

City of Fayetteville, Arkansas

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



City Council Agenda Session

May 11, 2021
4:30 p.m.

City Hall Room 219

City Council Members

*Sonia Gutierrez Ward 1
D'Andre Jones Ward 1
Mark Kinion Ward 2
Matthew Petty Ward 2
Sloan Scroggin Ward 3
Sarah Bunch Ward 3
Teresa Turk Ward 4
Holly Hertzberg Ward 4*

*ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Kara Paxton*

Zoom Information: Webinar ID: 957 3145 8101 Public Registration Link: https://zoom.us/webinar/register/WN_ap7ly3PLSmSgFF-wm1811A ation:

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

1. 2021-0291 RECOGNITION AWARDS PRESENTATION FOR FIRE DEPARTMENT PERSONNEL FOR BRAVERY AND MERITORIOUS SERVICE TO THE CITIZENS OF FAYETTEVILLE

[Legislation Text](#)

[SRF_SRM_Meritorious and Bravery Awards Presentation for Fire Employees_5-18-21 Council Meeting](#)

Agenda Additions

A. Consent:

- A.12020-0876 APPROVAL OF THE MAY 4, 2021 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

- A.22021-0322 WALTON FAMILY FOUNDATION GRANT: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO ACCEPT A GRANT FROM THE WALTON FAMILY FOUNDATION IN THE AMOUNT OF \$385,000.00 TO FUND THE CONSTRUCTION OF BICYCLE AND PEDESTRIAN IMPROVEMENTS ALONG PROSPECT STREET, PARK AVENUE, TRENTON BOULEVARD, AND REBECCA STREET TO CREATE THE MISSION-RAZORBACK CONNECTOR, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[WALTON FAMILY FOUNDATION GRANT](#)

[BA_WALTON FAMILY FOUNDATION GRANT](#)

- A.32021-0323 ARKANSAS DEPARTMENT OF TRANSPORTATION: A RESOLUTION TO APPROVE A PAYMENT OF \$199,940.00 TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF A SIDE PATH ALONG WEDINGTON DRIVE AT THE INTERSECTION OF INTERSTATE 49, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$40,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRAIL IMPROVEMENTS BOND PROJECT

[Legislation Text](#)

[ARKANSAS DEPARTMENT OF TRANSPORTATION](#)

[BA_ARKANSAS DEPARTMENT OF TRANSPORTATION](#)

- A.42021-0328 U.S. DEPARTMENT OF TRANSPORTATION GRANT - 2019 TRAIL IMPROVEMENTS BOND PROJECT: A RESOLUTION TO APPROVE A PAYMENT OF \$46,000.00 TO THE UNIVERSITY OF ARKANSAS FOR THE PREPARATION OF A BENEFIT-COST ANALYSIS BY OLSSON ASSOCIATES, INC. FOR A REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY GRANT THROUGH THE U.S. DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO MAPLE STREET, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRAIL IMPROVEMENTS BOND PROJECT

[Legislation Text](#)

[U.S. DEPARTMENT OF TRANSPORTATION GRANT](#)

[BA_U.S. DEPARTMENT OF TRANSPORTATION GRANT](#)

- A.52021-0325 WASHINGTON COUNTY RADIO SYSTEM MOU: A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH WASHINGTON COUNTY AND THE CITY OF SPRINGDALE TO IMPROVE PUBLIC SAFETY RADIO COMMUNICATIONS BY ESTABLISHING A COUNTY-WIDE SYSTEM

[Legislation Text](#)

[WASHINGTON COUNTY RADIO SYSTEM MOU](#)

- A.62021-0331 HFI FLETCHER, LLC: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$19,824.38 RECOGNIZING REVENUE FROM A COST SHARE AGREEMENT WITH HFI FLETCHER, LLC FOR A SEWER MAIN EXTENSION ALONG A PORTION OF NORTH FLETCHER AVENUE

[Legislation Text](#)

[HFI FLETCHER, LLC](#)

[BA_HFI FLETCHER, LLC](#)

- A.72021-0353 MOUNT OLIVE WATER ASSOCIATION: A RESOLUTION TO APPROVE A FIFTEEN YEAR WATER PURCHASE AGREEMENT WITH MOUNT OLIVE WATER ASSOCIATION

[Legislation Text](#)

[MOUNT OLIVE WATER ASSOCIATION](#)

- A.82021-0354 BADGER METER, INC.: A RESOLUTION TO APPROVE A ONE YEAR MASTER SERVICE AGREEMENT WITH BADGER METERS, INC. WITH UP TO 9 AUTOMATIC ANNUAL RENEWALS TO OPERATE THE CURRENT AND FUTURE ADVANCED METERING INFRASTRUCTURE WATER METERS INSTALLED BY THE UTILITIES DEPARTMENT

[Legislation Text](#)

[BADGER METER, INC.](#)

