

City of Fayetteville, Arkansas

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



City Council Meeting

October 19, 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 3
Teresa Turk Ward 4
Holly Hertzberg Ward 4*

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

Zoom Information: City Council Meeting ** Tuesday, October 19 @ 5:30 PM Webinar ID: 845 9383 7452 Public Registration Link: <https://us06web.zoom.us/join/84593837452>

Call To Order

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.12020-0886 APPROVAL OF THE OCTOBER 5, 2021 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

A.22021-0752 BID #21-59 CENTRAL SALT, LLC: A RESOLUTION TO AWARD BID # 21-59 AND AUTHORIZE THE PURCHASE OF BULK CRUSHED ROCK SALT FROM CENTRAL SALT, LLC FOR \$80.00 PER TON FOR MATERIALS PICKED UP AND \$94.25 PER TON FOR MATERIALS DELIVERED AS NEEDED

[Legislation Text](#)

[BID #21-59 CENTRAL SALT, LLC](#)

A.32021-0761 TRAFFIC LOGIX CORPORATION: A RESOLUTION TO APPROVE THE PURCHASE OF SPEED CUSHIONS FROM TRAFFIC LOGIX CORPORATION IN THE AMOUNT OF \$25,285.00 PLUS ANY APPLICABLE SALES TAX AND FREIGHT CHARGES PURSUANT TO A NCPA COOPERATIVE PURCHASING AGREEMENT FOR USE BY THE TRANSPORTATION DEPARTMENT

[Legislation Text](#)

[TRAFFIC LOGIX CORPORATION](#)

A.42021-0745 BUTTERFIELD TRAIL VILLAGE, INC. COST SHARE AGREEMENT: A RESOLUTION TO APPROVE A COST SHARE AGREEMENT WITH BUTTERFIELD TRAIL VILLAGE, INC. FOR BUTTERFIELD TRAIL'S REMOVAL AND RECONSTRUCTION OF A PORTION OF DAMAGED CITY SIDEWALK ALONG OLD MISSOURI ROAD IN THE AMOUNT OF \$2,900.00 TO BE PAID BY THE CITY OF FAYETTEVILLE

[Legislation Text](#)

[BUTTERFIELD TRAIL VILLAGE, INC. COST SHARE AGREEMENT](#)

A.52021-0755 BID #21-70 CROSSLAND HEAVY CONTRACTORS, INC. - 2019 TRANSPORTATION BOND PROJECT: A RESOLUTION TO AWARD BID #21-70 AND AUTHORIZE A CONTRACT WITH CROSSLAND HEAVY CONTRACTORS, INC. IN THE AMOUNT OF \$1,680,751.00 FOR THE CONSTRUCTION OF THE SHILOH DRIVE AND STEELE BOULEVARD INTERSECTION PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$252,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROJECT

[Legislation Text](#)

[BID #21-70 CROSSLAND HEAVY CONTRACTORS, INC.](#)

[BA_BID #21-70 CROSSLAND HEAVY CONTRACTORS, INC.](#)

A.62021-0759 GARVER, LLC - 2019 STREET BOND PROJECT: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN THE AMOUNT OF \$25,000.00 FOR CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE SHILOH DRIVE AND STEELE BOULEVARD INTERSECTION PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 STREET BOND PROJECT

[Legislation Text](#)

[GARVER, LLC - 2019 STREET BOND PROJECT](#)

[BA_GARVER, LLC - 2019 STREET BOND PROJECT](#)

A.72021-0756 JBZ, INC. D/B/A ELLINGSON CONTRACTING CHANGE ORDER #3: A RESOLUTION TO APPROVE CHANGE ORDER NO. 3 TO THE CONTRACT WITH JBZ, INC. D/B/A ELLINGSON CONTRACTING IN THE AMOUNT OF \$140,619.00 FOR CONSTRUCTION OF THE FRONT AND REAR PORCHES AND REPLACEMENT OF MISSING WINDOWS AND DOORS ASSOCIATED WITH THE WOOLSEY FARMSTEAD RESTORATION PROJECT AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$14,062.00

