

# City of Fayetteville, Arkansas

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



## City Council Meeting

**June 21, 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. 2016-0293 INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS CERTIFIED MUNICIPAL CLERK PRESENTATION AND ARKANSAS CITY CLERKS, RECORDERS, AND TREASURERS ASSOCIATION CERTIFIED ARKANSAS MUNICIPAL CLERK PRESENTATION - SHERRI GARD, FORT SMITH CITY CLERK AND ACCRTA PRESIDENT

Legislation Text

Sherri Gard, Fort Smith City Clerk Presentation

**Agenda Additions:**

**A. Consent:**

- A. 1 2015-0649 APPROVAL OF THE JUNE 7, 2016 CITY COUNCIL MEETING MINUTES.

Legislation Text

- A. 2 2016-0171 CDBG PROGRAM INCOME: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$7,375.00 REPRESENTING CDBG PROGRAM INCOME RECEIVED FROM A HOUSING PROGRAM LIEN PAYOFF PLAN, ENERGY EFFICIENCY REBATES FROM SOURCEGAS AND DONATIONS FROM CITIZENS AND LOCAL BUSINESSES

Legislation Text

CDBG PROGRAM INCOME

BA\_CDBG PROGRAM INCOME

- A. 3 2016-0274 ASSISTANCE TO FIREFIGHTERS GRANT (FEMA): A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF A 90/10 ASSISTANCE TO

FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF \$613,637.00 FOR THE PURCHASE OF A MOBILE TRAINING SIMULATOR SYSTEM FOR THE FIRE DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT TO PROVIDE FOR MATCHING FUNDS IN THE AMOUNT OF \$61,363.00 AND A PROJECT CONTINGENCY IN THE AMOUNT OF \$27,000.00

Legislation Text

ASSISTANCE TO FIREFIGHTERS GRANT (FEMA)

BA ASSISTANCE TO FIREFIGHTERS GRANT (FEMA):

- A. 4 2016-0277 FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES AND A REFUND: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$23,435.00 RECOGNIZING REVENUE ASSOCIATED WITH FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES AND A REFUND FROM EOTECH FOR DEFECTIVE RIFLE OPTICS

Legislation Text

FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES AND A REFUND

BA FEDERAL AND STATE LAW ENFORCEMENT FORFEITURES AND A REFUND

- A. 5 2016-0285 FAYETTEVILLE POLICE DEPARTMENT DONATIONS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$2,400.00 RECOGNIZING DONATION REVENUE TO THE FAYETTEVILLE POLICE DEPARTMENT IN SUPPORT OF OFFICER RECOGNITION

Legislation Text

SRP - Donations, Jun 2016

BA - Donations, Jun 2016

- A. 6 2016-0283 GALLAGHER BENEFITS SERVICES: A RESOLUTION TO APPROVE THE ANNUAL RENEWAL CONTRACT WITH GALLAGHER BENEFITS SERVICES IN THE AMOUNT OF \$57,600.00 FOR THE PROVISION OF CITY EMPLOYEE BENEFITS BROKER SERVICES

Legislation Text

Gallagher Benefit Services Contract Renewal Packet

**B. Unfinished Business:**

- B. 1 2016-0057 AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND

RATES: AN ORDINANCE TO AMEND § 72.58 OFF-STREET PARKING FACILITIES; RULES AND RATES (M) TO LIMIT THE MAYOR'S AUTHORITY TO ASSIGN ANY CITY OWNED PAID PARKING LOTS OR ON-STREET PAID PARKING SPACES WITHIN THE ENTERTAINMENT DISTRICT OR THE CLOSURE OF CITY STREETS FOR THE USE OF A PERMITTED SPECIAL EVENT TO NOT MORE THAN TWO (2) DAYS PER YEAR WITHOUT EXPRESS APPROVAL OF THE CITY COUNCIL (LEFT ON SECOND READING)

Legislation Text

Amend 72.58 Off-Street Parking Facilities; Rules and Rates

- B.** 2 2016-0248 FALLING WATERS APPEAL: AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5385 FOR APPROXIMATELY 35.31 ACRES ON DEAD HORSE MOUNTAIN ROAD FROM R-A, RESIDENTIAL AGRICULTURE TO RSF-2, RESIDENTIAL SINGLE FAMILY, 2 UNITS PER ACRE SUBJECT TO A BILL OF ASSURANCE LIMITING DEVELOPMENT TO 51 HOMES (LEFT ON FIRST READING)

Legislation Text

FALLING WATERS APPEAL

**C. New Business:**

- C.** 1 2016-0294 PROPOSALS FOR DEVELOPMENT OF SOUTH END OF WEST AVENUE PARKING LOT: A RESOLUTION TO CLARIFY AND EXTEND THE TIMEFRAME TO SOLICIT PROPOSALS FOR DEVELOPMENT OF THE WEST AVENUE PARKING LOT AND TO CONSIDER PARKING NEUTRAL PROPOSALS FOR SALE OF SMALLER PARCELS ON SOUTHERN END

