

# City of Fayetteville, Arkansas

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



## City Council Meeting

November 2, 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 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 Lionel Jordan*  
*City Attorney Kit Williams*  
*City Clerk Kara Paxton*

**Zoom Information: Webinar ID: 865 6820 7943 Public Registration Link: <https://us06web.zoom.us/join/joinMeeting?meetingid=86568207943>**

### Call To Order

### Roll Call

### Pledge of Allegiance

### Mayor's Announcements, Proclamations and Recognitions

### City Council Meeting Presentations, Reports and Discussion Items

#### I. 2020-0981 MONTHLY FINANCIAL REPORT

[Legislation Text](#)

### Proposed Agenda Additions

#### A. Consent

##### A.12020-0887 APPROVAL OF THE OCTOBER 19, 2021 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

##### A.22021-0730 MIDLAND INDUSTRIAL SERVICES, LLC: A RESOLUTION TO APPROVE A CHANGE ORDER TO THE CONTRACT WITH MIDLAND INDUSTRIAL SERVICES, LLC FOR ADDITIONAL SERVICES ON THE NOLAND WATER RESOURCE RECOVERY FACILITY ELECTRICAL UPGRADE PROJECT IN THE AMOUNT OF \$1,920.44

[Legislation Text](#)

[MIDLAND INDUSTRIAL SERVICES, LLC](#)

##### A.32021-0787 BUDGET ADJUSTMENT FOR WATER PURCHASES: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,000,000.00 FOR THE PURCHASED WATER ACCOUNT DUE TO INCREASED WATER USAGE

[Legislation Text](#)

[BUDGET ADJUSTMENT FOR WATER PURCHASES](#)

[BA\\_BUDGET ADJUSTMENT FOR WATER PURCHASES](#)

##### A.42021-0807 ENVIRONMENTAL CONSULTING OPERATIONS, INC.: A RESOLUTION TO APPROVE AMENDMENT NO. 8 TO THE CONTRACT WITH ENVIRONMENTAL CONSULTING OPERATIONS, INC. IN THE AMOUNT OF \$65,500.00 FOR WETLANDS MITIGATION SITE MONITORING AND MANAGEMENT IN 2022

[Legislation Text](#)

[ENVIRONMENTAL CONSULTING OPERATIONS, INC.](#)

##### A.52021-0810 WASHINGTON WATER AUTHORITY: A RESOLUTION TO APPROVE AN AGREEMENT WITH WASHINGTON WATER AUTHORITY TO PROVIDE CUSTOMER USAGE INFORMATION

[Legislation Text](#)

[WASHINGTON WATER AUTHORITY](#)

##### A.62021-0812 BID #21-64 BERTREM PRODUCTS, INC.: A RESOLUTION TO AWARD BID #21-64 AND AUTHORIZE THE PURCHASE OF A WATER PUMP FOR THE NOLAND WATER RESOURCE RECOVERY FACILITY FROM BERTREM PRODUCTS, INC. IN THE AMOUNT OF \$38,528.45 PLUS APPLICABLE TAXES

[Legislation Text](#)

[BID #21-64 BERTREM PRODUCTS, INC.](#)

##### A.72021-0826 PINNACLE OZONE SOLUTIONS, LLC: A RESOLUTION TO APPROVE A ONE YEAR RENEWAL OF THE OZONE EQUIPMENT SERVICE CONTRACT WITH PINNACLE OZONE SOLUTIONS, LLC IN AN AMOUNT NOT TO EXCEED \$24,920.00 FOR THE OZONE DISINFECTION SYSTEM AT THE NOLAND WATER RESOURCE RECOVERY FACILITY

[Legislation Text](#)

[PINNACLE OZONE SOLUTIONS, LLC](#)

##### A.82021-0772 BID #21-36 ARACREBS II, LLC D/B/A ELITE BUILDING SOLUTIONS: A RESOLUTION TO AWARD BID #21-36 AND AUTHORIZE A ONE YEAR CONTRACT WITH ARACREBS II, LLC D/B/A ELITE BUILDING SOLUTIONS FOR HVAC SERVICES ON AN ON-CALL BASIS WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL YEARS

[Legislation Text](#)

[BID #21-36 ARACREBS II, LLC D/B/A ELITE BUILDING SOLUTIONS](#)

##### A.92021-0773 BID # 21-72 COMFORT SYSTEMS USA (ARKANSAS): A RESOLUTION TO AWARD BID NO. 21-72 AND AUTHORIZE A CONTRACT WITH COMFORT SYSTEMS USA (ARKANSAS), INC. FOR PLUMBING SERVICES ON AN ON-CALL BASIS FOR A TERM OF ONE YEAR WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS

[Legislation Text](#)

