

# **City of Fayetteville, Arkansas**

*113 West Mountain Street*

*Fayetteville, AR 72701*

*(479) 575-8323*



## **City Council Tentative Agenda**

**Tuesday, September 10, 2024**

**4:30 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***

**ZOOM INFORMATION:****1. WEBINAR ID: 857 2638 1202**

**[PUBLIC REGISTRATION LINK: HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN\\_HCWZ4QI7SAS3DE2BMOWHMA](https://us06web.zoom.us/join/85726381202)**

**[AGENDAITEMCOMMENT@FAYETTEVILLE-AR.GOV](mailto: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****A. CONSENT****A.1. APPROVAL OF THE SEPTEMBER 3, 2024 CITY COUNCIL MEETING MINUTES****A.2. N79TW, LLC. (GROUND LEASE):**

A RESOLUTION TO APPROVE A THIRTY YEAR GROUND LEASE AGREEMENT WITH N79TW, LLC, FOR AIRPORT PROPERTY LOCATED IMMEDIATELY NORTH OF THE TERMINAL BUILDING FOR THE CONSTRUCTION OF A 100' X 180' HANGAR AND ATTACHED OFFICE SPACE, WITH AN OPTION TO EXTEND THE GROUND LEASE FOR AN ADDITIONAL TEN YEAR TERM (2024-469)

**A.3. WATER DAMAGE CLAIM (LAURA GRAY):**

A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE TOTAL AMOUNT OF \$56,549.22 TO LAURA GRAY FOR A WATER DAMAGE CLAIM ARISING AT 1284 EAST SHADOW RIDGE DRIVE (2024-445)

**A.4. SPECIALIZED REAL ESTATE GROUP (COST SHARE AGREEMENT):**

A RESOLUTION TO APPROVE A COST SHARE AGREEMENT WITH SPECIALIZED REAL ESTATE GROUP AS AGENT FOR OWNER, MARKHAM RESIDENTIAL OWNER, LLC IN THE AMOUNT OF \$252,901.07 FOR TRAIL IMPROVEMENTS ALONG THE WEST SIDE OF THE NORTH SANG AVENUE EXTENSION FROM WEST HALSELL ROAD TO WEST MARKHAM ROAD, AND

TO APPROVE A CONTINGENCY IN THE AMOUNT OF \$10,000.00 (2024-468)

**A.5. NWA ROLLOFF DUMPSTERS (SERVICE AGREEMENT):**

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE AND NWA ROLLOFF DUMPSTERS TO HAUL AND DISPOSE OF SOLID WASTE WITHIN THE CITY (2024-488)

**A.6. MARCK RECYCLING, LLC. (SERVICE AGREEMENT):**

A RESOLUTION TO APPROVE AN AGREEMENT WITH MARCK RECYCLING AND WASTE SERVICES OF NW ARKANSAS, LLC FOR THE HAULING OF SOLID WASTE AND RECYCLABLE MATERIAL IN THE CITY OF FAYETTEVILLE (2024-480)

**A.7. BLUE RIBBON SITE SERVICES, LLC. (SERVICE AGREEMENT):**

A RESOLUTION TO APPROVE AN AGREEMENT WITH BLUE RIBBON SITE SERVICES, LLC FOR THE HAULING AND DISPOSAL OF SOLID WASTE IN THE CITY OF FAYETTEVILLE (2024-472)

**A.8. CBRE, INC. CUSHMAN & WAKEFIELD OF TEXAS, INC. AND TEXAS APPRAISAL TEAM, LLC. (APPRAISAL SERVICES):**

A RESOLUTION TO AWARD RFP 24-11 AND AUTHORIZE THE PURCHASE OF ON-CALL APPRAISAL SERVICES FROM CBRE, INC.; CUSHMAN & WAKEFIELD OF TEXAS, INC.; AND TEXAS APPRAISAL TEAM, LLC BASED ON RATES AND AVAILABILITY AS NEEDED THROUGH DECEMBER 31, 2025, WITH THREE AUTOMATIC ONE-YEAR RENEWALS (2024-489)

**A.9. OLSSON, INC. (SERVICE CONTRACT):**

RESOLUTION TO AWARD RFQ #24-01 SELECTION #7 AND APPROVE A CONTRACT WITH OLSSON IN AN AMOUNT NOT TO EXCEED \$45,000.00 FOR GRANT WRITING SERVICES FOR AN EPA COMMUNITY CHANGE GRANT, AND TO AUTHORIZE THE MAYOR TO APPLY FOR AND ACCEPT THE GRANT (2024-506)

**A.10. STORMWATER FUNDING STUDY (CONTRACT AMENDMENT):**

A RESOLUTION TO APPROVE AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND JACOBS ENGINEERING GROUP, INC F/K/A CH2M HILL ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$92,780.00 (2024-430)

**B. UNFINISHED BUSINESS**

**B.1. VACATION-2024-0016: (1001 W. BULLDOG BLVD./FAYETTEVILLE PUBLIC SCHOOLS, 522):**

AN ORDINANCE TO APPROVE THE VACATION OF 0.61 ACRES OF A TREE PRESERVATION EASEMENT LOCATED AT 1001 WEST BULLDOG BOULEVARD IN WARD 1 IN EXCHANGE FOR THE FAYETTEVILLE SCHOOL DISTRICT'S OFFER TO DEDICATE AN ADDITIONAL 2.25 ACRES OF TREE PRESERVATION EASEMENT (2024-417)

AT THE AUGUST 20, 2024 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE FIRST READING AND TABLED TO THE SEPTEMBER 17, 2024 CITY COUNCIL MEETING.

