

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, July 15, 2025

5:30 PM

City Hall Room 219

City Council Members

Council Member Robert B. Stafford Ward 1

Council Member Dr. 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 Min. Monique Jones Ward 4

Mayor Molly Rawn

City Attorney Kit Williams

City Clerk Treasurer Kara Paxton

MEETING INFORMATION:

1. **WEBINAR ID: 852 1962 3802**
[PUBLIC REGISTRATION LINK: HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_25S6JIMGS3GFRKX7A86DEQ#/REGISTRATION](https://us06web.zoom.us/join/85219623802)
AGENDAITEMCOMMENT@FAYETTEVILLE-AR.GOV

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS****CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS****PROPOSED AGENDA ADDITIONS****A. CONSENT****A.1. APPROVAL OF THE JUNE 17, 2025 CITY COUNCIL MEETING MINUTES****A.2. APPROVAL OF THE JULY 1, 2025 CITY COUNCIL MEETING MINUTES****A.3. DRAKE STREET TRAIL CONNECTION:**

A RESOLUTION TO AWARD BID #25-36 AND AUTHORIZE A CONTRACT WITH GRANT GARRETT EXCAVATING, INC. IN THE AMOUNT OF \$1,558,910.80 FOR THE CONSTRUCTION OF THE DRAKE STREET TRAIL CONNECTION PROJECT; TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$100,000.00; TO AUTHORIZE A TRI-PARTY AGREEMENT BETWEEN THE CITY, NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION, AND THE ARKANSAS DEPARTMENT OF TRANSPORTATION TO ACCEPT ADDITIONAL FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDING IN THE AMOUNT OF \$710,534.00; AND TO APPROVE A BUDGET ADJUSTMENT (2025-996)

A.4. MURAL SERVICE CONTRACT CHANGE ORDER:

A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH AGAR, LLC IN THE AMOUNT OF \$9,200.00 FOR THE CHANGE IN MURAL LOCATION – WEST AVENUE MURAL PROJECT (2025-1047)

A.5. AIRPORT BUSINESS PLAN:

A RESOLUTION TO APPROVE TASK ORDER NO. 12 WITH GARVER, LLC IN THE AMOUNT OF \$49,983.48 FOR SERVICES RELATED TO THE DEVELOPMENT OF AN AIRPORT BUSINESS PLAN, AND TO APPROVE A BUDGET ADJUSTMENT (2025-1049)

A.6. UNDERWOOD PARK IMPROVEMENTS:

A RESOLUTION TO AWARD BID #25-38 AND AUTHORIZE A CONTRACT WITH LEGACY CONSTRUCTION MANAGEMENT IN THE AMOUNT OF \$3,628,930.66 FOR PHASE 1 CONSTRUCTION AT UNDERWOOD PARK, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$250,000.00, AND TO APPROVE A BUDGET ADJUSTMENT – PARK IMPROVEMENT BOND PROJECT (2025-1034)

A.7. BOND UNDERWRITER CONTRACT:

A RESOLUTION TO APPROVE A FIVE-YEAR CONTRACT WITH STEPHENS, INC. PURSUANT TO RFQ 25-05 FOR BOND UNDERWRITING AND RELATED SERVICES (2025-1120)

A.8. INTENT TO APPROPRIATE FUNDS TOWARD ADDRESSING HOMELESSNESS:

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENT TO APPROPRIATE UP TO \$450,000.00 FROM THE GENERAL FUND BALANCE TO SUPPORT INITIATIVES ADDRESSING HOMELESSNESS (2025-1183)

B. UNFINISHED BUSINESS**B.1. VACATION-2025-0013: (3661 W. WEDINGTON DR.):**

AN ORDINANCE TO APPROVE VAC-25-13 FOR PROPERTY LOCATED AT 3661 WEST WEDINGTON DRIVE IN WARD 4 TO VACATE 0.95 ACRES OF TREE PRESERVATION (2025-366)

FOR ITEM HISTORY FROM MAY 6, 2025 THROUGH JUNE 17, 2025 PLEASE CONTACT THE OFFICE OF THE CITY CLERK TREASURER.

AT THE JULY 1, 2025 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE THIRD AND FINAL READING AND TABLED TO THE JULY 15, 2025 CITY COUNCIL MEETING.

B.2. ESTABLISHMENT OF FAYETTEVILLE RENTERS COUNCIL:

AN ORDINANCE TO ESTABLISH THE CITY OF FAYETTEVILLE RENTERS' COUNCIL REPRESENTING THE INTERESTS OF RENTERS LOCATED WITHIN THE CITY OF FAYETTEVILLE TO ADVISE AND MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL ON PUBLIC POLICY MATTERS OF IMPORTANCE TO RENTERS CITYWIDE IN CHAPTER 33 OF THE FAYETTEVILLE CITY CODE (2025-840)

AT THE JUNE 17, 2025 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE FIRST READING AND TABLED TO THE JULY 15, 2025 CITY COUNCIL MEETING.