[Legislation Text](#)

[JBZ, INC. D/B/A ELLINGSON CONTRACTING CHANGE ORDER #3](#)

A.82021-0768 SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENT AMENDMENT: A RESOLUTION TO APPROVE THE SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENT AMENDMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND FAYETTEVILLE HOUSING AUTHORITY IN THE TOTAL AMOUNT OF \$76,763.00 FOR THE CITY TO ADMINISTER PROGRAMS TO ASSIST HOMELESS FAYETTEVILLE RESIDENTS

[Legislation Text](#)

[SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENT AMENDMENT](#)

A.92021-0770 ARKANSAS DEPARTMENT OF TRANSPORTATION: A RESOLUTION TO APPROVE AN AMENDMENT TO THE CURRENT RIGHT OF WAY MAINTENANCE PERMIT WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION IN ORDER FOR THE CITY TO BE ABLE TO ASSIST THE CREATION OF THE CITY'S THIRD MEDICAL CANNABIS DISPENSARY BY HAVING THE RIGHT TO DETERMINE WHICH TREES MAY BE REMOVED AND WHICH MUST BE RETAINED FROM PARCEL 765-14875-001 NEAR INTERSTATE 49

[Legislation Text](#)

[ARKANSAS DEPARTMENT OF TRANSPORTATION](#)

[ROW Permit- Devin](#)

A.102021-0765 MS. JEAN JOWERS RESCISSION DEED: A RESOLUTION TO APPROVE A RESCISSION DEED TO RECONVEY ABOUT 5.82 ACRES TO TRUST A OF THE HOYET GREENWOOD ESTATE SO THAT MS. JEAN JOWERS MAY PERSONALLY DONATE THIS 5.82 ACRES BACK TO THE CITY OF FAYETTEVILLE

[Legislation Text](#)

[MS. JEAN JOWERS RESCISSION DEED](#)

A.112021-0786 NORTHWEST ARKANSAS COUNCIL FOUNDATION COVID COMMUNICATIONS CAMPAIGN AND VACCINATION CAMPAIGN: A RESOLUTION TO APPROVE A SUBRECIPIENT AGREEMENT WITH THE NORTHWEST ARKANSAS COUNCIL FOUNDATION TO PROVIDE FUNDING FROM AMERICAN RESCUE PLAN LOCAL RECOVERY FUNDS TO PROVIDE A REGION-WIDE COVID-19 COMMUNICATION AND VACCINATION CAMPAIGN IN BENTON AND WASHINGTON COUNTIES, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[NORTHWEST ARKANSAS COUNCIL FOUNDATION COVID COMMUNICATIONS CAMPAIGN AND VACCINATION CAMPAIGN](#)

[BA_NORTHWEST ARKANSAS COUNCIL FOUNDATION COVID COMMUNICATIONS CAMPAIGN AND VACCINATION CAMPAIGN](#)

[10/12/21 REVISED CONTRACT](#)

B. Unfinished Business

B.12021-0747 1776 NORTH FOX HUNTER ROAD EXTENSION OF THE CITY'S SEWERAGE SYSTEM: A RESOLUTION TO APPROVE AN EXTENSION OF THE CITY'S SEWERAGE SYSTEM BEYOND THE CITY LIMITS TO PROPERTY LOCATED AT 1776 NORTH FOX HUNTER ROAD

[Legislation Text](#)

[Sewer Extension - 1776 N Fox Hunter](#)

C. New Business

C.12021-0750 POLICE DEPARTMENT UNMARKED UNIT PROGRAM: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF USED VEHICLES FOR THE POLICE DEPARTMENT UNMARKED UNIT PROGRAM IN AN AMOUNT NOT TO EXCEED \$35,000.00 PER VEHICLE, AND TO ALLOW EXISTING UNMARKED UNITS TO BE SOLD FOR TRADE-IN VALUE TOWARD REPLACEMENTS

[Legislation Text](#)

[POLICE DEPARTMENT UNMARKED UNIT PROGRAM](#)

