

City of Fayetteville, Arkansas

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



City Council Meeting

February 1, 2022
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: Fayetteville City Council Meeting - February 1, 2022 Public Registration Link: https://us06web.zoom.us/join/register/WN_B18sQEgBRCWn_nbof20h9g Webinar ID: 851 8119 0886

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

- 2021-1096 STATE OF THE CITY ADDRESS WILL BE PRESENTED AT THE CITY COUNCIL AGENDA SESSION BY MAYOR LIONELD JORDAN
[Legislation Text](#)
- 2022-0005 RECOGNIZE FAYETTEVILLE FIRE DEPARTMENT EMPLOYEES WHO HAVE DEMONSTRATED MERITORIOUS SERVICE TO THE CITIZENS OF FAYETTEVILLE.
[Legislation Text](#)
[SRF_SRM_2022_Meritorious_Awards_2-1-22_Council_Meeting](#)
- 2022-0015 "CERTIFICATE OF RECOGNITION FOR MRS. DOROTHY WILKS, OLDEST LIVING AFRICAN AMERICAN RESIDENT IN THE CITY OF FAYETTEVILLE" - MAYOR JORDAN
[Legislation Text](#)

City Council Meeting Presentations, Reports and Discussion Items

- 2021-1073 MONTHLY FINANCIAL REPORT
[Legislation Text](#)

