City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

City Council Final Agenda

Tuesday, November 21, 2023

5:30 PM

City Hall Room 219

City Council Members

Council Member Elect Bob Stafford 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: 895 7542 7354**
   PUBLIC REGISTRATION LINK:
   HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_6ZUXIZL4T4KE5YLEQ8Z9XA

CALL TO ORDER

1. **OATH OF OFFICE:**
   ROBERT "BOB" STAFFORD, COUNCIL MEMBER WARD 1

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 NOVEMBER 07, 2023 CITY COUNCIL MEETING MINUTES:

A.2. FAY APARTMENT PARTNERS, LLC (COST SHARE):

A RESOLUTION TO AUTHORIZE A COST SHARE WITH FAY APARTMENT PARTNERS, LLC IN THE AMOUNT OF $49,151.00 FOR STREET IMPROVEMENTS ON NORTH WHITHAM AVENUE (2023-1268)

A.3. SWEETSER CONSTRUCTION, INC. (CONSTRUCTION CONTRACT):

A RESOLUTION TO AUTHORIZE A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF $2,315,976.00 FOR THE CONSTRUCTION OF THE PRAIRIE STREET & WEST AVENUE IMPROVEMENTS PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $230,000.00, AND TO APPROVE A BUDGET ADJUSTMENT – 2019 STREET IMPROVEMENT BOND PROJECT (2023-1178)

A.4. SOUTH DELTA AVIATION INC. (4230 S. SCHOOL AVE LEASE AGREEMENT):

A RESOLUTION TO APPROVE A THREE YEAR LEASE AGREEMENT WITH

SOUTH DELTA AVIATION FOR THE HANGAR LOCATED AT 4230 SOUTH SCHOOL AVENUE FOR RENT IN THE AMOUNT OF $1,400.00 PER MONTH (2023-1262)

A.5. SOUTH DELTA AVIATION INC. (4248 S. SCHOOL AVE LEASE AGREEMENT):

A RESOLUTION TO APPROVE A THREE YEAR LEASE AGREEMENT WITH SOUTH DELTA AVIATION FOR THE HANGAR LOCATED AT 4248 SOUTH SCHOOL AVENUE FOR RENT IN THE AMOUNT OF $3,177.00 PER MONTH (2023-1263)

A.6. MGT CONSULTING (PARK IMPACT FEE STUDY):

A RESOLUTION TO AUTHORIZE A CONTRACT WITH MGT CONSULTING, PURSUANT TO RFP 23-15, IN THE AMOUNT OF $48,325.00 TO CONDUCT A PARK IMPACT FEE STUDY, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $5,000.00 (2023-1264)

A.7. FAYETTEVILLE FIRE DEPARTMENT ADMINISTRATIVE POLICIES (POLICY UPDATE):

A RESOLUTION TO APPROVE UPDATES TO FAYETTEVILLE FIRE DEPARTMENT ADMINISTRATIVE POLICIES (2023-1259)

A.8. GALL'S LLC (PURCHASE AGREEMENT):

A RESOLUTION TO AWARD RFP 23-17 AND APPROVE A ONE YEAR CONTRACT WITH GALL'S, LLC FOR POLICE UNIFORMS, EQUIPMENT, AND QUARTERMASTER SERVICES WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS (2023-1222)

A.9. COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM (GRANT AWARD):

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE 2023 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM GRANT IN THE AMOUNT OF $250,000 TO FUND TWO NEW POLICE OFFICER POSITIONS FOR EXPANSION OF THE SCHOOL RESOURCE OFFICER PROGRAM FOR A PERIOD OF FOUR YEARS, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1267)

B. UNFINISHED BUSINESS

C. NEW BUSINESS

C.1. LIGHTS OF THE OZARKS (ORDINANCE UPDATES):

AN ORDINANCE TO AMEND §117.93 LIGHTS OF THE OZARKS TO EXPAND

THE EVENT AREA TO INCLUDE THE BLOCK OF EAST AVENUE BETWEEN MOUNTAIN STREET AND CENTER STREET, TO AMEND §178.04 OUTDOOR MOBILE VENDORS TO AUTHORIZE FOOD TRUCKS AND TRAILERS TO OPERATE ON THE DOWNTOWN SQUARE DURING CERTAIN STANDING EVENTS, AND TO DECLARE AN EMERGENCY (2023-1286)

C.2. VACATION-2023-0002: (2395 E. AMHERST ALY/CARRENDER, 137):

AN ORDINANCE TO APPROVE VAC 23-02 FOR PROPERTY LOCATED AT 2395 EAST AMHERST ALY IN WARD 3 TO VACATE A 196 SQUARE FOOT PORTION OF AN ACCESS EASEMENT (2023-1261)

C.3. VACATION-2023-0011: (2417 N. SHILOH DR./LEWIS BROTHERS LEASING CO., 286):

AN ORDINANCE TO APPROVE VAC 23-11 FOR PROPERTY LOCATED AT 2417 NORTH SHILOH DRIVE IN WARD 2 TO VACATE PORTIONS OF STREET RIGHT-OF-WAY TOTALING 0.28 ACRES (2023-1223)

C.4. SHORT-TERM RENTAL SUNSET CLAUSE (AMENDMENT):

AN ORDINANCE TO AMEND ORDINANCE 6427 AND ORDINANCE 6625 TO EXTEND THE SUNSET PROVISION FOR SHORT-TERM RENTAL REGULATIONS TO DECEMBER 31, 2024 (2023-1269)

C.5. PROPOSED 2024 ANNUAL BUDGET & WORK PROGRAM (RESOLUTION):

A RESOLUTION TO ADOPT THE 2024 ANNUAL BUDGET AND WORK PROGRAM (2023-1265)

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

D.1. LAKE FAYETTEVILLE WATER QUALITY STUDY REPORT - BRAD SCHLEETER

D.2. CLIMATE ACTION PLAN UPDATE - PETER NIERENGARTEN

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: 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 Devise 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.