

City of Fayetteville, Arkansas

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



City Council Meeting

November 16, 2021
5:30 p.m.

City Hall Room 219
113 West Mountain

City Council Members

*Sonia Harvey Ward 1
D'Andre Jones Ward 1
Mark Kinton Ward 2
Vacant 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: Registration Link: https://us06web.zoom.us/join/register/WN_ysEi45-ISYgrGTwFzqftA Webinar ID: 878 7799 1478

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.12020-0888 APPROVAL OF THE NOVEMBER 2, 2021 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

A.22021-0800 COMMUNITY POLICING DEVELOPMENT CRISIS INTERVENTION TEAM GRANT: A RESOLUTION AUTHORIZE ACCEPTANCE OF A COMMUNITY POLICING DEVELOPMENT CRISIS INTERVENTION TEAM GRANT FROM THE U.S. DEPARTMENT OF JUSTICE IN THE TOTAL AMOUNT OF \$250,000.00, TO APPROVE THE ADDITION OF 2.0 FULL TIME EQUIVALENT NON-UNIFORMED POSITIONS TO THE POLICE DEPARTMENT TO HIRE SOCIAL WORKERS TO IDENTIFY AND WORK WITH RESIDENTS IN NEED OF SERVICES AND 2.0 FULL TIME EQUIVALENT UNIFORMED POSITIONS, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[2021 COMMUNITY POLICING DEVELOPMENT \(CPD\) CRISIS INTERVENTION TEAM GRANT](#)

[BA_2021 COMMUNITY POLICING DEVELOPMENT \(CPD\) CRISIS INTERVENTION TEAM GRANT](#)

A.32021-0839 G & W DIESEL SERVICES, INC. D/B/A EVS: A RESOLUTION TO APPROVE THE PURCHASE OF AN AIR CASCADE SYSTEM FROM G & W DIESEL SERVICES, INC. D/B/A EVS IN THE AMOUNT OF \$34,461.05 PLUS ANY APPLICABLE TAXES, PURSUANT TO A HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT, FOR USE AT FIRE STATION #1, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[G & W DIESEL SERVICES, INC. D/B/A EVS:](#)

[BA_G & W DIESEL SERVICES, INC. D/B/A EVS:](#)

A.42021-0847 LION MANUFACTURING: A RESOLUTION TO AUTHORIZE THE PURCHASE OF BUNKER GEAR COATS AND PANTS FROM NAFECO, INC., PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, IN THE AMOUNT OF \$64,968.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES

[Legislation Text](#)

[LION MANUFACTURING](#)

A.52021-0845 MCCLELLAND CONSULTING ENGINEERS, INC CHANGE ORDER NO. 1: A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF \$19,115.00 FOR MATERIALS TESTING SERVICES ASSOCIATED WITH THE NEW POLICE HEADQUARTERS FACILITY, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 POLICE HEADQUARTERS BOND PROJECT

[Legislation Text](#)

[MCCLELLAND CONSULTING ENGINEERS, INC CHANGE ORDER NO. 1](#)

[BA_MCCLELLAND CONSULTING ENGINEERS, INC CHANGE ORDER NO. 1](#)

A.62021-0849 HAWKINS-WEIR ENGINEERS, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$197,000.00 FOR DESIGN AND BIDDING SERVICES FOR RECYCLING AND TRASH FACILITY IMPROVEMENTS, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[HAWKINS-WEIR ENGINEERS, INC.](#)

[BA_HAWKINS-WEIR ENGINEERS, INC.](#)

A.72021-0844 FLINTCO, LLC CHANGE ORDER NO. 6: A RESOLUTION TO APPROVE CHANGE ORDER NO. 6 TO THE CONSTRUCTION MANAGER AT RISK CONTRACT WITH FLINTCO, LLC FOR THE POLICE HEADQUARTERS PROJECT IN THE AMOUNT OF \$5,431,413.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 POLICE HEADQUARTERS BOND PROJECT

[Legislation Text](#)

[FLINTCO, LLC CHANGE ORDER NO. 6](#)

[BA_FLINTCO, LLC CHANGE ORDER NO. 6](#)

A.82021-0850 NABHOLZ CONSTRUCTION CORPORATION CHANGE ORDER NO. 6: A RESOLUTION TO APPROVE CHANGE ORDER NO. 6 TO THE CONTRACT WITH NABHOLZ CONSTRUCTION CORPORATION IN THE AMOUNT OF \$1,255,595.00 FOR THE EARLY SITE PACKAGE RELATED TO THE REPLACEMENT PARKING DECK PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT

[Legislation Text](#)