Proposed Agenda Additions

A. Consent

- A.12021-1043 APPROVAL OF THE JANUARY 18, 2022 CITY COUNCIL MEETING MINUTES
[Legislation Text](#)
- A.22021-1133 2022 T-HANGAR LEASE AGREEMENTS: A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2022 AT THE CURRENT RENTAL RATE FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE AIRPORT
[Legislation Text](#)
[2022 T-HANGAR LEASE AGREEMENTS](#)
- A.32022-0020 MRS ENTERPRISES, LLC: A RESOLUTION TO APPROVE A FORTY (40) YEAR GROUND LEASE AGREEMENT WITH MRS ENTERPRISES, LLC FOR AIRPORT PROPERTY LOCATED AT 4386 SOUTH SCHOOL AVENUE FOR THE CONSTRUCTION OF A 110' X 100' HANGAR, WITH AN OPTION TO EXTEND THE GROUND LEASE FOR AN ADDITIONAL FIVE (5) YEAR TERM
[Legislation Text](#)
[MRS ENTERPRISES, LLC](#)
- A.42022-0022 SKYDIVE FAYETTEVILLE, LLC: A RESOLUTION TO APPROVE A FIVE YEAR LEASE AGREEMENT WITH SKYDIVE FAYETTEVILLE, LLC FOR TWO OFFICE SPACES IN THE AIRPORT TERMINAL BUILDING FOR THE TOTAL AMOUNT OF \$577.83 PER MONTH
[Legislation Text](#)
[SKYDIVE FAYETTEVILLE, LLC](#)
- A.52021-1134 RFO 21-01, GARVER, LLC: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN THE AMOUNT OF \$75,300.00, PURSUANT TO RFO # 21-01, SELECTION 12, FOR DESIGN SERVICES TO ADDRESS MAINTENANCE ISSUES ASSOCIATED WITH THE EAST LAKE SEQUOYAH DRIVE BRIDGE
[Legislation Text](#)
[RFO 21-01 GARVER, LLC](#)
- A.62022-0009 NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION: A RESOLUTION TO APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$41,812.00 FOR A STORMWATER EDUCATION PROGRAM FOR 2022 TO SATISFY PORTIONS OF THE NPDES PHASE II STORMWATER PERMIT REQUIREMENTS
[Legislation Text](#)
[NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION](#)
- A.72022-0006 LANDFILL TIPPING FEES: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$350,000.00 TO COVER INCREASED LANDFILL TIPPING FEES FOR PARTIALLY DRIED BIOSOLIDS
[Legislation Text](#)
[LANDFILL TIPPING FEES](#)
[BA_LANDFILL TIPPING FEES](#)
- A.82022-0028 GRIFFIN RESIDUALS, LLC: A RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN A NON-BINDING LETTER OF INTENT BETWEEN THE CITY OF FAYETTEVILLE AND GRIFFIN RESIDUALS, LLC TO DETERMINE THE VIABILITY OF A BIOSOLIDS DRYING SERVICE AGREEMENT
[Legislation Text](#)
[GRIFFIN RESIDUALS, LLC](#)
- A.92022-0026 INSITUFORM TECHNOLOGIES, LLC: A RESOLUTION TO APPROVE A ONE YEAR CONTRACT EXTENSION WITH INSITUFORM TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED \$528,693.55 FOR REHABILITATION OF SANITARY SEWER MAINS USING CURED-IN-PLACE SANITARY SEWER LININGS
[Legislation Text](#)
[INSITUFORM TECHNOLOGIES, LLC](#)
- A.102022-0018 CRAFTON, TULL & ASSOCIATES, INC. AMENDMENT NO. 2 - 2019 TRAIL IMPROVEMENT BOND PROJECT: A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE CONTRACT WITH CRAFTON, TULL AND ASSOCIATES, INC. FOR ADDITIONAL DESIGN SERVICES ASSOCIATED WITH THE MISSION BOULEVARD TRAIL AND STREET IMPROVEMENTS PROJECT IN THE AMOUNT OF \$59,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRAIL IMPROVEMENT BOND PROJECT
[Legislation Text](#)
[CRAFTON, TULL & ASSOCIATES, INC. AMENDMENT #2](#)
[BA_CRAFTON, TULL & ASSOCIATES, INC. AMENDMENT #2](#)
- A.112022-0016 AMEND THE 2022 ADOPTED BUDGET BY REAPPROPRIATING \$174,300,000.00 REMAINING IN THE 2021 BUDGET: A RESOLUTION TO AMEND THE 2022 ADOPTED BUDGET BY REAPPROPRIATING \$174,300,000.00 IN BONDED OR ONGOING CAPITAL PROJECTS, OUTSTANDING OBLIGATIONS, AND GRANT FUNDED ITEMS
[Legislation Text](#)
[AMEND THE 2022 ADOPTED BUDGET](#)
- A.122022-0032 CONVERGINT TECHNOLOGIES, LLC: A RESOLUTION TO AUTHORIZE THE PURCHASE OF FACILITY SECURITY EQUIPMENT, SYSTEMS, SERVICES, AND SUPPLIES FROM CONVERGINT TECHNOLOGIES, LLC, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, ON AN AS-NEEDED BASIS THROUGH APRIL 22, 2025, AND ANY FUTURE RENEWAL PERIODS
[Legislation Text](#)
[CONVERGINT TECHNOLOGIES, LLC](#)
- A.132022-0037 BID #21-50 FLOW STATE TANGLEWOOD BRANCH RESTORATION: A RESOLUTION TO AWARD BID #21-50 AND AUTHORIZE A CONTRACT WITH FLOW STATE, LLC IN THE AMOUNT OF \$453,922.00 FOR TANGLEWOOD BRANCH RESTORATION IN THE LOWER RAMBLE, AND TO APPROVE A BUDGET ADJUSTMENT
[Legislation Text](#)
[BID #21-50, FLOW STATE TANGLEWOOD BRANCH RESTORATION](#)
[BA_BID #21-50, FLOW STATE TANGLEWOOD BRANCH RESTORATION](#)
- A.142022-0033 AMEND RESOLUTION 13-22: A RESOLUTION TO AMEND RESOLUTION 13-22 AND AUTHORIZE THE PURCHASE OF A JOHN DEERE 5075 TRACTOR FROM DEERE & COMPANY THROUGH P&K EQUIPMENT IN THE AMOUNT OF \$40,963.22 PLUS APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT
[Legislation Text](#)
[AMEND RESOLUTION 13-22](#)
- A.152022-0034 RFO #21-01, SELECTION #2 GTS, INC. - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT: A RESOLUTION TO APPROVE A MATERIALS TESTING CONTRACT WITH GTS, INC. IN THE AMOUNT OF \$100,780.00 FOR MATERIALS TESTING SERVICES ASSOCIATED WITH THE REPLACEMENT PARKING DECK FOR THE CULTURAL ARTS CORRIDOR PHASE I, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT
[Legislation Text](#)
[RFO # 21-01 GTS, INC.](#)
[BA_RFO # 21-01 GTS, INC.](#)
- A.162022-0027 RFO #19-01 OLSSON, INC. AMENDMENT NO. 4 - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT: A RESOLUTION TO APPROVE AMENDMENT NO. 4 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH OLSSON, INC. IN THE AMOUNT OF \$324,000.00 FOR CONSTRUCTION ADMINISTRATION AND PROJECT CLOSEOUT SERVICES RELATED TO THE REPLACEMENT PARKING DECK FOR THE CULTURAL ARTS CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT
[Legislation Text](#)
[RFO #19-01 OLSSON, INC. AMENDMENT NO.4](#)
[BA_RFO #19-01 OLSSON, INC. AMENDMENT NO.4](#)
- A.172022-0035 BID #21-73 LEGACY CONSTRUCTION MANAGEMENT, INC.: A RESOLUTION TO AWARD BID #21-73 AND AUTHORIZE A CONTRACT WITH LEGACY CONSTRUCTION MANAGEMENT, INC. IN THE AMOUNT OF \$668,237.00 FOR CITY HALL IMPROVEMENTS, AND TO APPROVE A BUDGET ADJUSTMENT
[Legislation Text](#)
[BID #21-73 LEGACY CONSTRUCTION MANAGEMENT, INC.](#)
[BA_BID #21-73 LEGACY CONSTRUCTION MANAGEMENT, INC.](#)
[Appendix A - Bid set](#)
[Appendix A - Bid specifications](#)
[Appendix B - Bid submittal](#)
[Appendix C - Recommendation for award](#)

