

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Tentative Agenda

Tuesday, September 26, 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: 890 9966 9127**
PUBLIC REGISTRATION LINK:
[HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/
WN -JB0YTQ0TBEC2UFTZKWWSG](https://us06web.zoom.us/join/91278909966?pwd=ZkFkdzRlYUJlc0NlMjBldDZMcE9KLT09)

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS

CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS

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

A. CONSENT

- A.1. APPROVAL OF THE SEPTEMBER 19, 2023 CITY COUNCIL MEETING MINUTES**

- A.2. DC SPARKS CONSTRUCTION, LLC (CONTRACT APPROVAL):**

A RESOLUTION TO AWARD BID #23-29 AND AUTHORIZE A CONTRACT WITH DC SPARKS CONSTRUCTION, LLC IN THE AMOUNT OF \$491,000.00 FOR THE EXPANSION OF THE FLEET SHOP, AND TO APPROVE A PROJECT CONTINGENCY OF \$63,803.00 (2023-1093)

- A.3. FLINTCO, LLC (CHANGE ORDER #1):**

A RESOLUTION TO APPROVE CHANGE ORDER #1 WITH FLINTCO, LLC IN THE AMOUNT OF \$1,703,019 FOR WORK ASSOCIATED WITH THE CONSTRUCTION OF FIRE STATION 2, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 BOND PROGRAM (2023-1099)

- A.4. RIGGS CATERPILLAR EQUIPMENT (PURCHASE AGREEMENT):**

A RESOLUTION TO APPROVE THE PURCHASE OF ONE CATERPILLAR BACKHOE LOADER AND ONE CATERPILLAR EXCAVATOR FROM RIGGS CATERPILLAR EQUIPMENT FOR THE TOTAL AMOUNT OF \$221,563.00, PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1086)

A.5. HALFF ASSOCIATES (CONTRACT APPROVAL):

A RESOLUTION TO AUTHORIZE A CONTRACT WITH HALFF ASSOCIATES, PURSUANT TO RFQ 23-01, FOR PLANNING AND DESIGN SERVICES FOR COMBS WHITE RIVER PARK FOR THE AMOUNT OF \$181,812.00, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1091)

A.6. STEP INTO SWIM GRANT PROGRAM (GRANT ACCEPTANCE):

A RESOLUTION TO AUTHORIZE THE MAYOR TO ACCEPT A GRANT IN THE AMOUNT OF \$500.00 FROM THE STEP INTO SWIM GRANT PROGRAM THROUGH THE POOL AND HOT TUB ALLIANCE, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1092)

A.7. JACK TYLER ENGINEERING, INC. (EQUIPMENT RENTAL):

A RESOLUTION TO APPROVE A TWO-MONTH EXTENSION OF THE PUMP RENTAL FROM JACK TYLER ENGINEERING, INC. BEING USED AT THE GREGG AVENUE SEWER LIFT STATION FOR A TOTAL COST OF \$41,675.00. (2023-1121)

A.8. MCCI, LLC (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF DOCUMENT AND RECORDS MANAGEMENT SERVICES, ON AN AS-NEEDED BASIS, FROM MCCI, LLC PURSUANT TO AN OMNIA PARTNERS COOPERATIVE CONTRACT THROUGH NOVEMBER 30, 2025, AND ANY FUTURE RENEWAL PERIODS (2023-1124)

A.9. LEONARD W. STITZ (CONDEMNATION):

A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO SEEK CONDEMNATION AND POSSESSION OF CERTAIN LANDS OWNED BY LEONARD W. STITZ NEEDED FOR THE WEST TRANSMISSION WATER MAIN PROJECT (2023-1125)

A.10. FAYETTEVILLE FIRE DEPARTMENT ADMINISTRATIVE POLICIES (RESOLUTION):

A RESOLUTION TO APPROVE THE REVIEWING AND UPDATING OF FAYETTEVILLE FIRE DEPARTMENT ADMINISTRATIVE POLICIES (2023-1082)

B. UNFINISHED BUSINESS**B.1. HISTORIC BLACK DISTRICT PRESERVATION (LAND PURCHASE):**

A RESOLUTION TO AUTHORIZE THE MAYOR OF THE CITY OF FAYETTEVILLE TO PURCHASE REAL ESTATE TO BE RETURNED TO THE

NWA BLACK HERITAGE ASSOCIATION FOR RESTORATION, REDEVELOPMENT, AND ADVANCEMENT TO THE AFRICAN AMERICAN COMMUNITY INTO THE VIBRANT AND THRIVING DISTRICT IT IS MEANT TO BE (2023-754)

AT THE JUNE 6, 2023 CITY COUNCIL MEETING, THIS ITEM WAS TABLED TO THE SEPTEMBER 5, 2023 CITY COUNCIL MEETING.

