

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Tentative Agenda

Tuesday, May 9, 2023

4:30 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 ID: 897 5386 4979**
PUBLIC REGISTRATION LINK:
[HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/
WN DUJ Y7U7RU-YIHOJL-2UNW](https://us06web.zoom.us/join/915864979)

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

1. **ARKANSAS SPECIAL OLYMPICS AWARD FOR FPD - PRESENTED BY
DONNA KILMER TO CHIEF MIKE REYNOLDS**

A. CONSENT

- A.1. APPROVAL OF THE APRIL 18, 2023 AND MAY 2, 2023 CITY COUNCIL
MEETING MINUTES: (2023-722)**

A.2. ELKINS SEWER EASEMENTS:

A RESOLUTION TO APPROVE THE CONVEYANCE OF EASEMENTS TO THE CITY OF ELKINS ACROSS PORTIONS OF CITY OF FAYETTEVILLE PROPERTY LOCATED NEAR LAKE SEQUOYAH FOR THE INSTALLATION OF SEWER LINES (2023-712)

A.3. 11TH STREET COTTAGES, LLC:

A RESOLUTION TO APPROVE A COST SHARE AGREEMENT WITH 11TH STREET COTTAGES, LLC FOR THE EXTENSION OF AN 8-INCH WATER MAIN NEAR THE CORNER OF EAST 11TH STREET AND SOUTH WASHINGTON AVENUE WITH A REFUND IN AN ESTIMATED AMOUNT OF \$47,834.30 TO BE PAID BY THE CITY OF FAYETTEVILLE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$4,783.43 (2023-720)

A.4. KENT B. DETMER CONDEMNATION:

A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO SEEK CONDEMNATION AND POSSESSION OF CERTAIN LANDS OWNED BY KENT B. DETMER NEEDED FOR THE WEST WATER TRANSMISSION MAIN

PROJECT (2023-716)

A.5. FHWA, ARDOT AND NARPC GRANT PROGRAM:

A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO APPLY FOR 80/20 FEDERAL-AID TRANSPORTATION ALTERNATIVE PROGRAM, CARBON REDUCTION PROGRAM, SAFE STREETS FOR ALL, AND SURFACE TRANSPORTATION BLOCK GRANT PROGRAM - ATTRIBUTABLE FUNDS IN THE TOTAL AMOUNT OF \$25,800,000.00 (2023-718)

A.6. TAXIWAY "E" ENVIRONMENTAL ASSESSMENT:

A RESOLUTION TO AUTHORIZE THE APPLICATION FOR A FEDERAL AVIATION ADMINISTRATION GRANT IN THE AMOUNT OF \$189,450.00 TO FUND 90% OF THE COSTS OF AN ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED TAXIWAY E EXTENSION PROJECT AT DRAKE FIELD AIRPORT (2023-714)

A.7. CHANGE ORDER #12 RFQ-18-11 - ARTS CORRIDOR:

A RESOLUTION TO APPROVE CHANGE ORDER NO. 12 TO THE CONTRACT WITH NABHOLZ CONSTRUCTION CORPORATION IN THE AMOUNT OF \$2,378,349.40 FOR WORK RELATED TO THE CULTURAL ARTS CORRIDOR, AND TO APPROVE A BUDGET ADJUSTMENT – 2019 CULTURAL ARTS CORRIDOR BOND PROJECT (2023-725)

A.8. 2023 DTF JAG GRANT AWARD ADDENDUM:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD ADDENDUM FOR THE 4TH JUDICIAL DISTRICT DRUG TASK FORCE IN THE AMOUNT OF \$29,087.00, AND TO AUTHORIZE MAYOR JORDAN TO SIGN ALL NECESSARY DOCUMENTS TO RECEIVE THE GRANT FUNDS (2023-717)

B. UNFINISHED BUSINESS

B.1. AMEND §51.136 MONTHLY WATER RATES AND §51.137 MONTHLY SEWER RATES:

AN ORDINANCE TO AMEND §51.136 MONTHLY WATER RATES AND §51.137 MONTHLY SEWER RATES TO CHANGE WATER AND SEWER RATES AS RECOMMENDED BY THE COST OF SERVICE STUDY CONDUCTED BY BLACK & VEATCH (2022-319)

CONTACT CITY CLERK'S OFFICE FOR PREVIOUS ITEM HISTORY (JUNE 21, 2022 THROUGH MARCH 7, 2023).

AT THE APRIL 18, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS LEFT ON THE SECOND READING AND TABLED TO THE MAY 16, 2023 CITY COUNCIL MEETING.

B.2. AMEND §72 PARKING REGULATIONS:

AN ORDINANCE TO AMEND CHAPTER 72 PARKING REGULATIONS OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO ESTABLISH AND ADMINISTER RULES REGULATING PARKING FEES IN ESTABLISHED PARKING ZONES, AND TO MAKE TECHNICAL REVISIONS (2023-674)

AT THE MAY 2, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS LEFT ON THE FIRST READ.

