

City of Fayetteville, Arkansas

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



City Council Meeting

July 6, 2021
5:30 p.m.

City Hall Room 219
113 West Mountain

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 4
Teresa Turk Ward 4
Holly Hertzberg Ward 4*

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

Zoom Information: Fayetteville City Council Meeting - July 6, 2021 Webinar ID: 957 9944 1321 Public Registration Link: https://zoom.us/webinar/register/WN_gD6nFKFrRhgQHrrmhsjKDA

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

- 2021-0459 PROCLAMATION PRESENTATION BY MAYOR JORDAN TO DR. JEFFREY ALLEN MURDOCK

[Legislation Text](#)

City Council Meeting Presentations, Reports and Discussion Items

- 2020-0977 MONTHLY FINANCIAL REPORT

[Legislation Text](#)

Proposed Agenda Additions

A. Consent

- A.1 2020-0879 APPROVAL OF THE JUNE 15, 2021 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

- A.2 2021-0433 BID #21-39 MAYER ELECTRIC SUPPLY, INC.: A RESOLUTION TO AWARD BID # 21-39 AND AUTHORIZE THE PURCHASE OF HARMONIC FILTERS AND VARIABLE FREQUENCY DRIVES FROM MAYER ELECTRIC SUPPLY COMPANY, INC. D/B/A UPCHURCH ELECTRICAL SUPPLY IN THE AMOUNT OF \$48,985.88 PLUS APPLICABLE TAXES AND FREIGHT CHARGES

[Legislation Text](#)

[BID #21-39 MAYER ELECTRIC SUPPLY, INC.](#)

- A.3 2021-0435 AIT SERVICES, INC.: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A CARBON STEEL RIBBON BLENDER FROM AIT SERVICES, INC. FOR \$19,625.00 PLUS ANY APPLICABLE TAX AND FREIGHT CHARGES FOR THE THERMAL DRYING UNIT AT THE BIOSOLIDS MANAGEMENT SITE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$3,925.00

[Legislation Text](#)

[AIT SERVICES, INC.](#)

- A.4 2021-0436 MCCLELLAND CONSULTING ENGINEERS, INC. AMENDMENT NO. 1: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF \$261,000.00 FOR EASEMENT ACQUISITION SUPPORT FOR THE WEST WATER TRANSMISSION LINE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[MCCLELLAND CONSULTING ENGINEERS, INC.](#)

[BA_MCCLELLAND CONSULTING ENGINEERS, INC.](#)

- A.5 2021-0451 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AGREEMENT: A RESOLUTION TO APPROVE THE FIVE YEAR CONSOLIDATED 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN, TO AUTHORIZE MAYOR JORDAN TO EXECUTE THE CDBG AGREEMENT FOR 2021 IN THE AMOUNT OF \$748,785.00 WHEN RECEIVED, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[2021 COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AGREEMENT](#)

[BA_2021 COMMUNITY DEVELOPMENT BLOCK GRANT \(CDBG\) AGREEMENT](#)

- A.6 2021-0455 MHC KENWORTH: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A KENWORTH T880 TRI-AXLE HEAVY HAUL TRUCK TRACTOR FROM MHC KENWORTH FOR THE AMOUNT OF \$147,220.25, PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT FOR USE BY THE TRANSPORTATION DIVISION

[Legislation Text](#)

[MHC KENWORTH](#)

- A.7 2021-0456 RIGGS TRACTOR COMPANY: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A CATERPILLAR SKID STEER FROM RIGGS TRACTOR COMPANY IN THE AMOUNT OF \$83,344.92 PLUS ANY APPLICABLE TAX AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE BY FLEET OPERATIONS

[Legislation Text](#)

[RIGGS TRACTOR COMPANY](#)

- A.8 2021-0465 MCCLELLAND CONSULTING ENGINEERS, INC. AMENDMENT NO. 2 - 2019 STREET IMPROVEMENTS BOND PROJECT: A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF \$70,090.00 TO PROVIDE ADDITIONAL SERVICES ASSOCIATED WITH THE WEST CENTER STREET AND NORTH HARMON AVENUE INTERSECTION PROJECT - 2019 STREET IMPROVEMENTS BOND PROJECT

[Legislation Text](#)

[MCCLELLAND CONSULTING ENGINEERS, INC. AMENDMENT NO. 2.](#)

- A.9 2021-0490 ENVIRONMENTAL PRODUCTS GROUP: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A STREET SWEEPER FROM ENVIRONMENTAL PRODUCTS GROUP IN THE AMOUNT OF \$238,768.31, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[ENVIRONMENTAL PRODUCTS GROUP](#)

[BA_ENVIRONMENTAL PRODUCTS GROUP](#)

- A.10 2021-0492 COMMUNITY ACCESS TELEVISION DBA YOUR MEDIA: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$10,000.00 RECOGNIZING CONTRACT PRODUCTION REVENUE FROM COMMUNITY ACCESS TELEVISION D/B/A YOUR MEDIA AND TO INCREASE RELATED PROMOTIONAL ACTIVITIES BUDGET

[Legislation Text](#)

[COMMUNITY ACCESS TELEVISION DBA YOUR MEDIA.](#)

[BA_COMMUNITY ACCESS TELEVISION DBA YOUR MEDIA.](#)

- A.11 2021-0477 FEDERAL AVIATION ADMINISTRATION (FAA) GRANT: A RESOLUTION TO AUTHORIZE THE APPLICATION FOR A FEDERAL AVIATION ADMINISTRATION GRANT IN THE AMOUNT OF \$6,635,840.00 TO FUND THE DESIGN AND CONSTRUCTION OF THE RUNWAY PAVEMENT AND LIGHTING REHABILITATION PROJECT AT DRAKE FIELD AIRPORT

