Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Sarah Bunch
Ward 3 Position 2

Alderman John La Tour
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

City of Fayetteville Arkansas
City Council Meeting
March 21, 2017

A meeting of the Fayetteville City Council was held on March 21, 2017 at 5:30 p.m. in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Mayor Jordan called the meeting to order.

PRESENT: Alderman Adella Gray, Sarah Marsh, Mark Kinion, Matthew Petty, Sarah Bunch, John La Tour, Alan Long, Mayor Lioneld Jordan, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

Alderman Tennant was absent. Alderman Bunch arrived at 5:36 p.m.

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions: None

City Council Meeting Presentations, Reports, and Discussion Items:

Parks and Recreation Advisory Board Annual Report, Presented by Chairman Richie Lamb:

Chairman Richie Lamb gave a brief presentation of the Parks and Recreation Advisory Board Annual Report.

Mayor Jordan: Thank you for your work and the work of the board. You all do tremendous work.

Nominating Committee Report:

Alderman Kinion presented the Nominating Committee report and recommended the appointments as submitted.

A copy of the report is attached.

Alderman Kinion moved to approve the Nominating Committee Report as read. Alderman Marsh seconded the motion. Upon roll call the motion passed 6-0. Alderman Kinion, Petty, Bunch, Long, Gray, and Marsh voting yes. Alderman La Tour abstained. Alderman Tennant was absent.

Agenda Additions:

Enact Article XXX Animal Services Advisory Board: An ordinance to enact Article XXX Animal Services Advisory Board in Chapter 33 Departments, Boards, Commissions and Authorities of the Fayetteville Code, and to declare an emergency.

Alderman Kinion moved to add the ordinance to the agenda. Alderman Marsh seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

Alderman Kinion: We have held open the veterinary position job for several years. We have qualified professionals in the profession that could serve in the capacity to represent veterinary medicine. The Nominating Committee recommends approval.

Alderman La Tour: There was probably a reason for having someone licensed as a veterinarian to fill the position. There is a big difference between a licensed veterinarian and someone who has worked for a veterinarian, who is not licensed and not gone through the training. What is the purpose of the veterinarian professional?

Alderman Long: I chaired that board for many years. After Dr. Charlie Blomberg resigned from the Animal Services Board there was no one willing to apply that was a veterinarian due to the amount of time. Dr. Blomberg being a veterinarian in the community, who was not a practicing physician in animal care, worked in a different industry. He was able to give his time after hours. Dr. Blomberg also worked in our Animal Services Division as a fill in veterinarian. If we can fill the job with someone who is from that practice area, it can bring extra perspective to the board. This is a wise move.

Alderman Bunch: How many years has it been since the position has been filled?

Alderman Kinion: Around three.

Alderman Bunch: Did you ever have any trouble filling it before?

Alderman Kinion: We have only had one person. This is going to offer the opportunity to bring someone from the professional community in. We have had applicants in the profession in the past and we do again.

Alderman Bunch: I spoke with a veterinarian and encouraged him to apply for this position. He said he works all day, has after hours, and didn't have the time to do it. I believe this is a good move.

Alderman Kinion moved to suspend the rules and go to the second reading. Alderman Long seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

Alderman Long moved to suspend the rules and go to the third and final reading. Alderman Kinion seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

Alderman La Tour: Explain to me what the emergency is. We have been this way for three years.

Alderman Kinion: We have applicants currently waiting to fill the position. This committee does not meet monthly. It meets four or six times a year. This will allow the current nominee to step into the role, be trained, and attend the next meeting of the Animal Services Committee.

Alderman Marsh moved to approve an Emergency Clause. Alderman Long seconded the motion. Upon roll call the Emergency Clause passed 6-1. Alderman Kinion, Petty, Bunch, Long, Gray, and Marsh voting yes. Alderman La Tour voting no. Alderman Tennant was absent.

Emergency Clause Approved

Ordinance 5959 as Recorded in the office of the City Clerk

Consent:

Approval of the March 7, 2017 City Council Meeting Minutes.

Approved

State Contract Furniture Purchases: A resolution to authorize the purchase of office furniture on an as-needed basis from various vendors and for varying unit prices utilizing state procurement contract SP-13-0230R through December 31, 2017, and contract SP-14-0094 through March 19, 2019, and any future renewal periods of these contracts.

Resolution 69-17 as recorded in the office of the City Clerk

Verizon Wireless: A resolution to authorize a contract with Verizon Wireless, pursuant to a State of Arkansas and Western States Contracting Alliance contract, for the purchase of wireless communication services, and to authorize the city's enrollment in the Verizon Wireless Enterprise Messaging Access Gateway Service.

