

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, April 4, 2023

5:30 PM

City Hall Room 219

City Council Members

Council Member Sonia Harvey 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

Zoom Information:

1. **WEBINAR: 813 9988 4673**
PUBLIC REGISTRATION LINK:
[HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/
WN_5YZT5DLMRLSQJ3LRXFZR1Q](https://us06web.zoom.us/join/wn_5yzt5dlmrlsqj3lrxfzr1q) (2023-608)

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS****CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS**

1. **ADVERTISING AND PROMOTION COMMISSION APPOINTMENT
RATIFICATION: (2023-649)**
2. **MONTHLY FINANCIAL REPORT: (2023-410)**

PROPOSED AGENDA ADDITIONS**A. CONSENT**

- A.1. **APPROVAL OF THE MARCH 21, 2023 CITY COUNCIL MEETING MINUTES:**
(2023-375)

- A.2. **WER NORTHWEST ARKANSAS, PLLC:**

A RESOLUTION TO APPROVE A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH WER NORTHWEST ARKANSAS, PLLC, PURSUANT TO RFQ #22-10, IN THE ESTIMATED AMOUNT OF \$39,000.00 FOR FULL ARCHITECTURAL DESIGN SERVICES RELATED TO MULTIPLE CITY FACILITIES IMPROVEMENTS (2023-506)

- A.3. **ADDITIONAL FTE POSITION AND BUDGET ADJUSTMENT FOR
DEPARTMENT OF ECONOMIC VITALITY:**

A RESOLUTION TO AUTHORIZE THE ADDITION OF A FULL TIME EQUIVALENT POSITION TO THE ECONOMIC VITALITY DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-533)

A.4. STRIBLING EQUIPMENT:

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF INSPECTION AND REPAIR SERVICES FROM STRIBLING EQUIPMENT TO INSPECT AND REPAIR VARIOUS EQUIPMENT AS NEEDED THROUGH THE END OF 2023 (2023-535)

A.5. WILLIAMS TRACTOR, INC:

A RESOLUTION TO APPROVE THE PURCHASE OF A BOBCAT S64 SKID STEER FROM WILLIAMS TRACTOR, INC. IN THE AMOUNT OF \$53,036.30, PLUS ANY APPLICABLE SALES TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-537)

A.6. DOWNEASTER MANUFACTURING:

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$41,043.72 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, FOR THE PURCHASE OF FOUR SALT SPREADERS FROM DOWNEASTER MANUFACTURING FOR USE BY THE TRANSPORTATION DEPARTMENT (2023-538)

A.7. ARKANSAS MUNICIPAL EQUIPMENT:

A RESOLUTION TO ACCEPT A QUOTE IN THE AMOUNT OF \$628,709.11 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES FROM ARKANSAS MUNICIPAL EQUIPMENT FOR THE PURCHASE OF ONE PETERBILT REFUSE TRUCK AND ONE FREIGHTLINER REFUSE TRUCK, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2023-539)

A.8. CONTRACT AMENDMENT DFI TECHNOLOGIES:

A RESOLUTION TO APPROVE AN AMENDMENT TO THE CONTRACT WITH DFI TECHNOLOGIES, INC. TO PROVIDE FOR THE PURCHASE AND WAREHOUSING OF ENVELOPES IN AN AMOUNT NOT TO EXCEED \$42,037.00 IN 2023 (2023-543)

A.9. CONTRACT AMENDMENT GTS, INC:

A RESOLUTION TO APPROVE AMENDMENT 1 TO THE CONTRACT WITH GTS, INC. IN THE AMOUNT OF \$59,406.31 TO PROVIDE FOR ADDITIONAL MATERIALS TESTING SERVICES FOR THE REPLACEMENT PARKING DECK, AND TO APPROVE A BUDGET ADJUSTMENT- 2019 CULTURAL ARTS CORRIDOR BOND PROJECT (2023-544)

A.10. ARKANSAS HISTORIC PRESERVATION PROGRAM (AHPP) GRANT:

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A GRANT

AGREEMENT ACCEPTING A CERTIFIED LOCAL GOVERNMENT GRANT THROUGH THE ARKANSAS HISTORIC PRESERVATION PROGRAM IN THE AMOUNT OF \$20,370.00 FOR THE PREPARATION OF A HISTORIC CONTEXT STATEMENT FOR THE UNIVERSITY HEIGHTS AND HASKELL HEIGHTS NEIGHBORHOODS, AND TO APPROVE A BUDGET ADJUSTMENT (2023-550)

A.11. CREAMER PILOT SERVICES, LLC LEASE AGREEMENT:

A RESOLUTION TO APPROVE A THREE YEAR LEASE AGREEMENT WITH CREAMER PILOT SERVICES, LLC FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING AND CORPORATE HANGAR SPACE AT 4500 SOUTH SCHOOL AVENUE FOR RENT IN THE AMOUNT OF \$5,411.60 PER MONTH (2023-547)

