

# **City of Fayetteville, Arkansas**

*113 West Mountain Street*

*Fayetteville, AR 72701*

*(479) 575-8323*



## **City Council Tentative Agenda**

**Tuesday, August 8, 2023**

**4:30 PM**

**City Hall Room 219**

### **City Council Members**

*Vacant 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: 870 0940 2683**  
**PUBLIC REGISTRATION LINK:**  
[HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/  
WN\\_20AER4NITKUBWKLv5EBEIA](https://us06web.zoom.us/join/9tjKtZkz9pK?pwd=Z0AER4NITKUBWKLv5EBEIA)

**CALL TO ORDER****ROLL CALL****PLEDGE OF ALLEGIANCE****MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS****CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS****A. CONSENT****A.1. APPROVAL OF THE AUGUST 1, 2023 CITY COUNCIL MEETING MINUTES (2023-558)****A.2. RAILROAD LIABILITY POLICY (BUDGET ADJUSTMENT):**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF A RAILROAD GENERAL LIABILITY POLICY TO COVER CURRENT AND FUTURE RAILROAD CROSSING IMPROVEMENTS AT A COST OF \$54,000.00 FOR ONE YEAR OF COVERAGE, AND TO APPROVE A BUDGET ADJUSTMENT (2023-961)

**A.3. EXCELLERATE FOUNDATION GRANT TO THE SAFE PROGRAM (BUDGET ADJUSTMENT):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$25,000.00 TO RECOGNIZE AND BUDGET AN EXCELLERATE FOUNDATION GRANT TO THE CITY OF FAYETTEVILLE SHELTER ASSISTANCE FROM EXTREME WEATHER PROGRAM (2023-954)

**A.4. JWC ENVIRONMENTAL (EQUIPMENT REPAIR):**

A RESOLUTION TO ACCEPT A QUOTE IN THE AMOUNT OF \$81,151.09 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM JWC ENVIRONMENTAL FOR THE REPAIR OF A CHANNEL MONSTER GRINDER USED AT THE HAMESTRING SEWER LIFT STATION (2023-947)

**A.5. USGS STREAM GAUGE OPERATION (FUNDING AGREEMENT):**

A RESOLUTION TO APPROVE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGE OPERATION AND MAINTENANCE AND WATER QUALITY SAMPLING AND MONITORING AT VARIOUS LOCATIONS IN THE CITY OF FAYETTEVILLE IN 2023 WITH THE AMOUNT PAID BY THE CITY NOT TO EXCEED \$56,930.00 (2023-956)

**A.6. FIRE DEPARTMENT ADMINISTRATIVE POLICIES APPROVAL (POLICY CHANGES):**

A RESOLUTION TO APPROVE REVISED FAYETTEVILLE FIRE DEPARTMENT POLICIES WITHIN SECTION 100 GENERAL INFORMATION AND INTRODUCTION, AND SECTION 200 SAFETY, HEALTH & WELLNESS (2023-963)

**A.7. INVERIS VIRTUAL REALITY SIMULATOR (PURCHASE AGREEMENT):**

A RESOLUTION TO AWARD RFP 23-09 AND AUTHORIZE THE PURCHASE OF A VIRTUAL REALITY SIMULATOR FROM INVERIS FOR THE AMOUNT OF \$106,149.53 PLUS ANY APPLICABLE TAXES OR FREIGHT CHARGES FOR POLICE PERSONNEL TRAINING (2023-946)

**B. PUBLIC HEARING**

**B.1. PUBLIC HEARING ON MONTHLY WATER AND SEWER RATE AMENDMENT:**

ITEM 2022-319, DISCUSSION ON RECOMMENDATION FOR WATER AND SEWER RATES EFFECTIVE JANUARY 1, 2024 HAS BEEN PLACED UNDER UNFINISHED BUSINESS AS C.1. THE PUBLIC WILL BE ALLOWED TO SPEAK AFTER THE ORDINANCE HAS BEEN READ (2023-948)

**C. UNFINISHED BUSINESS**

**C.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)

**D. NEW BUSINESS**

**D.1. NABHOLZ CONSTRUCTION CO. (CHANGE ORDER):**

A RESOLUTION TO APPROVE CHANGE ORDER NO. 13 TO THE CONTRACT WITH NABHOLZ CONSTRUCTION CORPORATION IN THE AMOUNT OF \$5,521,396.00 FOR WORK RELATED TO THE CULTURAL ARTS CORRIDOR, AND TO APPROVE A BUDGET ADJUSTMENT – 2019 CULTURAL ARTS

CORRIDOR BOND PROJECT (2023-953)

**D.2. FAYETTEVILLE FIRE RELIEF AND PENSION PROGRAM CONSOLIDATION (LOPFI):**

AN ORDINANCE TRANSFERRING ADMINISTRATION OF RETIREMENT COVERAGE FOR ELIGIBLE MEMBERS OF THE FAYETTEVILLE FIRE RELIEF AND PENSION FUND TO THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM (LOPFI) AND AUTHORIZING THE MAYOR TO ENTER INTO AN IRREVOCABLE AGREEMENT WITH LOPFI (2023-942)

**D.3. UDC §157 - NOTICE OF ADMINISTRATIVELY APPROVED DEVELOPMENT APPLICATIONS (AMENDMENT):**

AN ORDINANCE TO AMEND §157 NOTIFICATION AND PUBLIC HEARINGS TO CLARIFY THE OFFICIAL APPROVAL DATE FOR ADMINISTRATIVELY APPROVED DEVELOPMENT APPLICATIONS (2023-950)

**D.4. REZONING - 2023-0017: (N. TRUCKERS DR./THE LENNON, 208):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-017 LOCATED NEAR NORTH TRUCKERS DRIVE IN WARD 2 FOR APPROXIMATELY 20.23 ACRES FROM RPZD, RESIDENTIAL PLANNED ZONING DISTRICT TO RMF-18, RESIDENTIAL MULTI-FAMILY, 18 UNITS PER ACRE (2023-952)

**D.5. MISTY SIMPSON (WATER DAMAGE CLAIM):**

A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$50,000.00 TO MISTY SIMPSON FOR A WATER DAMAGE CLAIM ARISING AT 2425 EAST SHARON STREET (2023-962)

**PROPOSED AGENDA ADDITIONS**

**1. RENTAL EQUIPMENT PROCUREMENT PROCEDURE (BIDDING WAIVER):**

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PROCUREMENT OF RENTAL EQUIPMENT FROM VARIOUS VENDORS IN EXCESS OF \$35,000.00 BUT TO REQUIRE AT LEAST 3 WRITTEN OR PUBLISHED QUOTES FOR EACH RENTAL (2023-1005)

**E. CITY COUNCIL AGENDA SESSION PRESENTATIONS**

**F. CITY COUNCIL TOUR**

**G. ANNOUNCEMENTS**

**H. ADJOURNMENT**

