

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Tentative Agenda

Tuesday, November 26, 2024

4:30 PM

City Hall Room 219

City Council Members

Council Member Robert B. Stafford Ward 1

Council Member D'Andre Jones Ward 1

Council Member Sarah Moore Ward 2

Council Member Mike Wiederkehr Ward 2

Council Member Scott Berna Ward 3

Council Member Sarah Bunch Ward 3

Council Member Teresa Turk Ward 4

Council Member Holly Hertzberg Ward 4

Mayor Lioneld Jordan

City Attorney Kit Williams

City Clerk Treasurer Kara Paxton

IMPORTANT MESSAGE:

AT THE NOVEMBER 12, 2024 SPECIAL CITY COUNCIL MEETING THE CITY COUNCIL VOTED TO CHANGE THE DATE OF THE DECEMBER 5, 2024 CITY COUNCIL MEETING TO WEDNESDAY, DECEMBER 4, 2024.

THE COUNCIL MEETING WILL BEGIN AT ITS REGULARLY SCHEDULED TIME OF 5:30 P.M.

ZOOM INFORMATION:

1. **WEBINAR ID: 851 0639 8727**
PUBLIC REGISTRATION LINK: [HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_V7SDQTWEQ7IWLYTDYWV6GG](https://us06web.zoom.us/join/85106398727)

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS**

1. **SERVICE RECOGNITION FOR COUNCIL MEMBER HOLLY HERTZBERG - MAYOR LIONELD JORDAN**

CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS

1. **MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER**

A. CONSENT

- A.1. **APPROVAL OF THE NOVEMBER 7, 2024 CITY COUNCIL MEETING MINUTES**

- A.2. **APPROVAL OF THE NOVEMBER 19, 2024 CITY COUNCIL MEETING MINUTES**

- A.3. **ADDITIONAL PARKING REVENUE (BUDGET ADJUSTMENT):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$68,200.00 RECOGNIZING ADDITIONAL REVENUE AND ASSOCIATED EXPENSES FOR CERTAIN PARKING FACILITIES AND SERVICES (2024-749)

A.4. RUPPLE ROAD TRAIL LIGHTING (ARDOT AGREEMENT OF UNDERSTANDING):

A RESOLUTION TO AUTHORIZE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE RUPPLE ROAD TRAIL LIGHTING PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT RECOGNIZING \$315,193.00 IN FEDERAL-AID FUNDING (2024-750)

A.5. COMMUNITY ACCESS TELEVISION, INC. (SERVICE CONTRACT):

A RESOLUTION TO APPROVE A CONTRACT WITH COMMUNITY ACCESS TELEVISION, INC. D/B/A YOUR MEDIA IN THE AMOUNT OF \$220,725.00 FOR THE PROVISION OF PUBLIC ACCESS TELEVISION SERVICES AND THE OPERATION OF THE PUBLIC ACCESS TELEVISION CHANNEL THROUGH 2025, CONTINGENT ON APPROVAL OF THE 2025 ANNUAL BUDGET AND WORK PROGRAM (2024-751)

A.6. CERTIFIED LOCAL GOVERNMENT GRANT (GRANT APPLICATION):

A RESOLUTION TO AUTHORIZE THE APPLICATION FOR A CERTIFIED LOCAL GOVERNMENT GRANT FROM THE ARKANSAS HISTORIC PRESERVATION PROGRAM FOR 2025 IN THE TOTAL AMOUNT OF \$70,356.00 FOR A CITY-WIDE WINDSHIELD SURVEY OF HISTORIC PROPERTIES AND HISTORIC DISTRICT COMMISSION TRAINING (2024-768)

A.7. I-49/STEPHEN CARR MEMORIAL BLVD (FEDERAL AID FUNDS):

A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO UTILIZE FEDERAL-AID SURFACE TRANSPORTATION BLOCK GRANT FUNDS IN THE AMOUNT OF \$650,000.00 FOR THE DESIGN AND ENVIRONMENTAL PHASES OF THE I-49/STEPHEN CARR MEMORIAL BOULEVARD INTERCHANGE IMPROVEMENTS PROJECT, TO APPROVE A CITY MATCH IN THE AMOUNT OF \$162,500.00, AND TO AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT OF UNDERSTANDING WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION AND THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE PROJECT (2024-748)

