

# City of Fayetteville, Arkansas

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



## City Council Tentative Agenda

**Tuesday, May 26, 2020**

**4:30 PM**

**City Hall Room 219**

### **City Council Members**

*Council Member Sonia Gutierrez Ward 1*

*Council Member Sarah Marsh Ward 1*

*Council Member Mark Kinion Ward 2*

*Council Member Matthew Petty Ward 2*

*Council Member Sloan Scroggin Ward 3*

*Council Member Sarah Bunch Ward 3*

*Council Member Teresa Turk Ward 4*

*Council Member Kyle Smith Ward 4*

*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. 2019-0961**

MONTHLY FINANCIAL REPORT

**Agenda Additions**

**A. Consent:**

**A. 1 2019-0978**

APPROVAL OF THE MAY 19, 2020 CITY COUNCIL MEETING MINUTES

**A. 2 2020-0177**

**NORTHWEST ARKANSAS RAZORBACK GREENWAY ALLIANCE:**

A RESOLUTION TO AUTHORIZE THE CITY OF FAYETTEVILLE'S MEMBERSHIP AND PARTICIPATION IN THE NORTHWEST ARKANSAS RAZORBACK GREENWAY ALLIANCE

**A. 3 2020-0401**

**BID NO. 15-57 KING ELECTRICAL CONTRACTORS, INC.:**

A RESOLUTION TO APPROVE A PROPOSAL FROM KING ELECTRICAL CONTRACTORS, INC. IN THE AMOUNT OF \$67,319.00, PURSUANT TO BID NO. 15-57, FOR THE INSTALLATION OF TRAIL LIGHTS ALONG THE NIOKASKA CREEK TRAIL FROM CROSSOVER ROAD TO GULLEY PARK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,681.00

**A. 4 2020-0392****NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION:**

A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO APPLY FOR AND UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS IN AN AMOUNT UP TO \$470,000.00 TO CONSTRUCT A WIDER SHARED-USE PAVED TRAIL AND GREENSPACE ALONG THE ARKANSAS DEPARTMENT OF TRANSPORTATION PROJECT TO IMPROVE HIGHWAY 112 FROM TRUCKERS DRIVE TO HOWARD NICKELL ROAD

**A. 5 2020-0402****TLG PETERBILT:**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF THREE PETERBILT SIDE ARM TRASH TRUCKS FROM TLG PETERBILT OF FORT SMITH, ARKANSAS FOR THE TOTAL AMOUNT OF \$947,865.00, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT

**A. 6 2020-0403****SPRINGDALE TRACTOR:**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF A KUBOTA MOWER FROM SPRINGDALE TRACTOR IN THE AMOUNT OF \$13,329.22.00, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE AIRPORT, AND TO APPROVE A BUDGET ADJUSTMENT

**A. 7 2020-0405****SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS:**

A RESOLUTION TO APPROVE THE RENEWAL OF THREE SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE TOTAL AMOUNT OF \$238,765.00 FOR THE CITY TO ADMINISTER PROGRAMS TO ASSIST HOMELESS FAYETTEVILLE RESIDENTS

**A. 8      2020-0412****FROUD FARMS HAY LEASE:**

A RESOLUTION TO AWARD BID # 20-38 AND AUTHORIZE A FIVE-YEAR HAY FIELD LEASE WITH FROUD FARMS FOR ABOUT 54.5 ACRES AT LAKE FAYETTEVILLE, MADISON NATURAL AREA, BAYYARI PARK, RODNEY RYAN PARK, AND COMBS PARK FOR THE AMOUNT OF \$150.00 PER YEAR, AND TO AUTHORIZE MOWING AT OTHER PARK PROPERTIES AS NEEDED FOR THE AMOUNT OF \$2.00 PER BALE

**A. 9      2020-0420****WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO. 3 - 2019 DRAINAGE BOND PROJECT:**

A RESOLUTION TO APPROVE TASK ORDER NO. 3 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$269,500.00 FOR A STREAM RESTORATION PROJECT ON TANGLEWOOD BRANCH IN THE CULTURAL ARTS CORRIDOR, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$26,950.00 - 2019 DRAINAGE BOND PROJECT