AT THE SEPTEMBER 5, 2023 CITY COUNCIL MEETING, THIS ITEM WAS TABLED TO THE OCTOBER 3, 2023 CITY COUNCIL MEETING.

C. NEW BUSINESS

C.1. 2024 MILLAGE LEVY (ORDINANCE):

AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR THE YEAR 2023 FIXING THE RATE THEREOF AT 2.3 MILLS FOR GENERAL FUND OPERATIONS, 0.4 MILLS FOR THE FIREMEN'S PENSION AND RELIEF FUND, 0.4 MILLS FOR THE POLICEMEN'S PENSION AND RELIEF FUND, 2.5 MILLS FOR FAYETTEVILLE PUBLIC LIBRARY OPERATIONS AND 1.2 MILLS FOR THE FAYETTEVILLE PUBLIC LIBRARY EXPANSION; AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS (2023-1123)

C.2. AMEND §118.05 PENALTY (B) CITY SERVICES TERMINATION (ORDINANCE):

AN ORDINANCE TO AMEND §118.05 PENALTY (B) CITY SERVICES TERMINATION TO ADD AN ADDITIONAL SUBSECTION (2) TO PROVIDE A PROCEDURAL DUE PROCESS HEARING OPPORTUNITY FOR UNLICENSED TYPE 2 SHORT TERM RENTALS PRIOR TO WITHHOLDING CITY SERVICES (2023-1122)

C.3. VACATION-2023-0004: (817 E. DOGWOOD LN./BUXTON, 486):

AN ORDINANCE TO APPROVE VAC 23-04 FOR PROPERTY LOCATED AT 817 EAST DOGWOOD LANE IN WARD 1 TO VACATE A 0.16-ACRE PORTION OF ALLEY RIGHT-OF-WAY (2023-1096)

C.4. ADMINISTRATIVE-2023-0028: (AMEND UDC §151, 163, AND 164):

AN ORDINANCE TO AMEND §151.01 DEFINITIONS, §163.05 CHILD CARE; NURSERY SCHOOL, AND §164.24 REGISTERED CHILD CARE FAMILY HOMES OF THE UNIFIED DEVELOPMENT CODE TO ALIGN THE CITY'S CHILDCARE FAMILY HOME REQUIREMENTS WITH STATE LAW (2023-1098)

C.5. REZONING-2023-0022: (5672 W. TACKETT DR/HOGREFE, 436):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-0022 FOR APPROXIMATELY 2.32 ACRES LOCATED AT 5672 WEST TACKETT DRIVE IN WARD 4 FROM R-A, RESIDENTIAL AGRICULTURAL TO RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE (2023-1097)

C.6. REZONING-2023-0024: (EAST OF N. COLLEGE AVE./MOLES, 096):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-0024 FOR APPROXIMATELY 6.79 ACRES LOCATED EAST OF NORTH COLLEGE AVENUE NEAR WATERSIDE COURT IN WARD 3 FROM C-2, THOROUGHFARE COMMERCIAL TO CS, COMMUNITY SERVICES (2023-1095)

C.7. REZONING-2023-0023: (WEST OF 4451 N. WATERSIDE CT./UNIVERSITY CLUB LAND CO LLC, 096):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-0023 FOR APPROXIMATELY 3.37 ACRES LOCATED WEST OF 4451 NORTH WATERSIDE COURT IN WARD 3 FROM R-O, RESIDENTIAL OFFICE TO CS, COMMUNITY SERVICES (2023-1094)

PROPOSED AGENDA ADDITIONS

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

D.1. 2024 GENERAL FUND BUDGET - PAUL BECKER

D.2. SALES TAX REPORT - PAUL BECKER AND ENERGY REPORT - PETER NIERENGARTEN

D.3. FAYETTEVILLE HOUSING REPORT 2 OF 3 - BRITIN BOSTICK

E. CITY COUNCIL TOUR

F. ANNOUNCEMENTS

G. ADJOURNMENT