

City of Fayetteville, Arkansas

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



City Council Agenda Session

December 28, 2021
4:30 p.m.

City Hall Room 219

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 Lionell Jordan
City Attorney Kit Williams
City Clerk Kara Paxton

Zoom Information: City Council Agenda Session ** 12/28/21 @ 4:30 PM Webinar ID: 872 4422 3989 Public Registration Link: <https://us06web.zoom.us/join/87244223989>

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

- 2021-1069 ELECTION OF VICE MAYOR

[Legislation Text](#)

- 2021-1070 REPORT OF FIREMEN'S AND POLICEMEN'S PENSION AND RELIEF FUND

[Legislation Text](#)

- 2021-1071 MONTHLY FINANCIAL REPORT

[Legislation Text](#)

A. Consent:

- A.1 2021-1041 APPROVAL OF THE DECEMBER 14, 2021 SPECIAL CITY COUNCIL MEETING AND THE DECEMBER 21, 2021 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

- A.2 2021-0969 OZARK TENNIS ACADEMY, LLC (OTA): A RESOLUTION TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE, ARKANSAS AND OZARK TENNIS ACADEMY, LLC TO PROVIDE TENNIS PROGRAMS FOR FAYETTEVILLE RESIDENTS IN 2022, WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS AT A TOTAL ESTIMATED COST OF \$61,000.00

[Legislation Text](#)

[OZARK TENNIS ACADEMY, LLC \(OTA\)](#)

- A.3 2021-1035 BID # 20-58 KING ELECTRICAL CONTRACTORS, INC. - 2019 STREET IMPROVEMENT BOND AND PARK IMPROVEMENT BOND PROJECT: A RESOLUTION TO APPROVE A PROPOSAL FROM KING ELECTRICAL CONTRACTORS, INC. IN THE TOTAL AMOUNT OF \$218,125.00, PURSUANT TO BID # 20-58, FOR ELECTRICAL SERVICES ASSOCIATED WITH THE SQUARE LIGHTING AND ELECTRICAL IMPROVEMENTS PROJECT AND THE DOWNTOWN WALKABILITY PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$20,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 STREET IMPROVEMENT BOND AND PARK IMPROVEMENT BOND PROJECT

[Legislation Text](#)

[KING ELECTRICAL CONTRACTORS, INC.](#)

[BA_KING ELECTRICAL CONTRACTORS, INC.](#)

- A.4 2021-1011 SEVEN HILLS HOMELESS CENTER: A RESOLUTION TO APPROVE A CONTRACT WITH SEVEN HILLS HOMELESS CENTER TO PROVIDE FUNDING ASSISTANCE IN THE AMOUNT OF \$40,000.00 FOR MAINTENANCE AND REPAIRS AT THE WALKER FAMILY RESIDENTIAL COMMUNITY COMPLEX IN 2022

[Legislation Text](#)

[SEVEN HILLS HOMELESS CENTER](#)

- A.5 2021-1020 BURNS AND MCDONNELL ENGINEERING COMPANY, INC. AMENDMENT NO. 1: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC. IN THE AMOUNT OF \$42,764.00 FOR DESIGN SERVICES ASSOCIATED WITH A PROJECT TO ADDRESS SCOUR AT THE SOUTH ARMSTRONG AVENUE BRIDGE OVER TOWN BRANCH

[Legislation Text](#)

[BURNS AND MCDONNELL ENGINEERING COMPANY, INC.](#)

- A.6 2021-1033 CROSSLAND HEAVY CONTRACTORS, INC. CHANGE ORDER #2 - 2019 STREET IMPROVEMENT BOND PROJECT: A RESOLUTION TO APPROVE CHANGE ORDER NO. 2 WITH CROSSLAND HEAVY CONTRACTORS, INC. IN THE AMOUNT OF \$502,949.80 FOR THE SAIN STREET EXTENSION PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 STREET IMPROVEMENT BOND PROJECT

[Legislation Text](#)

[CROSSLAND HEAVY CONTRACTORS, INC. CHANGE ORDER #2](#)

[Exhibit #1](#)

[BA_CROSSLAND HEAVY CONTRACTORS, INC. CHANGE ORDER #2](#)

- A.7 2021-1030 BLACK HILLS ENERGY ARKANSAS, INC. MIDTOWN CORRIDOR PROJECT UTILITY WORK - 2019 STREET IMPROVEMENT BOND PROJECT: A RESOLUTION TO APPROVE A UTILITY WORK AGREEMENT WITH BLACK HILLS ENERGY ARKANSAS, INC. IN THE AMOUNT OF \$93,765.40 FOR UTILITY RELOCATIONS ASSOCIATED WITH THE MIDTOWN CORRIDOR PROJECT ALONG PORTER ROAD AND DEANE STREET, AND TO APPROVE A BUDGET ADJUSTMENT- 2019 STREET IMPROVEMENT BOND PROJECT