[BA_CAC NABHOLZ CO6](#)

A.92021-0848 PARKING FACILITIES AND SERVICES REVENUE RECOGNITION: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$43,900.00 RECOGNIZING ADDITIONAL REVENUE AND ASSOCIATED EXPENSES FOR CERTAIN PARKING FACILITIES AND SERVICES

[Legislation Text](#)

[PARKING FACILITIES AND SERVICES REVENUE RECOGNITION](#)

[BA_PARKING FACILITIES AND SERVICES REVENUE RECOGNITION](#)

A.102021-0851 JOHANSON CONSULTING, INC. D/B/A JOHANSON GROUP: A RESOLUTION TO APPROVE A ONE (1) YEAR CONTRACT WITH AUTOMATIC RENEWALS FOR FOUR (4) ADDITIONAL ONE (1) YEAR TERMS WITH JOHANSON CONSULTING, INC. D/B/A JOHANSON GROUP FOR A CLASSIFICATION, COMPENSATION AND BENEFITS STUDY IN THE AMOUNT OF \$20,000.00 FOR THE FIRST YEAR, TO APPROVE AN ANNUAL PROJECT CONTINGENCY OF \$7,500.00 FOR MARKET REVIEWS AND ONGOING CONSULTING SERVICES EACH YEAR THE CONTRACT IS IN EFFECT, AND TO APPROVE A ONE (1) YEAR SOFTWARE LICENSE AND SUPPORT AGREEMENT WITH AUTOMATIC RENEWALS FOR FOUR (4) ADDITIONAL ONE (1) YEAR TERMS WITH DB SQUARED, LLC FOR DBCOMPENSATION SOFTWARE IN THE AMOUNT OF \$3,000.00 PER YEAR

[Legislation Text](#)

[JOHANSON CONSULTING, INC. D/B/A JOHANSON GROUP](#)

A.112021-0883 A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$198,000.00 FOR THE PURCHASE OF ADDITIONAL JET FUEL DUE TO INCREASED JET FUEL SALES

[Legislation Text](#)

[PURCHASE OF ADDITIONAL JET FUEL](#)

[BA_AIRPORT JET FUEL](#)

B. Unfinished Business

B.12021-0813 RZN-2021-072 (3220 W. OLD FARMINGTON RD./STRICKLIN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-072 LOCATED AT 3220 WEST OLD FARMINGTON ROAD FOR APPROXIMATELY 20.40 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

[Legislation Text](#)

[RZN-2021-072 \(3220 W. OLD FARMINGTON RD./STRICKLIN\)](#)

B.22021-0828 AMEND §118.01 APPLICABILITY AND §163.18 SHORT-TERM RENTALS: AN ORDINANCE TO AMEND §118.01 APPLICABILITY OF THE FAYETTEVILLE CITY CODE AND §163.18 SHORT-TERM RENTALS OF THE UNIFIED DEVELOPMENT CODE TO EXTEND THE SHORT-TERM RENTAL START-UP PERIOD FROM SIX MONTHS TO NINE MONTHS

[Legislation Text](#)

[AMEND §118.01 APPLICABILITY AND §163.18 SHORT-TERM RENTALS:](#)

C. New Business

C.12021-0882 REPEAL ORDINANCES 6465 AND 6486: AN ORDINANCE TO REPEAL ORDINANCES 6465 AND 6486 TO END THE MASK MANDATE BECAUSE NEW COVID -19 VIRUS INFECTIONS AND HOSPITALIZATIONS HAVE NOW BEEN REDUCED, MORE VACCINATIONS HAVE BEEN ADMINISTERED, AND VACCINES ARE NOW AUTHORIZED AND AVAILABLE FOR ALL AMERICANS FIVE YEARS OLD AND OLDER AND TO DECLARE AN EMERGENCY

[Legislation Text](#)

[REPEAL ORDINANCES 6465 AND 6486](#)

C.22021-0843 ADOPT THE 2022 ANNUAL BUDGET AND WORK PROGRAM: A RESOLUTION TO ADOPT THE 2022 ANNUAL BUDGET AND WORK PROGRAM

[Legislation Text](#)

[2022 ANNUAL BUDGET AND WORK PROGRAM](#)

C.32021-0853 ANX-2021-003 (SOUTH OF 2936 S. BLACK OAK RD./RIVERSIDE VILLAGE): AN ORDINANCE TO ANNEX THAT PROPERTY DESCRIBED IN ANNEXATION PETITION ANX 21-003 SUBMITTED BY RAUSCH COLEMAN HOMES, INC. FOR PROPERTY LOCATED SOUTH OF 2936 SOUTH BLACK OAK ROAD CONTAINING APPROXIMATELY 101.77 ACRES