C. NEW BUSINESS**C.1. FAYETTEVILLE LOCAL POLICE PENSION AND RELIEF FUND CONSOLIDATION WITH A 3% COLA:**

AN ORDINANCE TRANSFERRING ADMINISTRATION OF RETIREMENT COVERAGE FOR ELIGIBLE MEMBERS OF THE FAYETTEVILLE POLICE PENSION AND RELIEF FUND TO THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM (LOPFI) AND AUTHORIZING THE MAYOR TO ENTER INTO AN IRREVOCABLE AGREEMENT WITH LOPFI (2025-1006)

C.2. RECYCLING AND TRASH DIVISION RATE STUDY:

A RESOLUTION TO ACCEPT AND ADOPT THE 2025 RECYCLING AND TRASH COLLECTION RATE STUDY (2025-1132)

C.3. RECYCLING AND TRASH DIVISION RATE INCREASE ADOPTION:

AN ORDINANCE TO ALIGN THE CITY'S RECYCLING AND TRASH COLLECTION RATES WITH THE RECENT RATE STUDY AND INCREASE THE RECYCLING AND TRASH USER FEE BY 9.5% FOR 2026 AND 7.5% FOR 2027 BY AMENDING § 50.40 (A) RATES FOR SERVICES OF THE FAYETTEVILLE CITY CODE (2025-1135)

C.4. REZONING (EAST OF 1228 S. WEST AVE./BATES-SIEMEK, 562):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2025-21 FOR APPROXIMATELY 0.12 ACRES LOCATED EAST OF 1228 SOUTH WEST AVENUE IN WARD 1 FROM RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE TO UN, URBAN NEIGHBORHOOD, SUBJECT TO A BILL OF ASSURANCE (2025-1060)

C.5. AMEND §167.04 TREE PRESERVATION AND PROTECTION DURING DEVELOPMENT:

AN ORDINANCE TO AMEND § 167.04 TREE PRESERVATION AND PROTECTION DURING DEVELOPMENT TO PROVIDE THE CITY COUNCIL INCREASED POTENTIAL REQUIREMENTS WHEN AN APPLICANT SEEKS TO VACATE A TREE PRESERVATION EASEMENT AND TO DECLARE AN EMERGENCY (2025-1184)

C.6. VAC-2025-0007 (APPEAL OF PLANNING COMMISSION DENIAL):

AN ORDINANCE TO APPROVE VAC-25-07 FOR PROPERTY LOCATED AT 7 SOUTH UNIVERSITY AVENUE IN WARD 2 TO VACATE A PORTION OF AIRSPACE ABOVE AN EXISTING PLATTED ALLEY RIGHT-OF-WAY (2025-1059)

C.7. RZN-2025-0011 (APPEAL OF PLANNING COMMISSION DENIAL):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2025-11 FOR APPROXIMATELY 2.83 ACRES LOCATED SOUTHWEST OF WEST CENTER STREET AND NORTH UNIVERSITY AVENUE IN WARD 2 FROM RMF-40, RESIDENTIAL MULTI-FAMILY, 40 UNITS PER ACRE AND DG, DOWNTOWN GENERAL TO MSC, MAIN STREET CENTER, SUBJECT TO A BILL OF ASSURANCE (2025-1037)

D. CITY COUNCIL TOUR**E. ANNOUNCEMENTS****F. 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, appellant from a final decision of the Planning Commission or City Staff, 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 on all items of unfinished and new business and subjects of public hearings. Amendments may receive public comments only if approved by the City Council by unanimous consent or majority vote. Speakers present in the City Council Chambers shall be recognized before speakers participating by electronic means. Speakers shall be limited to a maximum of three (3) minutes to discuss the agenda item or amendment being considered by the City Council. The City Council may allow a speaker additional time 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 three (3) 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.

Cell Phones and Pagers: Cell phones must be turned off or put in silent mode and not used within the City Council Chambers during City Council meetings. Pagers must be turned off or put in silent mode within the City Council Chambers during City Council meetings. These restrictions also apply during Agenda Sessions.

Smoking Prohibited: There will be no smoking allowed in the City Council Chambers during City Council meetings.

Virtual City Council Meetings Authorized: After proper notice has been provided to the public, City Council Members are authorized to assemble, gather, meet, and conduct open public meetings (including speaking, voting and passing ordinances and resolutions) through appropriate electronic means which ensure the public's right to attend by being able to listen to the proceedings and discussions. These open public meetings include City Council meetings and agenda sessions as well as City Council Member Committee meetings.

Interpreters or Telecommunications Devices 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.