A.8. PEACE AT HOME FAMILY SHELTER (AMENDMENT #3):

A RESOLUTION TO APPROVE AMENDMENT #3 TO THE ARPA SUBRECIPIENT AGREEMENT WITH PEACE AT HOME FAMILY SHELTER TO REVISE THE SCOPE OF WORK AND PROJECT ALLOCATION (2024-723)

A.9. CITY AND WATERSHED CONSERVATION RESOURCE CENTER (CONSERVATION EASEMENT):

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A GRANT OF

CONSERVATION EASEMENT AND DECLARATION OF COVENANTS FOR 98 ACRES LOCATED ON DEAD HORSE MOUNTAIN ROAD (2024-769)

A.10. ARKANSAS DEPARTMENT OF TRANSPORTATION (CHANGE ORDER NO. 4):

A RESOLUTION TO APPROVE CHANGE ORDER NO. 4 TO THE AGREEMENT WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$4,804,799.30 FOR INTERSTATE-49 MLK INTERCHANGE IMPROVEMENTS, AND TO APPROVE A BUDGET ADJUSTMENT (2024-640)

A.11. WASH AWAY (SERVICE CONTRACT):

A RESOLUTION TO APPROVE A CONTRACT WITH WASH AWAY, LLC IN THE AMOUNT OF \$40,000.00 FOR THE UTILITIES FINANCIAL SERVICES OFFICE RENOVATIONS AND EXPANSION, AND TO APPROVE A BUDGET ADJUSTMENT (2024-770)

A.12. MILESTONE CONSTRUCTION COMPANY, LLC. (SERVICE CONTRACT):

A RESOLUTION TO AWARD BID #24-44 AND AUTHORIZE A CONTRACT IN THE AMOUNT OF \$1,583,718.71 WITH MILESTONE CONSTRUCTION COMPANY, LLC FOR THE CITY HALL HVAC IMPROVEMENTS, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$300,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2024-746)

A.13. FAYETTEVILLE FIRE DEPARTMENT (ADMINISTRATIVE POLICIES APPROVAL):

A RESOLUTION TO APPROVE AND ADOPT THE FAYETTEVILLE FIRE DEPARTMENT PREVENTION, INVESTIGATION & PUBLIC EDUCATION POLICY (2024-726)

B. UNFINISHED BUSINESS

B.1. URBAN FORESTRY MANAGEMENT PLAN (APPROVAL):

A RESOLUTION TO APPROVE AND ADOPT THE URBAN FORESTRY MANAGEMENT PLAN (2024-1677)

CONTACT THE OFFICE OF THE CITY CLERK TREASURER FOR AGENDA ITEM HISTORY FROM FEBRUARY 2, 2024 TO NOVEMBER 7, 2024.

AT THE NOVEMBER 7, 2024 CITY COUNCIL MEETING THIS RESOLUTION WAS TABLED TO THE DECEMBER 3, 2024 CITY COUNCIL MEETING.

AT THE NOVEMBER 12, 2024 SPECIAL CITY COUNCIL MEETING THIS RESOLUTION WAS TABLED TO THE DECEMBER 4, 2024 CITY COUNCIL

MEETING.

B.2. APPEAL: LARGE SCALE DEVELOPMENT-2024-0011: (SOUTHEAST OF S. NELSON HACKETT BLVD & E. SOUTH ST./URBAN LOFTS AT NELSON HACKETT, 523):

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER D'ANDRE JONES AND DENY LARGE SCALE DEVELOPMENT APPLICATION LSD-2024-0011 (2024-616)

AT THE NOVEMBER 7, 2024 CITY COUNCIL MEETING THIS RESOLUTION WAS TABLED TO THE DECEMBER 4, 2024 CITY COUNCIL MEETING.

B.3. 2025 ANNUAL BUDGET & WORK PROGRAM (ADOPTION):

A RESOLUTION TO ADOPT THE 2025 ANNUAL BUDGET AND WORK PROGRAM (2024-662)

AT THE NOVEMBER 19, 2024 CITY COUNCIL MEETING THIS RESOLUTION WAS TABLED TO THE DECEMBER 4, 2024 CITY COUNCIL MEETING.