- A.92021-0336 UNIVERSITY OF ARKANSAS MEMORANDUM OF AGREEMENT: A RESOLUTION TO APPROVE AN AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH THE UNIVERSITY OF ARKANSAS FOR THE INSTALLATION AND MAINTENANCE OF STREET SIGNS ON CERTAIN ROADWAYS ON OR NEAR THE UNIVERSITY CAMPUS

[Legislation Text](#)

[UNIVERSITY OF ARKANSAS MEMORANDUM OF AGREEMENT](#)

- A.102021-0357 BOSTON MOUNTAIN SOLID WASTE DISTRICT MOU: A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF \$15,000.00 FOR THE COLLECTION OF HOUSEHOLD HAZARDOUS WASTE IN FAYETTEVILLE

[Legislation Text](#)

[BOSTON MOUNTAIN SOLID WASTE DISTRICT MOU](#)

- A.112021-0321 FIRE STATION 9 ACCESS EASEMENT: A RESOLUTION TO APPROVE THE CONVEYANCE OF A PERMANENT PUBLIC CROSS- ACCESS EASEMENT TO ROBERT AND VICKIE PARKER FOR THE PURPOSE OF PROVIDING PUBLIC CROSS-ACCESS AT FIRE STATION NO. 9

[Legislation Text](#)

[FIRE STATION 9 ACCESS EASEMENT](#)

- A.122021-0278 FLINTCO, LLC CHANGE ORDER NO. 3 - 2019 POLICE HEADQUARTERS BOND PROJECT: A RESOLUTION TO APPROVE CHANGE ORDER NO. 3 TO THE ENTITLED R-PZD 21-003 FOR APPROXIMATELY \$1.33 ACRES LOCATED AT 2390 SOUTH DEAD HORSE MOUNTAIN ROAD TO ALLOW THE DEVELOPMENT OF 168 RESIDENTIAL LOTS AND 1 MIXED USE LOT

[Legislation Text](#)

[FLINTCO, LLC POLICE HEADQUARTERS CO3](#)

[BA_FLINTCO, LLC POLICE HEADQUARTERS CO3](#)

B. Unfinished Business:

- B.12021-0276 RPZD-2021-003: (2390 S. DEAD HORSE MTN. RD./MEADOWS AT STONEBRIDGE SD): AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 21-003 FOR APPROXIMATELY \$1.33 ACRES LOCATED AT 2390 SOUTH DEAD HORSE MOUNTAIN ROAD TO ALLOW THE DEVELOPMENT OF 168 RESIDENTIAL LOTS AND 1 MIXED USE LOT

[Legislation Text](#)

[RPZD-2021-003: \(2390 S. DEAD HORSE MTN. RD./MEADOWS AT STONEBRIDGE SD\)](#)

[042021_ADDITIONAL RPZD-2021-003: \(2390 S. DEAD HORSE MTN. RD./MEADOWS AT STONEBRIDGE SD\)](#)

[PZD-2021-000003 EX A - REVISED & Public comment](#)

- B.22021-0301 RZN 2021-035: (S.E. OF MORNINGSIDE DR. & HUNTSVILLE RD./PARK MEADOWS, PH. V): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-035 LOCATED SOUTHEAST OF MORNINGSIDE DRIVE AND HUNTSVILLE ROAD FOR APPROXIMATELY 0.66 ACRES FROM NC, NEIGHBORHOOD CONSERVATION TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[RZN 2021-035: \(S.E. OF MORNINGSIDE DR. & HUNTSVILLE RD./PARK MEADOWS, PH. V\)](#)

- B.32021-0304 RZN 2021-036: (216 & 224 N. FLETCHER AVE. AND 227 N. SUMMIT AVE./ADMIRAL EAST, LLC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-036 LOCATED AT 216 AND 224 NORTH FLETCHER AVENUE AND 227 NORTH SUMMIT AVENUE FOR APPROXIMATELY 0.58 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-18, RESIDENTIAL SINGLE FAMILY, 18 UNITS PER ACRE

[Legislation Text](#)

[RZN 2021-036: \(216 & 224 N. FLETCHER AVE. AND 227 N. SUMMIT AVE./ADMIRAL EAST, LLC.\)](#)

C. New Business:

- C.12021-0299 1155 PROPERTIES, LLC: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH 1155 PROPERTIES, LLC FOR THE UPSIZING OF A WATER LINE ALONG DRAKE STREET WITH A REFUND IN AN AMOUNT NOT TO EXCEED \$47,752.10 TO BE PAID BY THE CITY OF FAYETTEVILLE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$4,775.21

[Legislation Text](#)

[1155 PROPERTIES, LLC](#)

- C.22021-0341 RC PARK MEADOWS LLC COST SHARE: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH RC PARK MEADOWS, LLC FOR THE OVERLAYING OF THE WEST SIDE OF MORNINGSIDE DRIVE WITH A REFUND IN AN AMOUNT NOT TO EXCEED \$75,155.88 TO BE PAID BY THE CITY OF FAYETTEVILLE