[BID # 21-72 COMFORT SYSTEMS USA \(ARKANSAS\)](#)

##### A.102021-0792 2021 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2021 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT THROUGH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF \$8,000.00 FOR THE PURCHASE OF RECYCLING DOLLIES, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[2021 BOSTON MOUNTAIN RECYCLING GRANT](#)

[BA\\_2021 BOSTON MOUNTAIN RECYCLING GRANT](#)

##### A.112021-0795 ARKANSAS DEPARTMENT OF TRANSPORTATION: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$31,575.16 RECOGNIZING REVENUE FROM WALK ON PROPERTIES, LLC, AND TO AUTHORIZE A PAYMENT TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$31,575.16 FOR CONSTRUCTION OF A 400 FOOT SECTION OF THE SHILOH TRAIL

[Legislation Text](#)

[ARKANSAS DEPARTMENT OF TRANSPORTATION](#)

[BA\\_ARKANSAS DEPARTMENT OF TRANSPORTATION](#)

##### A.122021-0797 ADDITIONAL 100LL FUEL REQUEST: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$60,000.00 FOR THE PURCHASE OF ADDITIONAL 100LL FUEL THROUGH THE END OF 2021

[Legislation Text](#)

[ADDITIONAL 100LL FUEL REQUEST](#)

[BA\\_ADDITIONAL 100LL FUEL REQUEST](#)

##### A.132021-0799 2021 JUSTICE ASSISTANCE GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2021 JUSTICE ASSISTANCE GRANT IN THE TOTAL AMOUNT OF \$54,909.00 WHICH WILL BE USED TO PURCHASE LAW ENFORCEMENT TRAINING AND EQUIPMENT FOR THE FAYETTEVILLE POLICE DEPARTMENT AND THE WASHINGTON COUNTY SHERIFF'S OFFICE, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[2021 JUSTICE ASSISTANCE GRANT](#)

[BA\\_2021 JUSTICE ASSISTANCE GRANT](#)

##### A.142021-0815 2022 JAIL SERVICES FEE AGREEMENT: A RESOLUTION TO APPROVE THE PER CAPITA JAIL FEE AGREEMENT WITH WASHINGTON COUNTY FOR JAIL SERVICES IN 2022 IN THE AMOUNT OF \$76,421.40

[Legislation Text](#)

[2022 JAIL SERVICES FEE AGREEMENT](#)

##### A.152021-0816 2021 BULLETPROOF VEST PARTNERSHIP PROGRAM: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A MATCHING GRANT AWARD FROM THE 2021 BULLETPROOF VEST PARTNERSHIP PROGRAM IN THE AMOUNT OF \$11,999.70 FOR THE REPLACEMENT OF BODY ARMOR VESTS AND OUTFITTING NEW OFFICERS FOR FAYETTEVILLE POLICE OFFICERS, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[REVISED 2021 BULLETPROOF VEST PARTNERSHIP PROGRAM](#)

[REVISED BA\\_2021 BULLETPROOF VEST PARTNERSHIP PROGRAM](#)

[OLD PACKET SEE REVISED\\_2021 BULLETPROOF VEST PARTNERSHIP](#)

[OLD INFORMATION SEE REVISED BA\\_BA\\_2021 BULLETPROOF VEST PARTNERSHIP](#)

##### A.162021-0809 FLEET OFFICE EXPANSION PROJECT: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT REAPPROPRIATING FUNDS IN THE AMOUNT OF \$10,000.00 FROM THE FLEET SHOP EXPANSION PROJECT TO THE FLEET OFFICE EXPANSION PROJECT

[Legislation Text](#)

[FLEET SHOP EXPANSION PROJECT](#)

[BA\\_FLEET SHOP EXPANSION PROJECT](#)

##### A.172021-0811 ADDITIONAL FLEET FUEL PURCHASE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$117,000.00 FOR THE PURCHASE OF ADDITIONAL FLEET FUEL THROUGH THE END OF 2021

[Legislation Text](#)

[ADDITIONAL FLEET FUEL PURCHASE](#)

[BA\\_ADDITIONAL FLEET FUEL PURCHASE](#)

##### A.182021-0814 TIPS COOPERATIVE PURCHASING CONTRACT: A RESOLUTION TO AUTHORIZE THE PURCHASE OF VIDEO SECURITY NETWORKING EQUIPMENT, SOFTWARE, AND SERVICES FROM AUTHORIZED RESELLERS, PURSUANT TO A TIPS COOPERATIVE PURCHASING CONTRACT, ON AN AS NEEDED BASIS THROUGH JULY 31, 2024 AND ANY FUTURE RENEWAL PERIODS

[Legislation Text](#)

[TIPS COOPERATIVE PURCHASING CONTRACT](#)