**A. 10     2020-0408****RFQ # 20-01 GARVER, LLC KESSLER MOUNTAIN GROUND STORAGE TANK SITE:**

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC, IN AN AMOUNT NOT TO EXCEED \$311,600.00, PURSUANT TO RFQ # 20-01, SELECTION 12, FOR DESIGN AND BIDDING PHASE SERVICES FOR A BOOSTER PUMPING STATION AT THE KESSLER MOUNTAIN GROUND STORAGE TANK SITE

**A. 11 2020-0409****BLACK & VEATCH, CORPORATION:**

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH BLACK AND VEATCH CORPORATION IN AN AMOUNT NOT TO EXCEED \$107,592.00 FOR ANALYSIS AND DESIGN OF POTABLE WATER PRESSURE MANAGEMENT SOLUTIONS FOR THE GREATER CLABBER CREEK AREA

**B. Unfinished Business:****B. 1 2020-0147****ENACT §114.20 REGULATION OF SINGLE-USE DISPOSABLE BAGS:**

AN ORDINANCE TO ENACT §114.20 REGULATION OF SINGLE-USE DISPOSABLE BAGS PROVIDED BY LARGE FOOD STORES

*At the March 3, 2020 City Council meeting this ordinance was left on the First Reading.*

*At the March 16, 2020 Special City Council meeting this ordinance was tabled.*

At the April 7, 2020 City Council Meeting this item was tabled until the 06/2/2020 City Council Meeting.

Note: The Sponsors of this item will request to have it tabled at the 06/2/2020 City Council Meeting.

**B. 2 2020-0159****AMEND RULES OF ORDER AND PROCEDURE:**

A RESOLUTION TO AMEND THE *RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL* TO LIMIT PUBLIC COMMENTS TO THREE MINUTES EACH AND RECOGNIZE THE STATUTORY READING REQUIREMENT FOR ORDINANCES MAY BE DISPENSED WITH A SINGLE MOTION TO SUSPEND OR DISPENSE WITH THE RULE

At the March 3, 2020 City Council Meeting this item was tabled to the April 7, 2020 City Council Meeting.

At the April 7, 2020 City Council Meeting this item was tabled until the 06/2/2020 City Council Meeting.

Note: The Sponsors of this item will request to have it tabled at the 06/2/2020 City Council Meeting.

**B. 3 2020-0262****RECONSIDER 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

At the April 21, 2020 City Council meeting this item was left on the second reading. At the City Council meeting on 05/05/2020 this item was passed as Ordinance 6305. At the City Council meeting on 05/19/2020 Council Member Gutierrez requested to reconsider the vote on file number 2020-0262 to Amend Ordinance 6305 and then to table the item. The item was reconsidered and tabled until the 06/02/2020 meeting.

**B. 4 2020-0263****APPEAL: ANX 20-6995 (HUGHMOUNT RD. NORTH OF MT. COMFORT./HUGHMOUNT ANNEX):**

AN ORDINANCE TO APPROVE ANNEXATION PETITION ANX 20-6995 AND ANNEX 152.00 ACRES LOCATED ALONG HUGHMOUNT ROAD NORTH OF MOUNT COMFORT

At the May 19, 2020 City Council meeting this item was left on the first reading.

**B. 5 2020-0264****RZN 20-6996 (HUGHMOUNT RD. NORTH OF MT. COMFORT/HUGHMOUNT REZONE) APPEAL:**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-6996 FOR APPROXIMATELY 152.00 ACRES LOCATED AT HUGHMOUNT ROAD NORTH OF MOUNT COMFORT ROAD TO R-A, RESIDENTIAL AGRICULTURAL; RSF-1, RESIDENTIAL SINGLE FAMILY, 1 UNIT PER ACRE; RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE; NC, NEIGHBORHOOD CONSERVATION; AND NS-G, NEIGHBORHOOD SERVICES-GENERAL

At the 05/19/2020 City Council meeting this item was left on the first reading.