## **C. NEW BUSINESS**

### **C.1. 2025 MILLAGE LEVY (ORDINANCE):**

AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR THE YEAR 2025 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 (2024-482)

### **C.2. NATIONAL PAN-HELLENIC COUNCIL DAY (RESOLUTION):**

A RESOLUTION DESIGNATING SEPTEMBER 17TH ANNUALLY AS NATIONAL PAN-HELLENIC COUNCIL DAY IN THE CITY OF FAYETTEVILLE TO RECOGNIZE THE CONTRIBUTIONS MADE TO SOCIAL CHANGE BY MEMBERS OF NINE BLACK SORORITIES AND FRATERNITIES KNOWN AS THE DIVINE NINE (2024-493)

### **C.3. 920 W. ELM ST. (RAZE AND REMOVAL):**

RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY RAZORBACK HOUSING LLC; C/O DAVID BIRD LOCATED AT 920 WEST ELM STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS; AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$39,000.00 (2024-487)

### **C.4. 1965 N. STEPHEN CARR MEMORIAL BLVD. (RAZE AND REMOVAL):**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY PORTER & 49 OPPORTUNITY FUND LLC; C/O ALEX G MILLER LOCATED AT 1965 NORTH STEPHEN CARR MEMORIAL BOULEVARD IN THE CITY OF FAYETTEVILLE, ARKANSAS; AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$15,000.00 (2024-490)

**C.5. 1909 N. STEPHEN CARR MEMORIAL BLVD. (RAZE AND REMOVAL):**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY PORTER & 49 OPPORTUNITY FUND LLC; C/O ALEX G MILLER LOCATED AT 1909 NORTH STEPHEN CARR MEMORIAL BOULEVARD IN THE CITY OF FAYETTEVILLE, ARKANSAS; AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$38,000.00 (2024-491)

**C.6. 1893 N. STEPHEN CARR MEMORIAL BLVD. (RAZE AND REMOVAL):**

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY PORTER & 49 OPPORTUNITY FUND LLC; C/O ALEX G MILLER LOCATED AT 1893 NORTH STEPHEN CARR MEMORIAL BOULEVARD IN THE CITY OF FAYETTEVILLE, ARKANSAS; AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$55,000.00 (2024-492)

**C.7. UNIFIED DEVELOPMENT CODE - CHAPTER 161 (AMENDMENT):**

AN ORDINANCE TO AMEND CHAPTER 161 ZONING REGULATIONS OF THE UNIFIED DEVELOPMENT CODE TO ENACT § 161.36 URBAN CORRIDOR AND ESTABLISH ZONING REGULATIONS FOR THE NEW ZONING DISTRICT, TO AMEND § 160.01 ESTABLISHMENT OF DISTRICTS TO ADD THE NEW DISTRICT, TO AMEND § 163.11 SEXUALLY ORIENTED BUSINESS TO ALLOW SEXUALLY ORIENTED BUSINESSES AS A CONDITIONAL USE, TO AMEND § 164.25 TANDEM LOT DEVELOPMENT TO ESTABLISH BUILDING SETBACKS FOR TANDEM LOTS, TO AMEND § 167.04 TREE PRESERVATION AND PROTECTION DURING DEVELOPMENT TO ESTABLISH A MINIMUM CANOPY REQUIREMENT, AND TO AMEND CHAPTER 174 SIGNS TO ESTABLISH SIGN REGULATIONS FOR THE NEW ZONING DISTRICT (2024-481)

**C.8. VACATION-2024-0019: (707 E. HUNTSVILLE RD/PARK MEADOWS, 564):**

AN ORDINANCE TO APPROVE VAC-24-19 FOR PROPERTY LOCATED AT 707 EAST HUNTSVILLE ROAD IN WARD 1 TO VACATE A 0.09 ACRE PORTION OF GENERAL UTILITY EASEMENT (2024-478)

**PROPOSED AGENDA ADDITIONS****D. CITY COUNCIL AGENDA SESSION PRESENTATIONS****D.1. 2025 PRELIMINARY GENERAL FUND BUDGET - CHIEF FINANCIAL OFFICER****D.2. 2025 MILLAGE LEVY - CHIEF FINANCIAL OFFICER**

**E. CITY COUNCIL TOUR**

**F. ANNOUNCEMENTS**

**G. ADJOURNMENT**