[Legislation Text](#)

[BLACK HILLS ENERGY ARKANSAS, INC. MIDTOWN CORRIDOR PROJECT UTILITY WORK](#)

[BA_BLACK HILLS ENERGY ARKANSAS, INC. MIDTOWN CORRIDOR PROJECT UTILITY WORK](#)

- A.8 2021-1031 BLACK HILLS ENERGY ARKANSAS, INC. MIDTOWN CORRIDOR PROJECT EASEMENT: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO CONVEY A 25 FOOT WIDE GENERAL UTILITY EASEMENT FOR UTILITY RELOCATIONS ASSOCIATED WITH THE MIDTOWN CORRIDOR PROJECT ALONG PORTER ROAD AND DEANE STREET AT THE POLICE HEADQUARTERS AND FIRE STATION SITE

[Legislation Text](#)

[BLACK HILLS ENERGY ARKANSAS, INC. MIDTOWN CORRIDOR PROJECT EASEMENT](#)

- A.9 2021-1028 2022 OSHER LIFELONG LEARNING INSTITUTE: A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS FOR THE UNOCCUPIED BANQUET AREA IN THE AIRPORT TERMINAL BUILDING TO BE USED BY THE OSHER LIFELONG LEARNING INSTITUTE TO CONDUCT CLASSES IN 2022 IN THE AMOUNT OF \$25.00 FOR EACH DAY THE SPACE IS USED

[Legislation Text](#)

[2022 OSHER LIFELONG LEARNING INSTITUTE](#)

- A.10 2021-1034 ARKANSAS DEPARTMENT OF AERONAUTICS (ADA) GRANT: A RESOLUTION TO AUTHORIZE AN APPLICATION FOR AND ACCEPTANCE OF AN ARKANSAS DEPARTMENT OF AERONAUTICS GRANT IN THE AMOUNT OF \$144,685.00 FOR REIMBURSEMENT OF THE CITY'S MATCHING PORTION OF A 90/10 FEDERAL AVIATION ADMINISTRATION GRANT USED FOR ENERGY EFFICIENCY IMPROVEMENTS AT THE AIRPORT TERMINAL, AND TO APPROVE A BUDGET ADJUSTMENT CONTINGENT UPON RECEIPT OF THE GRANT FUNDS

[Legislation Text](#)

[ARKANSAS DEPARTMENT OF AERONAUTICS \(ADA\) GRANT](#)

[BA_ARKANSAS DEPARTMENT OF AERONAUTICS \(ADA\) GRANT](#)

- A.11 2021-1037 HAWKINS-WEIR ENGINEERS, INC. AMENDMENT NO. 5: A RESOLUTION TO APPROVE AMENDMENT NO. 5 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$110,710.00 FOR CONSTRUCTION OBSERVATION AND PROJECT MANAGEMENT SERVICES ASSOCIATED WITH THE BENSON MOUNTAIN PRESSURE PLANE IMPROVEMENTS PROJECT

[Legislation Text](#)

[HAWKINS-WEIR ENGINEERS, INC. AMENDMENT NO. 5](#)

- A.12 2021-1040 BID #21-80 CALDWELL TANKS, INC.: A RESOLUTION TO AWARD BID #21-80 AND AUTHORIZE A CONTRACT WITH CALDWELL TANKS, INC. IN THE AMOUNT OF \$1,155,000.00 FOR THE CONSTRUCTION OF THE BENSON MOUNTAIN ELEVATED WATER STORAGE TANK IMPROVEMENTS PROJECT, ASSOCIATED SITE IMPROVEMENTS AND DEMOLITION OF THE EXISTING TANK, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$231,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[BID #21-80 CALDWELL TANKS, INC.](#)

[BA_BID #21-80 CALDWELL TANKS, INC.](#)

- A.13 2021-1022 RIGGS CAT MINI-EXCAVATOR: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A CATERPILLAR MINI-EXCAVATOR FROM RIGGS TRACTOR COMPANY FOR THE AMOUNT OF \$72,260.34 PLUS ANY APPLICABLE TAX AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT

[Legislation Text](#)

[RIGGS CAT MINI-EXCAVATOR](#)

- A.14 2021-1023 P&K EQUIPMENT JOHN DEERE 5075 TRACTOR: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A JOHN DEERE 5075 TRACTOR FROM P&K EQUIPMENT IN THE AMOUNT OF \$40,963.22, PLUS ANY APPLICABLE SALES TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT

[Legislation Text](#)

[P&K EQUIPMENT JOHN DEERE 5075 TRACTOR](#)