**B. 6 2020-0370****APPEAL: RZN 20-7067: (523 N. GENEVIEVE AVE./DILLAHA):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7067 FOR APPROXIMATELY 12.14 ACRES LOCATED AT 523 NORTH GENEVIEVE AVENUE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

At the 05/19/2020 City Council meeting this item was left on the first reading.

**C. New Business:****C. 1 2020-0413****ARKANSAS AND MISSOURI RAILROAD SHILOH 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 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

**C. 2 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

**C. 3      2020-0393****RFQ # 20-01, GARVER, LLC ROLLING HILLS DRIVE AND PLAINVIEW AVENUE TRANSPORTATION BOND PROJECT:**

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN THE AMOUNT OF \$402,650.00, PURSUANT TO RFQ # 20-01, SELECTION 4, FOR THE DESIGN OF THE APPLEBY ROAD, ROLLING HILLS DRIVE, AND PLAINVIEW AVENUE CONNECTION 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

**C. 4      2020-0394****RFQ # 20-01 GARVER, LLC ARCHIBALD YELL BLVD. TRANSPORTATION BOND PROJECT:**

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN THE AMOUNT OF \$238,920.00, PURSUANT TO RFQ # 20-01, SELECTION 5, FOR THE DESIGN OF THE ARCHIBALD YELL BOULEVARD IMPROVEMENTS 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

**C. 5      2020-0416****BID #20-30 MIDLAND INDUSTRIAL SERVICES, LLC:**

A RESOLUTION TO AWARD BID #20-30 AND AUTHORIZE A CONTRACT WITH MIDLAND INDUSTRIAL SERVICES, LLC IN THE AMOUNT \$1,036,491.85 FOR THE CONSTRUCTION OF CRITICAL ELECTRICAL UPGRADES AT THE NOLAND WATER RESOURCE RECOVER FACILITY



**C. 6 2020-0415****JCI INDUSTRIES, INC.:**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$76,056.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM JCI, INDUSTRIES, INC. FOR THE REPAIR OF THREE EFFLUENT PUMPS

**C. 7 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

**C. 8 2020-0406****RZN 20-7074 (4210 N. FRONTAGE RD./LINDSEY):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7074 FOR APPROXIMATELY 0.81 ACRES LOCATED SOUTH OF 4210 NORTH FRONTAGE ROAD FROM C-2, THOROUGHFARE COMMERCIAL TO CS, COMMUNITY SERVICES

**C. 9 2020-0407****RZN 20-7076 (3010 W. OLD FARMINGTON RD./STRICKLIN):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-7076 FOR APPROXIMATELY 4.84 ACRES LOCATED AT 3010 WEST OLD FARMINGTON ROAD FROM RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION

**C. 10 2020-0418**

**DESIGNATE AN ENTERTAINMENT DISTRICT:**

AN ORDINANCE TO ESTABLISH BOUNDARIES FOR AN ENTERTAINMENT DISTRICT IN THE CITY OF FAYETTEVILLE AND TO PROMULGATE RULES FOR THE LIMITED OUTDOOR CONSUMPTION OF ALCOHOL IN CERTAIN PUBLIC PLACES

**C. 11 2020-0419**

**FAYETTEVILLE’S FIRST OUTDOOR REFRESHMENT AREA:**

A RESOLUTION TO ADOPT A PHASING PLAN FOR FAYETTEVILLE’S FIRST OUTDOOR REFRESHMENT AREA

**C. 12 2020-0438**

**CITY PARKS CONTRIBUTIONS:**

A RESOLUTION TO REQUEST MAYOR JORDAN HAVE HIS STAFF PREPARE A REQUEST FOR PROPOSALS TO SELECT A PROFESSIONAL FUND RAISING COMPANY TO SECURE CONTRIBUTIONS FOR OUR CITY PARKS

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

**D. 1 2020-0398**

AGENDA SESSION PRESENTATION ON POLICE HEADQUARTERS BY BRINKLEY, SARGENT, WIGINTON ARCHITECTS.

**D. 2 2020-0399**

AGENDA SESSION PRESENTATION FIRE STATIONS 8 &9 BY MILLER, BAKUS, LACK ARCHITECTS.

**E. City Council Tour:**

**F. Announcements:**

**G. Adjournment**