C. NEW BUSINESS

C.1. DISSOLUTION OF ENERGY IMPROVEMENT DISTRICT 1:

AN ORDINANCE TO REPEAL ARTICLE XXVI ENERGY IMPROVEMENT DISTRICT NO. 1 IN CHAPTER 33 DEPARTMENTS, BOARDS, COMMISSIONS, AND AUTHORITIES OF THE FAYETTEVILLE CITY CODE, AND TO APPROVE THE DISSOLUTION OF ENERGY IMPROVEMENT DISTRICT NO. 1 (2023-688)

C.2. ARPA - NONPROFIT ASSISTANCE APPLICATIONS:

A RESOLUTION TO APPROVE SEVENTEEN AMERICAN RESCUE PLAN ACT NONPROFIT ASSISTANCE APPLICATIONS IN THE TOTAL AMOUNT OF \$1,000,000.00 TO PROVIDE ECONOMIC ASSISTANCE TO NONPROFIT ORGANIZATIONS UTILIZING AMERICAN RESCUE PLAN ACT FUNDS (2023-724)

C.3. ARPA - ARKANSAS UNITED COMMUNITY COALITION:

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A SUBRECIPIENT AGREEMENT WITH ARKANSAS UNITED COMMUNITY COALITION TO PROVIDE FUNDING FOR TWO COMMUNITY NAVIGATORS TO ASSIST IMMIGRANTS IN FAYETTEVILLE WITH HEALTHCARE NEEDS UTILIZING AMERICAN RESCUE PLAN ACT FUNDS IN THE AMOUNT OF \$50,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2023-706)

C.4. AMENDMENT: §92.04(C) PET STORE OPERATIONS:

AN ORDINANCE TO AMEND § 92.04 (C) OF THE FAYETTEVILLE CODE TO CONFORM THIS SUBSECTION WITH THE JUST ENACTED ACT 730 OF THE 94TH GENERAL ASSEMBLY (2023-740)

C.5. AMENDMENT: §97.086 VENDING AND PEDDLING IN PARKS:

AN ORDINANCE TO AMEND THE TITLE OF CHAPTER 97 PARKS AND

RECREATION TO PARKS, NATURAL RESOURCES, AND CULTURAL AFFAIRS, AND TO AMEND § 97.086 VENDING AND PEDDLING TO AUTHORIZE THE DIRECTOR OF PARKS, NATURAL RESOURCES, AND CULTURAL AFFAIRS TO APPOINT A MARKET ORGANIZER TO COORDINATE VENDORS AT THE GULLEY PARK CONCERT SERIES THROUGH DECEMBER 31, 2023 (2023-715)

C.6. APPEAL: LSD-2023-0004: (SOUTH OF N. SHILOH DR/THE JUNCTION AT SHILOH, 363):

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER TERESA TURK AND DENY LARGE SCALE DEVELOPMENT APPLICATION LSD-2023-004 (2023-708)

C.7. REZONE-2023-0010: (1746 N. OLD WIRE ROAD. / PERRY, 369):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN-2023-010 LOCATED AT 1746 NORTH OLD WIRE ROAD IN WARD 3 FOR APPROXIMATELY 1.06 ACRES FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION (2023-711)

C.8. REZONE-2023-0011: (239 & 245 N. FLETCHER AVE/HAMBRICE, 485):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN-2023-011 LOCATED AT 239 AND 245 NORTH FLETCHER AVENUE IN WARD 1 FOR APPROXIMATELY 0.20 ACRES FROM RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2023-709)

C.9. SHORT TERM RENTAL BUSINESS LICENSE COMPLIANCE:

A RESOLUTION TO AUTHORIZE AND REQUEST THAT MAYOR JORDAN CONTRACT WITH A COMPANY TO INVESTIGATE AND REPORT BACK TO THE CITY INFORMATION ABOUT SHORT-TERM RENTAL OPERATIONS THAT DO NOT HAVE VALID BUSINESS LICENSES AND TO APPROVE AN APPROPRIATE BUDGET ADJUSTMENT TO PAY FOR THE CONTRACT (2023-739)

PROPOSED AGENDA ADDITIONS

- 1. AMEND CITY COUNCIL RULES OF ORDER & PROCEDURE - PUBLIC COMMENT: (2023-751)**
- 2. HISTORIC BLACK DISTRICT PRESERVATION: (2023-754)**

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

D.1. CITYWIDE HERITAGE & HISTORIC PRESERVATION PLAN - BRITIN BOSTICK

E. CITY COUNCIL TOUR

F. ANNOUNCEMENTS

G. ADJOURNMENT