B.4. REZONING-2024-0051: (W. MARTIN LUTHER KING JR. BLVD AND S. SMOKEHOUSE TRL./D&B OF NORTHWEST ARKANSAS LLC, 595):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-51 FOR APPROXIMATELY 4.49 ACRES LOCATED SOUTHEAST OF THE INTERSECTION OF WEST MARTIN LUTHER KING JR. BOULEVARD AND SOUTH SMOKEHOUSE TRAIL IN WARD 1 FROM RPZD, RESIDENTIAL PLANNED ZONING DISTRICT TO CS, COMMUNITY SERVICES (2024-705)

AT THE NOVEMBER 19, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE FIRST READING.

C. NEW BUSINESS

C.1. SAFE STREETS AND ROADS FOR ALL PROGRAM (GRANT ACCEPTANCE):

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION GRANT IN THE AMOUNT OF \$25,000,000.00, THROUGH THE SAFE STREETS AND ROADS FOR ALL PROGRAM, TO APPROVE A GRANT AGREEMENT WITH THE FEDERAL HIGHWAY ADMINISTRATION, TO APPROVE TWO NEW FULL TIME STAFF POSITIONS TO MANAGE THE FEDERAL-AID FUNDING REQUIREMENTS, AND TO APPROVE A BUDGET ADJUSTMENT ESTABLISHING A NEW FUND TO ACCOUNT FOR THE PROCEEDS OF THE GRANT (2024-747)

**C.2. STORMWATER MANAGEMENT AND WATER QUALITY FUNDING
(ADOPTION):**

AN ORDINANCE TO ENACT CHAPTER 52: STORMWATER MANAGEMENT UTILITY FEE INTO THE FAYETTEVILLE CODE OF ORDINANCES (2024-687)

C.3. CHAPTER 111.30 - RETAIL (AMENDMENT):

AN ORDINANCE TO AMEND § 111.30 RETAIL TO AUTHORIZE SUNDAY SALES OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION FROM 10:00 AM UNTIL MIDNIGHT AND TO ENACT AN EMERGENCY CLAUSE (2024-759)

**C.4. ORDINANCE 6710 - SHORT TERM RENTAL SUNSET CLAUSE
(AMENDMENT)**

AN ORDINANCE TO AMEND ORDINANCE 6710 PASSED ON NOVEMBER 21, 2023 TO EXTEND THE SUNSET CLAUSE EFFECTIVE DATE TO JULY 1, 2025 AT 7:00 P.M. AND TO DECLARE AN EMERGENCY (2024-758)

C.5. CHAPTER 118.01 (E) - SHORT TERM RENTALS 1 & 2 (AMENDMENT):

AN ORDINANCE TO AMEND § 118.01 (E)(1) AND (2) OF THE FAYETTEVILLE CODE TO SIMPLIFY AND CLARIFY THE DEFINITIONS OF SHORT-TERM RENTAL, TYPE 1 AND SHORT-TERM RENTAL, TYPE 2 (2024-752)

**C.6. VACATION-2024-0025: (639 W. MARTIN LUTHER KING JR
BLVD./UNIVERSITY OF ARKANSAS, 522):**

AN ORDINANCE TO APPROVE VAC-24-25 FOR PROPERTY LOCATED AT 639 WEST MARTIN LUTHER KING JR BOULEVARD IN WARD 1 TO VACATE 0.08 ACRES OF UTILITY EASEMENT (2024-760)

**C.7. PLANNED ZONING DISTRICT-2024-0007: (8049 W. WEDINGTON DR./
BUFFALO LEASING LLC, 432):**

AN ORDINANCE TO APPROVE A PLANNED ZONING DISTRICT ENTITLED PZD-2024-007 FOR APPROXIMATELY 3.85 ACRES LOCATED AT 8049 WEST WEDINGTON DRIVE IN WARD 4 (2024-762)

PROPOSED AGENDA ADDITIONS

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

**D.1. SALES TAX REPORT - CHIEF FINANCIAL OFFICER AND ENERGY REPORT
- ENVIRONMENTAL DIRECTOR**

**D.2. HOUSING CRISIS TASK FORCE UPDATE - SUSAN NORTON (CHIEF OF
STAFF)**

E. CITY COUNCIL TOUR

F. ANNOUNCEMENTS

G. ADJOURNMENT