A.12. 2023 MS4 EDUCATION AGREEMENT:

A RESOLUTION TO APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$41,812.00 FOR A STORMWATER EDUCATION PROGRAM FOR 2023 TO SATISFY PORTIONS OF THE NPDES PHASE II STORMWATER PERMIT REQUIREMENTS (2023-509)

B. UNFINISHED BUSINESS

B.1. RZN 23-002: (SE OF N. GREGG AVE AND W. ELM ST/LEGACY VENTURES LLC, 367):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-002 LOCATED SOUTHEAST OF NORTH GREGG AVENUE AND WEST ELM STREET IN WARD 2 FOR APPROXIMATELY 1.71 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE AND RI-U, RESIDENTIAL INTERMEDIATE-URBAN, SUBJECT TO A BILL OF ASSURANCE (2023-450)

AT THE MARCH 7, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS LEFT ON THE FIRST READING.

AT THE MARCH 21, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS AMENDED TO ADD A BILL OF ASSURANCE AND LEFT ON THE SECOND READING.

B.2. RZN 23-004: (2910 N. OLD WIRE RD. / VAN SCYOC, 255):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-004 LOCATED AT 2910 NORTH OLD WIRE ROAD IN WARD 3 FOR APPROXIMATELY 14.70 ACRES FROM RSF-4, RESIDENTIAL

SINGLE-FAMILY, 4 UNITS PER ACRE AND R-A, RESIDENTIAL AGRICULTURE TO R-A, RESIDENTIAL AGRICULTURE AND NC, NEIGHBORHOOD CONSERVATION (2023-502)

AT THE MARCH 21, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS LEFT ON THE FIRST READING.

C. NEW BUSINESS

C.1. ACCEPTANCE OF GRANT FROM HUD:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$512,642.00 FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM, TO APPROVE A CITY MATCH IN THE AMOUNT OF \$237,358.00, AND TO APPROVE A BUDGET ADJUSTMENT (2023-606)

C.2. RZN 23-006: REZONING (920 S. WOOD AVE./MAHONEY, 563):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-006 LOCATED AT 920 SOUTH WOOD AVENUE IN WARD 1 FOR APPROXIMATELY 0.48 ACRES FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2023-548)

C.3. RZN 23-005: REZONING (514 S. WILLOW AVE./ COLLINS, 524):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-005 LOCATED AT 514 SOUTH WILLOW AVENUE IN WARD 1 FOR APPROXIMATELY 0.25 ACRES FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2023-575)

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

D.1. SALES TAX REPORT, PAUL BECKER AND ENERGY REPORT, PETER NIERENGARTEN: (2023-409)

D.2. STORMWATER FUNDING STUDY HISTORY: (2023-408)

E. CITY COUNCIL TOUR

F. ANNOUNCEMENTS

G. ADJOURNMENT

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may appear and address the City Council on Unfinished Business, New Business, and Public Hearings at City Council meetings. If you wish to address the City Council

on an agenda item, please wait for the Mayor or Chair to request public comment. When the Mayor or Chair recognizes you, please start your public comment by giving your name and address. Comments are to be addressed to the Mayor or Chair. The Mayor or Chair will direct your comments to the appropriate elected officials, staff, or others for response. Keep your comments respectful, brief, to the point, and relevant to the agenda item being considered. Each speaker from the public will be allowed one turn to speak for discussion of an agenda item.

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 a Council Member 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.

Unfinished Business and New Business:

Overview Period: Agenda items at a City Council meeting 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 a Council Member later to answer questions. City staff, Council Members and applicants may use electronic visual aids in the City Council meeting as part of the presentation of the agenda item. City staff's presentation and an Applicant's presentation whether presented by one or more than one presenter shall each be limited to a maximum of ten (10) minutes unless the City Council by unanimous consent or majority vote allows additional time.

Public Comments: Public comment at a City Council meeting shall be allowed for all members of the audience who have signed up prior to the beginning of the agenda item they wish to address being opened for public comment. Speakers shall be limited to a maximum of five (5) minutes to discuss the agenda item being considered by the City Council. Amendments may receive public comments only if approved by the City Council by unanimous consent or majority vote. If public comment is allowed for an amendment, speakers will only be allowed to speak for three (3) minutes. The City Council may allow both a speaker additional time and an unsigned-up person to speak by unanimous consent or majority vote. As part of a person's public comments allowed above, the speaker may use electronic visual aids during their five (5) minutes presentation period concerning the agenda item being considered by the City Council.

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 comments that are harassing or amount to a personal attack against any identifiable individual including abusive comments and derogatory remarks about integrity or offer any other comments that are also not limited to the discussion of the specific agenda item being considered by the City Council. 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 Telecommunications Device for the Deaf (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 on our website at www.fayetteville-ar.gov or in the Office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas (479) 575-8323.

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