN 16-5521 (SE OF SOUTH ST. & COLLEGE AVE./FAYETTEVILLE RENTALS)

- D.** 4 2016-0397 RZN 16-5535 (EAST END OF BORICK DR./CITY FIRE TRAINING CENTER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5535 FOR APPROXIMATELY 14.20 ACRES LOCATED AT THE EAST END OF BORICK DRIVE FROM I-2, GENERAL INDUSTRIAL AND R-A, RESIDENTIAL AGRICULTURAL TO P-1, INSTITUTIONAL

Legislation Text

RZN 16-5535 (EAST END OF BORICK DR./CITY FIRE TRAINING CENTER)

- D.** 5 2016-0392 VAC 16-5536 (S. END OF MARKS MILL LN./SUMMIT PLACE S/D): AN ORDINANCE TO APPROVE VAC 16-5536 SUBMITTED BY MIKE BAUMANN FOR PROPERTY LOCATED AT THE SOUTH END OF MARKS MILL LANE TO VACATE PORTIONS OF A UTILITY, DRAINAGE AND ACCESS EASEMENT

Legislation Text

VAC 16-5536: (S. END OF MARKS MILL LN./SUMMIT PLACE S/D)

- D. 6 2016-0401 ADM 16-5538 (2180 W. MOORE LN./SPRINGWOODS C-PZD MODIFICATION): AN ORDINANCE TO AMEND THE SPRINGWOODS COMMERCIAL PLANNED ZONING DISTRICT TO ALLOW SINGLE FAMILY DWELLINGS AS A USE BY RIGHT ON TRACTS 2, 3, AND 4 OF LOT 2**

Legislation Text

ADM 16-5538 (2180 W/ MOORE LN./SPRINGWOODS C-PZD MODIFICATION)

- D. 7 2016-0415 ARKANSAS STATE HIGHWAY AND TRANSPORTATION COMMISSION COST-SHARE AGREEMENT: A RESOLUTION TO APPROVE A COST-SHARE AGREEMENT WITH THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION COMMISSION TO ADD A PEDESTRIAN AND BICYCLE SHARED USE PATH TO THE WEDINGTON DRIVE BRIDGE OVER INTERSTATE 49 WITH THE CITY'S PORTION OF THE COST NOT TO EXCEED \$415,000.00**

Legislation Text

ARKANSAS STATE HIGHWAY AND TRANSPORTATION COMMISSION COST-SHARE AGREEMENT

**E. City Council Agenda Session Presentations:**

- E. 1 2016-0338 AGENDA SESSION PRESENTATION - 2017 GENERAL FUND BUDGET DISCUSSION**

Legislation Text

**F. City Council Tour:**

**G. Announcements:**

**H. Adjournment**

**NOTICE TO MEMBERS OF THE AUDIENCE**

*All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.*

*All cell phones must be silenced and may not be used within the City Council Chambers.*

*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.*

*Old 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. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.*

*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. No electronic visual aid presentations shall be allowed, but 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 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 Aldermen. 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 Aldermen 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 an Alderman 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 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 at [www.fayetteville-ar.gov](http://www.fayetteville-ar.gov) or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.*



