

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, June 4, 2024

5:30 PM

City Hall Room 219

City Council Members

Council Member Robert B. 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

MEETING INFORMATION:

1. **WEBINAR ID: 898 4019 3231**
PUBLIC REGISTRATION LINK: [HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_62BWSZG2QVQCGZMQ7RKPSQ](https://us06web.zoom.us/join/89840193231)

AGENDA ITEM COMMENT - 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**

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

PROPOSED AGENDA ADDITIONS**A. CONSENT**

- A.1. APPROVAL OF THE MAY 7, 2024 CITY COUNCIL MEETING MINUTES**

- A.2. APPROVAL OF THE MAY 21, 2024 CITY COUNCIL MEETING MINUTES**

- A.3. BOSTON MOUNTAIN SOLID WASTE DISTRICT (SERVICE AGREEMENT):**

A RESOLUTION TO APPROVE A THREE-YEAR CONTRACT WITH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT WITH UP TO FOUR AUTOMATIC ONE-YEAR RENEWALS BASED ON A RATE OF FIFTY CENTS (\$.50) PER RESIDENT PER YEAR FOR SOLID WASTE SERVICES PROVIDED TO THE CITY OF FAYETTEVILLE AS A MEMBER OF THE DISTRICT (2024-108)

- A.4. WER ARCHITECTS (AMENDMENT NO. 1):**

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE DESIGN SERVICES CONTRACT WITH WER ARCHITECTS IN THE AMOUNT OF \$19,185.56 FOR THE REPAIR AND REPLACEMENT OF THE RECYCLING AND TRASH TRANSFER STATION, CITY HALL, WATER AND SEWER OPERATIONS, ROCK STREET ANNEX, AND FAYETTEVILLE TOWN CENTER ROOFS - CITY FACILITY IMPROVEMENT BOND PROJECT (2024-120)

A.5. RECOGNIZE PARK LAND DEDICATION FUNDS (BUDGET ADJUSTMENT):

A RESOLUTION APPROVING A BUDGET ADJUSTMENT IN THE AMOUNT OF \$98,000.00 TO RECOGNIZE PARK LAND DEDICATION FUNDS FOR GULLEY PARK IMPROVEMENTS FROM THE NORTHEAST QUADRANT (2024-107)

A.6. RAILROAD CROSSING ELIMINATION (GRANT AGREEMENT):

A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF A FEDERAL RAILROAD CROSSING ELIMINATION GRANT IN THE AMOUNT OF \$576,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2024-118)

A.7. WATERSHED CONSERVATION RESOURCE CENTER (MEMORANDUM OF AGREEMENT):

A RESOLUTION TO APPROVE A MEMORANDUM OF AGREEMENT WITH THE WATERSHED CONSERVATION RESOURCE CENTER FOR CONTINUED MAINTENANCE OF STREAM RESTORATION PROJECTS AND OTHER NONPOINT SOURCE POLLUTION RELATED ISSUES (2024-129)

A.8. WT TRANSFER HOLDING COMPANY LLC (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF TWO NEW HOLLAND BALERS FROM WT TRANSFER HOLDING COMPANY LLC IN THE TOTAL AMOUNT OF \$93,250.19, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2024-110)

A.9. FIRE DEPARTMENT VEHICLE EXPANSION UPGRADES (BUDGET ADJUSTMENT):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$17,438.00 FOR FIRE DEPARTMENT VEHICLE EXPANSION UPGRADES (2024-29)

A.10. AFTERMARKET VEHICLE PARTS, SUPPLIES AND SERVICES (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF AUTOMOTIVE, HEAVY DUTY AND OFF-ROAD AFTERMARKET PARTS, TOOLS, SUPPLIES, EQUIPMENT, ACCESSORIES AND ADDITIONAL SERVICES FROM MULTIPLE VENDORS, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, THROUGH MAY 19, 2025 AND ANY ADDITIONAL RENEWALS (2024-123)

A.11. WHITING SYSTEMS INC. (BID WAIVER):

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF VEHICLE WASH CHEMICALS FROM WHITING SYSTEMS INC. ON AN AS-NEEDED BASIS THROUGH MAY 15, 2026 (2024-130)

A.12. BID 24-33 JACK TYLER ENGINEERING, INC. (PUMP REPLACEMENT):

A RESOLUTION TO AWARD BID #24-33 AND AUTHORIZE THE PURCHASE OF A SUBMERSIBLE PUMP IN THE AMOUNT OF \$85,770.04.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM JACK TYLER ENGINEERING, INC. TO BE USED AT THE NOLAND WATER RESOURCE RECOVERY FACILITY (2024-131)

A.13. J.R. STEWART PUMP & EQUIPMENT, INC. (PURCHASE AGREEMENT):

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF PARTS FOR A PUMP AT THE HAMESTRING SEWER LIFT STATION IN THE AMOUNT OF \$49,555.71 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM J.R. STEWART PUMP & EQUIPMENT INC. (2024-132)

A.14. OLSSON, INC. (ENGINEERING AGREEMENT):

A RESOLUTION TO APPROVE AN ENGINEERING SERVICES AGREEMENT IN THE AMOUNT OF \$45,000.00 BETWEEN THE CITY OF FAYETTEVILLE AND OLSSON, INC. FOR PRELIMINARY ENGINEERING RELATED TO UPGRADES AT THE MALLY WAGNON SEWER LIFT STATION (2024-122)

A.15. OLSSON, INC. (AMENDMENT NO. 6):