Resolution 70-17 as recorded in the office of the City Clerk

Grant Thornton LLP: A resolution to approve a contract with Grant Thornton LLP in the amount of $95,500.00 to provide independent audit services to the City of Fayetteville.

Resolution 71-17 as recorded in the office of the City Clerk

Wheeler Lumber, LLC: A resolution to award Bid No. 17-27 and approve a contract with Wheeler Lumber, LLC for the purchase of two prefabricated bridges for installation on the Cato Springs Trail in the amount of $126,050.00 plus applicable sales taxes, and to approve a budget adjustment.

Resolution 72-17 as recorded in the office of the City Clerk

Hazmat Services Revenue: A resolution to approve a budget adjustment recognizing hazmat services revenue received by the Fire Department from Washington County in the amount of $11,319.00 and increasing the related expense budget.

Resolution 73-17 as recorded in the office of the City Clerk

CH2M Hill Engineers, Inc.: A resolution to approve a change order to the out-of-scope agreement with CH2M Hill Engineers, Inc. in the amount of $50,000.00 to continue work on a Use Attainability Analysis for the White River, to approve a project contingency in the amount of $10,000.00, and to approve a budget adjustment.

Resolution 74-17 as recorded in the office of the City Clerk

Paymentus Corporation: A resolution to approve a contract with Paymentus Corporation in the amount of $7,500.00 expanding the existing scope of services to include an upgrade of the city's utility billing system.

Resolution 75-17 as recorded in the office of the City Clerk

Ellingson Contracting Change Order #4: A resolution to approve Change Order No. 4 to the contract with JBZ, Inc. d/b/a Ellingson Contracting in the amount of $87,541.00 for renovations to the Senior Center's HVAC ducting and construction of a new drink bar and parking lot, and to approve an additional project contingency in the amount of $13,000.00.

Resolution 76-17 as recorded in the office of the City Clerk

South Delta Aviation, Inc. 4230 South School: A resolution to approve a three year lease agreement with South Delta Aviation, Inc. for the airport hangar at 4230 South School Avenue for rent in the amount of $1,350.00 per month.

Resolution 77-17 as recorded in the office of the City Clerk

South Delta Aviation, Inc. 4248 South School: A resolution to approve a three year lease agreement with South Delta Aviation, Inc. for the airport hangar at 4248 South School Avenue for rent in the amount of $3,000.00 per month.

Resolution 78-17 as recorded in the office of the City Clerk

Alderman Kinion moved to accept the Consent Agenda as read. Alderman Marsh seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

Unfinished Business: None

Public Hearing:

Green Cab Taxi Company: A resolution to approve the sale and transfer of a Certificate of Public Convenience and Necessity to Green Cab Taxi Company.

Mayor Jordan opened the Public Hearing.

Jamie Fields, Police Department gave a brief description of the resolution.

Anthony McBride, Applicant 1200 Kensington Drive, Centerton, AR was in attendance.

There was no public comment.

Alderman La Tour: Is Mr. McBride the new provider to Green Cab?

Anthony McBride: Yes, sir.

Alderman La Tour: Congratulations. How many cabs?

Anthony McBride: We have about 15 vehicles operating all over Northwest Arkansas. We operate three to four in Fayetteville.

A brief discussion followed about Green Cab Taxi Company's calling procedure.

Mayor Jordan closed the Public Hearing.

Alderman Long moved to approve the resolution. Alderman Kinion seconded the motion. Upon roll call the resolution passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

Resolution 79-17 as recorded in the office of the City Clerk

Ambassador Transportation Services, LLC: A resolution to transfer a Certificate of Public Convenience and Necessity from Destiny Limousines, LLC to Ambassador Transportation Services, LLC for the operation of three (3) to six (6) taxicabs in the City of Fayetteville.

Mayor Jordan opened the Public Hearing.

Jamie Fields, Police Department gave a brief description of the resolution. She stated Billy Deatherage was the applicant.

William Threet: I did a search on the Secretary of State website. The LLC is not owned by Billy Deatherage. The LLC is owned by another individual. Ambassador Transportation Services, LLC is not a name he can legally operate under.

City Attorney Kit Williams: On a transfer of certificate the code says it requires the consent of the City Council. It is up to the City Council if they want to agree to this transfer.

Alderman Long: Do you work for one of those two cab companies?

William Threet: No, I don't.

Alderman Long: Do you work for a different cab company?

William Threet: Yes, sir.

Alderman Petty: I don't think you can look up the owner's LLC in Arkansas. I believe that information is protected. You can look up the registered agent on the Arkansas Secretary of State website. The registered agent is usually the attorney for an LLC. Without more information, I don't see how we could believe the LLC belonged to anyone other than the name on the application.