[Legislation Text](#)

[ANX-2021-003 \(SOUTH OF 2936 S. BLACK OAK RD./RIVERSIDE VILLAGE\)](#)

C.42021-0867 RPZD-2021-004: (SOUTH OF 2936 S. BLACK OAK RD./RIVERSIDE VILLAGE): AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 2021-004 FOR APPROXIMATELY 101.77 ACRES LOCATED SOUTH OF 2936 SOUTH BLACK OAK ROAD TO ALLOW THE DEVELOPMENT OF 2.2 ACRES FOR COMMERCIAL AND MULTI-FAMILY RESIDENTIAL USES AND 97.8 ACRES FOR SINGLE-FAMILY TO FOUR-FAMILY RESIDENTIAL USES AND PARKLAND/OPEN SPACE

[Legislation Text](#)

[RPZD-2021-004: \(SOUTH OF 2936 S. BLACK OAK RD./RIVERSIDE VILLAGE\)](#)

C.52021-0854 VAC-2021-026 (NW OF E. 5TH ST & E. SEQUOYAH CT./COODY): AN ORDINANCE TO APPROVE VAC 21-026 FOR PROPERTY LOCATED NORTHWEST OF EAST 5TH STREET AND EAST SEQUOYAH DRIVE TO VACATE A PORTION OF A GENERAL UTILITY EASEMENT AND STREET RIGHT-OF-WAY

[Legislation Text](#)

[VAC-2021-026 \(NW OF E. 5TH ST & E. SEQUOYAH CT./COODY\)](#)

C.62021-0868 AMEND § 166.23 URBAN RESIDENTIAL DESIGN STANDARDS: AN ORDINANCE TO AMEND § 166.23 URBAN RESIDENTIAL DESIGN STANDARDS OF THE UNIFIED DEVELOPMENT CODE TO PROMOTE PEDESTRIAN CROSS ACCESS AND REQUIRE UNOBSTRUCTED ACCESS FROM RESIDENTIAL BUILDINGS TO PUBLIC SIDEWALKS

[Legislation Text](#)

[AMEND §166.23 URBAN RESIDENTIAL DESIGN STANDARDS](#)

C.72021-0881 AMEND § 111.07 OUTDOOR REFRESHMENT AREA: AN ORDINANCE TO AMEND § 111.07 OUTDOOR REFRESHMENT AREA TO ALLOW TEMPORARY OUTDOOR REFRESHMENT AREAS THROUGH THE SPECIAL EVENTS PERMIT PROCESS

[Legislation Text](#)

[AMEND § 111.07 OUTDOOR REFRESHMENT AREA](#)

C.82021-0871 NATURAL ENVIRONMENT, ECOSYSTEMS, AND CLIMATE RESILIENCE CHAPTER IN AN EXISTING OR FUTURE CITY PLAN: A RESOLUTION TO REQUEST THAT MAYOR JORDAN DIRECT THE CITY STAFF OR CONTRACT FOR SERVICES TO DRAFT A NATURAL ENVIRONMENT, ECOSYSTEMS, AND CLIMATE RESILIENCE CHAPTER IN AN EXISTING OR FUTURE CITY PLAN THAT WILL INFORM FUTURE POLICIES, PROGRAMS AND ACTIONS THAT IMPACT ENVIRONMENTAL AND ECOSYSTEM ISSUES, TO ASSESS AND EXPAND THE FOOTPRINT OF LANDS OF HIGH ECOLOGICAL VALUE, TO PROVIDE FUNDING IF NEEDED TO DRAFT THE PLAN, AND TO CREATE A PERMANENT CAPITAL IMPROVEMENT PROJECT BUDGET FOR THE PURCHASE OF LANDS WITH HIGH ENVIRONMENTAL OR ECOLOGICAL VALUE

[Legislation Text](#)

[NATURAL ENVIRONMENT, ECOSYSTEMS, AND CLIMATE RESILIENCE CHAPTER IN AN EXISTING OR FUTURE CITY PLAN:](#)

D. City Council Agenda Session Presentations

D.12021-0154 AGENDA SESSION PRESENTATION - PARKING DECK/BOND PROJECTS UPDATE

[Legislation Text](#)

D.22021-0837 AGENDA SESSION PRESENTATION - THE FAYETTEVILLE POLICE DEPARTMENT'S AWARD ACCEPTANCE OF THE FY-2021 COMMUNITY POLICING DEVELOPMENT (CPD) CRISIS INTERVENTION TEAM GRANT.

[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, they may 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 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.