- A.15 2021-1024 WILLIAMS TRACTOR INC.: A RESOLUTION TO APPROVE THE PURCHASE OF FOUR HUSTLER SUPER Z MOWERS FROM WILLIAMS TRACTOR, INC. IN THE TOTAL AMOUNT OF \$38,902.00, PLUS ANY APPLICABLE SALES TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT

[Legislation Text](#)

[WILLIAMS TRACTOR INC.](#)

- A.16 2021-1025 RIGGS CAT 420 BACKHOE: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A CATERPILLAR 420 BACKHOE FROM RIGGS TRACTOR COMPANY IN THE AMOUNT OF \$112,193.77 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT

[Legislation Text](#)

[RIGGS CAT 420 BACKHOE](#)

B. Unfinished Business:

- B.1 2021-0952 RZN-2021-076 (5295 W. WEDINGTON RD./NWA CUSTOM HOMES, INC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-076 LOCATED AT 5295 WEST WEDINGTON DRIVE FOR APPROXIMATELY 2.43 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO NS-G, NEIGHBORHOOD SERVICES-GENERAL AND RI-U, RESIDENTIAL INTERMEDIATE-URBAN

[Legislation Text](#)

[RZN-2021-076 \(5295 W. WEDINGTON RD./NWA CUSTOM HOMES, INC.\)](#)

- B.2 2021-0983 APPEAL RZN-2021-077 (SOUTH & EAST OF DOT TIPTON RD. & DOUBLE SPRINGS RD./SMALL FISH, LLC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-077 LOCATED SOUTH AND EAST OF DOT TIPTON ROAD AND DOUBLE SPRINGS ROAD FOR APPROXIMATELY 39.88 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO RSF-2, RESIDENTIAL SINGLE FAMILY, 2 UNITS PER ACRE

[Legislation Text](#)

[APPEAL RZN-2021-077 \(SOUTH & EAST OF DOT TIPTON RD. & DOUBLE SPRINGS RD./SMALL FISH, LLC.\)](#)

C. New Business:

- C.1 2021-1021 P & K EQUIPMENT WEIDENMANN SUPER 600: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND APPROVE THE PURCHASE OF A WEIDENMANN SUPER 600 FROM P&K EQUIPMENT IN THE AMOUNT OF \$42,500.00 PLUS APPLICABLE TAXES

[Legislation Text](#)

[P & K EQUIPMENT WEIDENMANN SUPER 600](#)

- C.2 2021-1027 RPZD-2021-005 (1032 S. RAZORBACK RD./THE RETREAT AT FAYETTEVILLE): AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 2021-0005 FOR APPROXIMATELY 13.65 ACRES LOCATED AT 1032 SOUTH RAZORBACK ROAD

[Legislation Text](#)

[RPZD-2021-005 \(1032 S. RAZORBACK RD./THE RETREAT AT FAYETTEVILLE\)](#)

- C.3 2021-1032 RZN-2021-079 (2978 N. OLD MISSOURI RD./KEENAN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-079 LOCATED AT 2978 NORTH OLD MISSOURI ROAD FOR APPROXIMATELY 4.88 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES-GENERAL

[Legislation Text](#)

[RZN-2021-079 \(2978 N. OLD MISSOURI RD./KEENAN\)](#)

- C.4 2021-1039 AMEND § 151.01 DEFINITIONS, § 164.19 ACCESSORY DWELLING UNITS (ADU) AND §164.22 CLUSTER HOUSING DEVELOPMENT: AN ORDINANCE TO AMEND § 151.01 DEFINITIONS, § 164.19 ACCESSORY DWELLING UNITS (ADU) AND §164.22 CLUSTER HOUSING DEVELOPMENT OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO AMEND REQUIREMENTS FOR ACCESSORY DWELLING UNITS

[Legislation Text](#)

[AMEND § 151.01 DEFINITIONS, § 164.19 ACCESSORY DWELLING UNITS \(ADU\) AND §164.22 CLUSTER HOUSING DEVELOPMENT](#)

- C.5 2021-1098 ADOPT THE 2022 RULES OF ORDER AND PROCEDURE: A RESOLUTION TO ADOPT THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL FOR 2022

[Legislation Text](#)

[ADOPT THE 2022 RULES OF ORDER AND PROCEDURE](#)

Proposed Agenda Additions

- 2021-1099 AMEND THE RULES OF ORDER AND PROCEDURE: A RESOLUTION TO AMEND THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL CONCERNING PUBLIC COMMENTS

[Legislation Text](#)

[AMEND THE RULES OF ORDER AND PROCEDURE](#)

D. City Council Agenda Session Presentations:

- D.1 2021-1072 AGENDA SESSION PRESENTATION - SALES TAX REPORT, PAUL BECKER ENERGY REPORT, PETER NIERENGARTEN

[Legislation Text](#)

E. City Council Tour:

F. Announcements:

G. Adjournment