[Legislation Text](#)

[RC PARK MEADOWS LLC COST SHARE](#)

- C.32021-0333 RZN-2021-038 (656 E. HUNTSVILLE RD./HAWKINS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-038 LOCATED AT 656 EAST HUNTSVILLE ROAD FOR APPROXIMATELY 0.20 ACRES FROM RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

[Legislation Text](#)

[RZN-2021-038 \(656 E. HUNTSVILLE RD./HAWKINS\)](#)

- C.42021-0352 RZN-2021-039 (4300 BLOCK OF MLK BLVD. /HOSKINS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-039 LOCATED AT THE 4300 BLOCK OF MARTIN LUTHER KING BOULEVARD FOR APPROXIMATELY 1.38 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[RZN-2021-039 \(4300 BLOCK OF MLK BLVD. /HOSKINS\)](#)

- C.52021-0343 VAC-2021-016 (1000 W. BULLDOG AVE./DELAWARE AVE. R-O-W): AN ORDINANCE TO APPROVE VAC 21-016 FOR PROPERTY LOCATED AT 1000 WEST BULLDOG BOULEVARD TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY

[Legislation Text](#)

[VAC-2021-016 \(1000 W. BULLDOG AVE./DELAWARE AVE. R-O-W\)](#)

- C.62021-0355 VAC-2021-018 (1000 W. BULLDOG BLVD./FHS PROPERTIES): AN ORDINANCE TO APPROVE VAC 21-0018 FOR PROPERTY LOCATED AT 1000 WEST BULLDOG BOULEVARD TO VACATE A PORTION OF A GENERAL UTILITY EASEMENT

[Legislation Text](#)

[VAC-2021-018 \(1000 W. BULLDOG BLVD./FHS PROPERTIES\)](#)

- C.72021-0337 AMEND § 120.02 LANDLORD'S REPRESENTATIVE REGISTRY: AN ORDINANCE TO AMEND § 120.02 LANDLORD'S REPRESENTATIVE REGISTRY OF THE CITY CODE TO REQUIRE REGISTRATION OF PROPERTIES UTILIZED AS SHORT-TERM RENTALS

[Legislation Text](#)

[AMEND § 120.02 LANDLORD'S REPRESENTATIVE REGISTRY](#)

- C.82021-0329 AMEND §151.01 DEFINITIONS AND ENACT §164.24 REGISTERED CHILD CARE FAMILY HOMES: AN ORDINANCE TO AMEND §151.01 DEFINITIONS AND ENACT §164.24 REGISTERED CHILD CARE FAMILY HOMES OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO ALLOW THE OPERATION OF SMALL IN-HOME CHILD CARE FACILITIES BY RIGHT THROUGHOUT THE CITY UNDER CERTAIN CONDITIONS

[Legislation Text](#)

[AMEND §151.01 DEFINITIONS AND ENACT §164.24 REGISTERED CHILD CARE FAMILY HOMES](#)

- C.92021-0358 AMEND CHAPTER 167 TREE PRESERVATION AND PROTECTION, CHAPTER 177 LANDSCAPE REGULATIONS AND CHAPTER 151 DEFINITIONS: AN ORDINANCE TO AMEND CHAPTER 167 TREE PRESERVATION AND PROTECTION, CHAPTER 177 LANDSCAPE REGULATIONS, AND CHAPTER 151 DEFINITIONS OF THE UNIFIED DEVELOPMENT CODE TO OFFER CLARIFICATION, EFFICIENCIES, AND ADDITIONAL OPTIONS TO BOTH TREE PRESERVATION AND LANDSCAPING CODES

[Legislation Text](#)

[AMEND §167 TREE PRESERVATION AND PROTECTION, §177 LANDSCAPE REGULATIONS AND §151 DEFINITIONS](#)

- C.102021-0287 AMEND §155.04 COUNCIL MEMBER APPEAL ON BEHALF OF RESIDENT: AN ORDINANCE TO AMEND §155.04 COUNCIL MEMBER APPEAL ON BEHALF OF RESIDENT TO PROVIDE FOR AN APPEAL OF EVERY PLANNING COMMISSION DETERMINATION OR DECISION INVOLVING DEVELOPMENT OR OTHER PROVISION WITHIN THE UNIFIED DEVELOPMENT CODE

[Legislation Text](#)

[AMEND §155.04 COUNCIL MEMBER APPEAL ON BEHALF OF RESIDENT](#)

[memo_for_expansion_appeals_final Teresa Memo](#)

D. City Council Agenda Session Presentations:

- D.12021-0257 AGENDA SESSION PRESENTATION - PARTNERS FOR BETTER HOUSING UPDATE

[Legislation Text](#)

E. City Council Tour:

F. Announcements:

G. Adjournment