##### A.192021-0801 NELSON BYRD WOLTZ, LLC CHANGE ORDER NO. 5: A RESOLUTION TO APPROVE CHANGE ORDER NO. 5 TO THE CONTRACT WITH NELSON BYRD WOLTZ, LLC IN THE AMOUNT OF \$395,009.00 TO PROVIDE PROFESSIONAL LANDSCAPE ARCHITECTURE SERVICES FOR THE EARLY PACKAGE OF THE UPPER RAMBLE AND ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES FOR THE LOWER RAMBLE IN THE CULTURAL ARTS CORRIDOR BOND PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[NELSON BYRD WOLTZ, LLC CHANGE ORDER NO. 5](#)

[BA\\_NELSON BYRD WOLTZ, LLC CHANGE ORDER NO. 5](#)

### B. Unfinished Business

#### B.12021-0760 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 \(481 S. HAPPY HOLLOW RD./FULTON\)](#)

[10/19/21 ADDITIONAL\\_RZN-2021-065 \(481 S. HAPPY HOLLOW RD./FULTON\)](#)

[10/26/21 ADDITIONAL\\_RZN-2021-065 \(481 S. HAPPY HOLLOW RD./FULTON\)](#)

[10/28/21 ADDITIONAL\\_RZN-2021-065 \(481 S. HAPPY HOLLOW RD./FULTON\)](#)

### C. New Business

#### C.12021-0802 RZN-2021-070 (796 N. 54TH AVE./PBS PROPERTIES): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-070 LOCATED AT 796 NORTH 54TH AVENUE FOR APPROXIMATELY 1.01 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RMF-6, RESIDENTIAL MULTI-FAMILY, 6 UNITS PER ACRE

[Legislation Text](#)

[RZN-2021-070 \(796 N. 54TH AVE./PBS PROPERTIES\)](#)

#### C.22021-0813 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 \(3220 W. OLD FARMINGTON RD./STRICKLIN\)](#)

#### C.32021-0804 RZN-2021-071 (710 S. COLLEGE AVE./CEDARWOOD GROUP): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-071 LOCATED AT 710 SOUTH COLLEGE AVENUE FOR APPROXIMATELY 0.31 ACRES FROM NC, NEIGHBORHOOD CONSERVATION TO DG, DOWNTOWN GENERAL

[Legislation Text](#)

[RZN-2021-071 \(710 S. COLLEGE AVE./CEDARWOOD GROUP\)](#)

#### C.42021-0805 AMEND §34.23 PURCHASES AND CONTRACTS NOT IN EXCESS OF \$20,000.00: AN ORDINANCE TO AMEND §34.23 PURCHASES AND CONTRACTS NOT IN EXCESS OF \$20,000.00 TO INCREASE THE COMPETITIVE BIDDING THRESHOLD FOR GOODS AND SERVICES TO \$35,000.00 AND TO ENACT §34.24 CONTRACTS FOR PUBLIC IMPROVEMENTS NOT IN EXCESS OF \$50,000.00

[Legislation Text](#)

[AMEND §34.23 PURCHASES AND CONTRACTS NOT IN EXCESS OF \\$20,000.00](#)

#### C.52021-0828 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 UNITED DEVELOPMENT CODE TO EXTEND THE SHORT-TERM RENTAL START-UP PERIOD FROM SIX MONTHS TO NINE MONTHS

[Legislation Text](#)

[CC Packet - STR Start-Up Period Extension](#)

#### C.62021-0836 WARD TWO, POSITION TWO VACANCY: A RESOLUTION TO CALL A SPECIAL ELECTION TO FILL A VACANCY OF THE CITY COUNCIL MEMBER FOR WARD 2, POSITION 2 OF THE CITY OF FAYETTEVILLE

[Legislation Text](#)

[WARD TWO, POSITION TWO VACANCY MEMO](#)

[Motion and Resolutions for Council Member Vacancy](#)

### D. City Council Agenda Session Presentations

#### D.12021-0788 AGENDA SESSION PRESENTATION: ECONOMIC DEVELOPMENT CONSULTING CONTRACT UPDATE

[Legislation Text](#)

#### D.22021-0789 AGENDA SESSION PRESENTATION: ENTREPRENEURSHIP AND INNOVATION CONTRACT UPDATE

[Legislation Text](#)

### E. City Council Tour: Date: November 1st, 2021 Time: 4:30-5:00 PM Address: 481 S. Happy Hollow Rd. Parking: Parking is available on-street along East 5th Street. Request: Rezone from RSF-4 to RSF-18

### 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 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 his 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 Comment: 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 who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

A copy of the complete City Council agenda is available on our website at [www.fayetteville-ar.gov](http://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.