A RESOLUTION TO APPROVE AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES ENGINEERING AGREEMENT WITH OLSSON, INC. IN AN AMOUNT NOT TO EXCEED \$516,515.00 FOR ENGINEERING SERVICES RELATED TO THE EAST FAYETTEVILLE WATER SYSTEM IMPROVEMENTS PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-121)

A.16. BID 24-29 CROSSLAND HEAVY CONTRACTORS, INC. (CONSTRUCTION):

A RESOLUTION TO AWARD BID #24-29 AND AUTHORIZE A CONTRACT WITH CROSSLAND HEAVY CONTRACTORS, INC. IN THE AMOUNT OF \$8,318,668.00 FOR THE CONSTRUCTION OF A WATER PUMPING STATION AND VARIOUS WATERLINES FOR THE GULLEY AND GOSHEN PRESSURE PLANE IMPROVEMENTS PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$415,934.00, AND TO APPROVE A BUDGET ADJUSTMENT (2024-143)

A.17. LION FIRST RESPONDER PPE, INC. (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF BUNKER GEAR AND RELATED PRODUCTS, SERVICES, AND SOLUTIONS FROM LION MANUFACTURING THROUGH NAFECO ON AN AS-NEEDED BASIS, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, THROUGH MARCH 27, 2028 AND ANY FUTURE RENEWAL PERIODS (2024-110)

A.18. PMAM CORPORATION (SERVICE CONTRACT):

A RESOLUTION TO APPROVE A CONTRACT WITH PMAM CORPORATION, PURSUANT TO RFP 23-19, FOR FALSE ALARM ADMINISTRATION SERVICES (2024-119)

A.19. 2024 HIGH INTENSITY DRUG TRAFFICKING AREA (MEMORANDUM OF UNDERSTANDING):

A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH WASHINGTON COUNTY TO ACCEPT FUNDING FROM THE GULF COAST HIGH INTENSITY DRUG TRAFFICKING AREA IN THE AMOUNT OF \$122,243.00 FOR THE POLICE DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-112)

B. UNFINISHED BUSINESS**B.1. REZONING-2024-0017: (512 N. MISSION BLVD./ZWEIG, 446):**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-17 FOR APPROXIMATELY 0.90 ACRES LOCATED AT 512 NORTH MISSION BOULEVARD WARD 1 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES - GENERAL (2024-60)

AT THE MAY 21, 2024 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE FIRST READING.

B.2. REZONING-2024-0018: (SOUTHWEST OF W. TREADWELL ST. AND S. HILL AVE./SUBTEXT ACQUISITIONS, LLC. AND MODUS STUDIO, 522):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-18 FOR APPROXIMATELY 2.9 ACRES LOCATED SOUTHWEST OF WEST TREADWELL STREET AND SOUTH HILL AVENUE IN WARD 2 FROM RMF-40, RESIDENTIAL MULTIFAMILY, 40 UNITS PER ACRE TO MSC, MAIN STREET CENTER, SUBJECT TO A BILL OF ASSURANCE (2024-57)

AT THE MAY 21, 2024 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE FIRST READING.

B.3. REQUEST TO EARMARK FUNDS TO IMPLEMENT RECOMMENDATIONS OF THE HOUSING CRISIS TASK FORCE:

A RESOLUTION TO EARMARK \$1,000,000.00 IN GENERAL FUND REVENUE, RECEIVED AS ARPA GENERAL REVENUE LOSS REPLACEMENT, FOR THE PURPOSE OF IMPLEMENTING EARLY RECOMMENDATIONS FROM THE HOUSING CRISIS TASK FORCE (2024-69)

AT THE MAY 21, 2024 CITY COUNCIL MEETING THIS RESOLUTION WAS TABLED TO THE JUNE 4, 2024 CITY COUNCIL MEETING.

C. NEW BUSINESS

C.1. REZONING-2024-0019: (1830 E. 13TH ST./KELLAR, 565):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-19 FOR APPROXIMATELY 1.86 ACRES LOCATED AT 1830 EAST 13TH STREET IN WARD 1 FROM C-2, THOROUGHFARE COMMERCIAL AND I-2, GENERAL INDUSTRIAL TO CS, COMMUNITY SERVICES (2024-113)

C.2. REZONING-2024-0011: (THE PINES AT SPRINGWOOD PZD IN WARD 2):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-0011 FOR 0.37 ACRES LOCATED ON NORTH PINEHILLS DRIVE IN THE SPRINGWOODS PZD IN WARD 2 FROM PLANNED ZONING DISTRICT TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2024-150)

C.3. REZONING-2024-0011: (SPRINGWOODS PZD IN WARD 2):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-0011 FOR 23.14 ACRES IN THE SPRINGWOODS PZD IN WARD 2 FROM PLANNED ZONING DISTRICT TO UT, URBAN THOROUGHFARE AND CS, COMMUNITY SERVICES (2024-149)

C.4. REZONING-2024-0011: (PARK WEST PZD IN WARD 2):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-0011 FOR 39.41 ACRES IN THE PARK WEST PZD ON NORTH HIGHWAY 112 IN WARD 2 FROM PLANNED ZONING DISTRICT TO UT, URBAN THOROUGHFARE AND CS, COMMUNITY SERVICES (2024-147)

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

D.1. SALES TAX REPORT - CHIEF FINANCIAL OFFICER AND ENERGY REPORT - ENVIRONMENTAL DIRECTOR

D.2. ARPA DISCUSSION ON OBLIGATING REMAINING FUNDS - PAUL BECKER AND STEVE DOTSON

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: Public comment at a City Council meeting shall be allowed for all members of the audience. Speakers shall be limited to a maximum of three (3) 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 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.

Interpreters or Telecommunications Device 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.