Legislation Text

Alderman Petty - West Avenue Parking Lot Resolution

Exhibit A - Proposal

ADDITIONAL: PROPOSALS FOR DEVELOPMENT OF SOUTH END OF WEST AVENUE PARKING LOT

- C.** 2 2016-0290 ENERGY IMPROVEMENT DISTRICT NO. 1 MEMBERSHIP AGREEMENT: AN ORDINANCE TO AUTHORIZE MAYOR JORDAN TO SIGN A MEMBERSHIP AGREEMENT ALLOWING THE CITY OF SPRINGDALE TO BECOME A MEMBER OF ENERGY IMPROVEMENT DISTRICT NO. 1, AND TO AMEND § 33.381 BOARD OF DIRECTORS, MEMBERSHIP, TERMS OF OFFICE OF ARTICLE XXVI ENERGY IMPROVEMENT DISTRICT NO. 1 TO PROVIDE FOR THE CITY OF SPRINGDALE'S REPRESENTATION ON THE BOARD OF DIRECTORS

Legislation Text

ENERGY IMPROVEMENT DISTRICT NO. 1 MEMBERSHIP AGREEMENT

- C. 3 2016-0287 WAYFINDING SIGNS, POLES AND APPURTENANCES: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF WAYFINDING SIGNS, POLES AND APPURTENANCES FROM ARCHITECTURAL GRAPHICS, INC., IN AN AMOUNT NOT TO EXCEED \$122,930.98, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

WAYFINDING SIGNS, POLES AND APPURTENANCES

BA WAYFINDING SIGNS, POLES AND APPURTENANCES

- C. 4 2016-0282 RZN 16-5386 (NORTH OF 1110 N. FRONTAGE RD./LINDSEY PROPERTIES): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5386 FOR APPROXIMATELY 6.40 ACRES LOCATED NORTH OF 1110 NORTH FRONTAGE ROAD FROM C-1, NEIGHBORHOOD COMMERCIAL TO CS, COMMUNITY SERVICES

Legislation Text

16-5386 CC reports

- C. 5 2016-0281 RZN 16-5425 (NW CORNER OF MILL AVE. & SOUTH ST./THURMOND-QUINLAN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5425 FOR APPROXIMATELY 1.84 ACRES LOCATED ALONG THE NORTHWEST CORNER OF MILL AVENUE AND SOUTH STREET FROM R-O, RESIDENTIAL OFFICE, AND RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRES TO DG, DOWNTOWN GENERAL

Legislation Text

RZN 16-5425 (NW CORNER OF MILL AVE. & SOUTH ST./THURMOND-QUINLAN)

- C. 6 2016-0280 VAC 16-5424 (NW CORNER OF MILL AVE. & SOUTH ST./THURMOND-QUINLAN): AN ORDINANCE TO APPROVE VAC 16-5424 SUBMITTED BY ALLISON THURMOND-QUINLAN FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF MILL AVENUE AND SOUTH STREET TO VACATE STREET RIGHT-OF-WAY

Legislation Text

VAC 16-5424 (NW CORNER OF MILL AVE. & SOUTH ST./THURMOND-QUINLAN)

- C. 7 2016-0225 C-PZD 16-5408 (WEDINGTON & MARINONI DR/CROSS CHURCH): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 16-5408 FOR APPROXIMATELY 24.60 ACRES AT WEDINGTON DRIVE AND MARIONI DRIVE FROM C-2, THOROUGHFARE COMMERCIAL AND UT, URBAN THOROUGHFARE TO C-PZD, COMMERCIAL PLANNED ZONING DISTRICT

Legislation Text

C-PZD 16-5408: (WEDINGTON & MARINONI DR/CROSS CHURCH)

Exhibit C - RZN 16-5408 Updated PZD Booklet1

Exhibit D - RZN 16-5408 Updated Master Plan Drawings1

- C. 8 2016-0292 AMEND THE DEFINITION OF "SETBACK" IN § 151.01: AN ORDINANCE TO AMEND THE DEFINITION OF "SETBACK" IN § 151.01 OF THE UNIFIED DEVELOPMENT CODE TO ALLOW ARCHITECTURAL PROJECTIONS OF A BUILDING SUCH AS ITS EAVES TO SLIGHTLY PROTRUDE INTO A SETBACK UNDER CERTAIN CONDITIONS

Legislation Text

Agenda Packet Definition of Setbacks

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

- D. 1 2016-0262 AGENDA SESSION PRESENTATION - SARAH MCKENZIE, EXECUTIVE DIRECTOR OF THE OFFICE FOR EDUCATION POLICY AT THE UNIVERSITY OF ARKANSAS, WILL PRESENT STATISTICS THAT COMPARE THE CITY OF FAYETTEVILLE'S PUBLIC SCHOOL STUDENT DEMOGRAPHICS AND PERFORMANCE TO THE NORTHWEST ARKANSAS REGION AND TO THE BENCHMARK CITIES CITED IN FAYETTEVILLE FIRST, THE CITY'S ECONOMIC DEVELOPMENT STRATEGIC PLAN. DR. MCKENZIE WILL ALSO TALK ABOUT THE POTENTIAL ECONOMIC IMPACTS OF PUBLIC SCHOOLS IN THE AREAS OF ECONOMIC GROWTH AND COMPETITIVENESS.

Legislation Text

**E. City Council Tour:**

**F. Announcements:**

**G. 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.*