C.22021-0769 APPEAL ADM-2021-065 (NE OF RANDAL PL. & ZION RD./RANDAL PLACE DEVELOPMENT APPEAL): A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBER SARAH BUNCH AND TO DENY LSIP 2021-007

[Legislation Text](#)

[APPEAL ADM-2021-065 \(NE OF RANDAL PL. & ZION RD./RANDAL PLACE DEVELOPMENT\)](#)

C.32021-0771 APPEAL RZN-2021-064 (1287 N 54TH ST./NORTHSTAR CONSTRUCTION): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-064 LOCATED AT 1287 NORTH 54TH STREET FOR APPROXIMATELY 12.18 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

[Legislation Text](#)

[APPEAL RZN-2021-064 \(1287 N 54TH ST./NORTHSTAR CONSTRUCTION\)](#)

C.42021-0760 RZN-2021-065 (481 S. HAPPY HOLLOW RD./FULTON): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-065 LOCATED AT 481 SOUTH HAPPY HOLLOW ROAD FOR APPROXIMATELY .51 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-18, RESIDENTIAL SINGLE FAMILY, 18 UNITS PER ACRE

[Legislation Text](#)

[RZN-2021-065 \(481 S. HAPPY HOLLOW RD./FULTON\)](#)

[10/14/21 ADDITIONAL_RZN-2021-065 \(481 S. HAPPY HOLLOW RD./FULTON\)](#)

C.52021-0762 RZN-2021-067 (4143 N. SHILOH DR./RGMS INVESTMENTS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-067 LOCATED AT 4143 NORTH SHILOH DRIVE FOR APPROXIMATELY 7.42 ACRES FROM C-2, THOROUGHFARE COMMERCIAL TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[RZN-2021-067 \(4143 N. SHILOH DR./RGMS INVESTMENTS\)](#)

C.62021-0764 RZN-2021-069 (1471 S. SHILOH DR./LLEJ IX, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-069 LOCATED AT 1471 SOUTH SHILOH DRIVE FOR APPROXIMATELY 2.09 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[RZN-2021-069 \(1471 S. SHILOH DR./LLEJ IX, LLC\)](#)

C.72021-0767 VAC-2020-005 (2020 S. CLINE AVE./CLINE AVE. ROW): AN ORDINANCE TO APPROVE VAC 20-05 FOR PROPERTY LOCATED AT 2020 SOUTH CLINE AVENUE TO VACATE PORTIONS OF EXISTING STREET RIGHT-OF-WAY AND PORTIONS OF A GENERAL UTILITY EASEMENT

[Legislation Text](#)

[VAC-2020-005 \(2020 S. CLINE AVE./CLINE AVE. ROW\)](#)

C.82021-0785 AMEND §161.22 COMMUNITY SERVICES: AN ORDINANCE TO AMEND §161.22 COMMUNITY SERVICES BY REMOVING USE UNIT 18, GASOLINE SERVICE STATIONS AND DRIVE-IN/DRIVE-THROUGH RESTAURANTS FROM PERMITTED USES AND ADDING IT TO CONDITIONAL USES

[Legislation Text](#)

[AMEND §161.22 COMMUNITY SERVICES](#)

C.92021-0753 AMEND § 31.16 ALDERMEN, COMPENSATION: AN ORDINANCE TO AMEND § 31.16 ALDERMEN, COMPENSATION OF THE CITY CODE TO ALLOW COUNCIL MEMBERS TO PARTICIPATE IN PARTICIPANT-PAID DENTAL AND VISION INSURANCE PLANS AND TO RECEIVE CITY-PAID LIFE INSURANCE OF \$15,000.00 AND THE AD&D MUNICIPAL LEAGUE INSURANCE

[Legislation Text](#)

[AMEND § 31.16 CITY COUNCIL MEMBER COMPENSATION](#)

D. City Council Agenda Session Presentations

D.12021-0645 AGENDA SESSION PRESENTATION - ANNUAL AIRPORT UPDATE, SUMMER FALLEN

[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 Additions: A new item which is requested to be added to the City Council meeting's agenda 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 sending 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: 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.