[Legislation Text](#)

[FEDERAL AVIATION ADMINISTRATION \(FAA\) GRANT](#)

B. Unfinished Business

- B.1 2021-0424 APPEAL RZN 2020-028 (EAST OF W. MICHAEL COLE DR & W. WEDINGTON DR./KIDDER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-028 FOR APPROXIMATELY 5.1 ACRES LOCATED ON WEST WEDINGTON DRIVE EAST OF MICHAEL COLE DRIVE FROM R-A, RESIDENTIAL AGRICULTURAL TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN AND NS-L, NEIGHBORHOOD SERVICES-LIMITED

[Legislation Text](#)

[APPEAL RZN 2020-028 \(EAST OF W. MICHAEL COLE DR & W. WEDINGTON DR./KIDDER\)](#)

[ADDITIONAL_APPEAL RZN 2020-028 \(EAST OF W. MICHAEL COLE DR & W. WEDINGTON DR./KIDDER\).](#)

C. New Business

- C.1 2021-0434 CITY BOARD OF HEALTH: A RESOLUTION TO REVIEW THE CONTINUATION OR REPURPOSING OF THE CITY BOARD OF HEALTH NOW THAT THE GOVERNOR'S DECREE OF A PANDEMIC EMERGENCY HAS LAPSED

[Legislation Text](#)

[CITY BOARD OF HEALTH](#)

- C.2 2021-0476 RZN-2021-044 (716 S. COLLEGE AVE./CLAYTON-NIEDERMAN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-044 LOCATED AT 716 SOUTH COLLEGE AVENUE FOR APPROXIMATELY 0.30 ACRES FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

[Legislation Text](#)

[RZN-2021-044 \(716 S. COLLEGE AVE./CLAYTON-NIEDERMAN\)](#)

- C.3 2021-0473 RZN-2021-045 (S.E. OF S. RAY AVE./JCC ENTERPRISES): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-045 LOCATED SOUTHEAST OF SOUTH RAY AVENUE FOR APPROXIMATELY 7.00 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL AND R-A, RESIDENTIAL-AGRICULTURAL TO R-A, RESIDENTIAL AGRICULTURAL

[Legislation Text](#)

[RZN-2021-045 \(S.E. OF S. RAY AVE./JCC ENTERPRISES\)](#)

- C.4 2021-0475 RZN-2021-046 (S.W. OF S. SCHOOL AVE. & W. MLK BLVD./SOUTHARD DEVELOPMENT): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-046 LOCATED SOUTHWEST OF SOUTH SCHOOL AVENUE AND WEST MARTIN LUTHER KING JUNIOR BOULEVARD FOR APPROXIMATELY 2.00 ACRES FROM DG, DOWNTOWN GENERAL AND I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL TO MS-C, MAIN STREET-CENTER

[Legislation Text](#)

[RZN-2021-046 \(S.W. OF S. SCHOOL AVE. & W. MLK BLVD./SOUTHARD DEVELOPMENT\)](#)

- C.5 2021-0470 RZN-2021-047 (NORTH OF 2619 N. QUALITY LN./SOURCES FOR COMMUNITY INDEPENDENT LIVING): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-047 LOCATED NORTH OF 2619 NORTH QUALITY LANE FOR APPROXIMATELY 2.00 ACRES FROM RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[RZN-2021-047 \(NORTH OF 2619 N. QUALITY LN./SOURCES FOR COMMUNITY INDEPENDENT LIVING\)](#)

- C.6 2021-0474 RZN-2021-048 (956 W. CATO SPRINGS RD./REYNOLDS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-048 LOCATED AT 956 WEST CATO SPRINGS ROAD FOR APPROXIMATELY 0.50 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE AND I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL TO NS-G, NEIGHBORHOOD SERVICES-GENERAL

[Legislation Text](#)

[RZN-2021-048 \(956 W. CATO SPRINGS RD./REYNOLDS\)](#)

- C.7 2021-0472 VAC-2021-014 (3553 N. STEELE BLVD./FIRST NATIONAL BANK): AN ORDINANCE TO APPROVE VAC 21-014 FOR PROPERTY LOCATED AT 3553 NORTH STEELE BOULEVARD TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY

[Legislation Text](#)

[VAC-2021-014 \(3553 N. STEELE BLVD./FIRST NATIONAL BANK\)](#)

- C.8 2021-0471 AMEND § 178.02 SIDEWALK CAFES: AN ORDINANCE TO AMEND § 178.02 SIDEWALK CAFES TO STREAMLINE AND MAKE PERMANENT THE SIDEWALK CAFÉ AND PARKLET DEVELOPMENT PROCESSES FOR USE BY RESTAURANTS, BARS, PERFORMANCE VENUES, AND OTHER BUSINESSES

[Legislation Text](#)

[AMEND § 178.02 SIDEWALK CAFES](#)

[AMEND § 178.02 SIDEWALK CAFES EXHIBIT A](#)

[NACTO Parklet White Paper](#)

D. City Council Agenda Session Presentations

- D.1 2021-0149 AGENDA SESSION PRESENTATION - SALES TAX REPORT BY PAUL BECKER AND ENERGY REPORT BY PETER NIERENGARTEN

[Legislation Text](#)

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: 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 procedure 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 who have signed up prior to the beginning of the agenda item they wish to address being opened for public comment. Speakers shall be limited to a maximum of five (5) minutes to be broken into segments of three and two minutes. 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.

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 rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. 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.