Mayor Jordan closed the Public Hearing.

Alderman Kinion moved to approve the resolution. Alderman Marsh seconded the motion. Upon roll call the resolution passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

Resolution 80-17 as recorded in the office of the City Clerk

New Business:

T2 Systems Canada, Inc.: An ordinance to waive the requirements of formal competitive bidding and approve a contract with T2 Systems Canada, Inc. through December 31, 2017, with automatic renewals for up to three additional one year terms for the continued use of software and services required for the city's parking pay stations in the amount of $100.00 per pay station per month plus applicable taxes.

City Attorney Kit Williams read the ordinance.

Justin Clay, Parking Manager gave a brief description of the ordinance.

Alderman Long moved to suspend the rules and go to the second reading. Alderman Marsh seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

Alderman Gray moved to suspend the rules and go to the third and final reading. Alderman Long seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

Ordinance 5960 as Recorded in the office of the City Clerk

RZN 17-5714: (515 E Township St/M. Mahan): An ordinance to rezone that property described in Rezoning Petition RZN 17-5714 for approximately 0.50 acres located at 515 East Township

Street from RSF-4, Residential Single-Family, 4 units per acre to NC, Neighborhood Conservation.

City Attorney Kit Williams read the ordinance.

Andrew Garner, Planning Director gave a brief description of the ordinance. Staff recommends approval. The Planning Commission voted unanimously in favor of the request.

Blake Jorgensen, Jorgensen & Associates stated he was available for questions.

Alderman Gray moved to suspend the rules and go to the second reading. Alderman Marsh seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

Alderman Long moved to suspend the rules and go to the third and final reading. Alderman Gray seconded the motion. Upon roll call the motion passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

City Attorney Kit Williams read the ordinance.

Mayor Jordan asked shall the ordinance pass. Upon roll call the ordinance passed 7-0. Alderman Kinion, Petty, Bunch, La Tour, Long, Gray, and Marsh voting yes. Alderman Tennant was absent.

Ordinance 5961 as Recorded in the office of the City Clerk

Announcements:

Susan Norton, Communications & Marketing Director: The roundabout at the intersection of School Avenue and Spring Street has been removed. The four way stop signs have been reinstated.

There will be meetings held by city staff to update Floodplain Maps on March 28, 2017 from 10:30 a.m. to 1:30 p.m. and from 4:00 p.m. to 7:00 p.m. at City Hall.

There will be road closures on Gregg Avenue until April 7, 2017 for sidewalk construction.

Fireworks notification has been issued for the Razorback baseball games.

City Attorney Kit Williams: After victories at the Circuit Court level and twice at the Court of Appeals, the Supreme Court has ruled in our favor that we did everything properly when we deeded the City Hospital land to Washington Regional. The City of Fayetteville Public Library will be able to purchase this land from Washington Regional and expand the library.

Alderman La Tour: There will be a prayer vigil in front of Planned Parenthood on Highway 265 from 6:00 a.m. to 6:00 p.m. if you would like to come join us, peacefully.

City Council Agenda Session Presentations:

Agenda Session Presentation: Seven Hills Presentation.

City Council Tour: None

Adjournment: 6:21 p.m.

Lioneld Jordan, Mayor

Sondra E. Smith

Sondra E. Smith, City Clerk Treasurer

CITY OF
Fayetteville
ARKANSAS

Nominating Committee Report

Members Present – Chair Mark Kinion, Sarah Marsh, Sarah Bunch and Alan Long

The Mayor recommends the following appointment for the Library board:

FAYETTEVILLE PUBLIC LIBRARY BOARD OF TRUSTEES
Bret Park – One term ending 04/01/22
Bryn Bagwell – One term ending 04/01/22

HISTORIC DISTRICT COMMISSION
Teresa Turk – One unexpired term ending 06/30/18

The Nominating Committee recommends the following candidates for appointment:

ANIMAL SERVICES ADVISORY BOARD
Catherine Donnelly – One unexpired citizen at large term ending 06/30/18
Nicole Meria Pratt – One unexpired licensed veterinarian/Veterinary Professional term expiring 06/30/19

AUDIT COMMITTEE
Charles Leflar – One unexpired term ending 12/31/19

CIVIL SERVICE COMMISSION
Warren McDonald – One term ending 03/31/23
Jason Pebbles – One term ending 03/31/23

CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS
Sara Baker – One term ending 03/31/22
John Dupree – One term ending 03/31/22

PLANNING COMMISSION
Matthew Johnson – One term ending 03/31/20
Zara Niederman – One term ending 03/31/20
Robert Sloan Scroggin – One term ending 03/31/20

Mailing Address:
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