B. Unfinished Business: None

C. New Business

- C.12022-0025 PEACE AT HOME FAMILY SHELTER, INC.: A RESOLUTION TO APPROVE THE LAND SALE CONTRACT WITH PEACE AT HOME FAMILY SHELTER, INC. FOR THE CITY TO CONVEY FOUR ACRES TO PEACE AT HOME FOR \$80,000.00 PLUS VALUABLE SERVICES FOR OUR RESIDENTS
[Legislation Text](#)
[PEACE AT HOME FAMILY SHELTER, INC.](#)
[01/25/22_ADDITIONAL PEACE AT HOME FAMILY SHELTER, INC.](#)
- C.22022-0042 ADM-2021-075 (3045 E. IVEY LN./PEACE AT HOME FAMILY SHELTER): AN ORDINANCE TO REZONE FOUR ACRES TO BE PURCHASED FROM THE CITY OF FAYETTEVILLE BY PEACE AT HOME FAMILY SHELTER, INC. AND TO AMEND AN EXISTING RESIDENTIAL PLANNED ZONING DISTRICT (07-2531) TO INCLUDE USE UNIT 43 FOR AN ANIMAL SHELTER AND TO INCORPORATE THE FOUR ACRES TO BE PURCHASED FROM CITY OF FAYETTEVILLE INTO RPZD 07-2531
[Legislation Text](#)
[ADM-2021-075 \(3045 E. IVEY LN./PEACE AT HOME FAMILY SHELTER\)](#)
- C.32022-0008 SEVEN HILLS HOMELESS CENTER FUNDING AGREEMENT: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A CONTRACT WITH SEVEN HILLS HOMELESS CENTER IN THE AMOUNT OF \$113,400.00 FOR SERVICES TO HOMELESS AND NEEDY RESIDENTS IN FAYETTEVILLE IN 2022
[Legislation Text](#)
[SEVEN HILLS HOMELESS CENTER FUNDING AGREEMENT](#)
- C.42022-0024 RZN-2021-078 (2015 S. VALE AVE./HARRIS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-078 LOCATED AT 2015 SOUTH VALE AVENUE FOR APPROXIMATELY 3.09 ACRES FROM CS, COMMUNITY SERVICES AND RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES-GENERAL
[Legislation Text](#)
[RZN-2021-078 \(2015 S. VALE AVE./HARRIS\)](#)
- C.52022-0030 RZN-2021-080 (S. LEFLAR WAY & W. MLK BLVD./COBB-WESTPHAL): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-080 LOCATED AT SOUTH LEFLAR WAY AND WEST MARTIN LUTHER KING JUNIOR BOULEVARD FOR APPROXIMATELY 3.83 ACRES FROM RMF-24, RESIDENTIAL MULTI FAMILY, 24 UNITS PER ACRE TO CS, COMMUNITY SERVICES
[Legislation Text](#)
[RZN-2021-080 \(S. LEFLAR WAY & W. MLK BLVD./COBB-WESTPHAL\)](#)
- C.62022-0039 RZN-2021-081 (3373 N. COLLEGE AVE./LEWIS FORD): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-081 LOCATED AT 3373 NORTH COLLEGE AVENUE FOR APPROXIMATELY 6.98 ACRES FROM C-2, THOROUGHFARE COMMERCIAL TO UT, URBAN THOROUGHFARE
[Legislation Text](#)
[RZN-2021-081 \(3373 N. COLLEGE AVE./LEWIS FORD\)](#)
- C.72022-0041 RZN-2021-082 (582 N. MISSION BLVD./FALCONS LANDING, LLC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-082 LOCATED AT 582 NORTH MISSION BOULEVARD FOR APPROXIMATELY 0.41 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE
[Legislation Text](#)
[RZN-2021-082 \(582 N. MISSION BLVD./FALCONS LANDING, LLC.\)](#)
- C.82022-0040 RZN-2021-084 (745 W. CHERRY ST./HABITAT FOR HUMANITY): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-084 LOCATED AT 745 WEST CHERRY STREET FOR APPROXIMATELY 1.81 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE AND C-2, THOROUGHFARE COMMERCIAL TO NC, NEIGHBORHOOD CONSERVATION
[Legislation Text](#)
[RZN-2021-084 \(745 W. CHERRY ST./HABITAT FOR HUMANITY\)](#)
- C.92022-0029 VAC-2021-031 (2480 W. TREAT ST./TREAT STREET RIGHT-OF-WAY): AN ORDINANCE TO APPROVE VAC 21-0031 FOR PROPERTY LOCATED AT 2480 WEST TREAT STREET TO VACATE A PORTION OF STREET RIGHT-OF-WAY
[Legislation Text](#)
[VAC-2021-031 \(2480 W. TREAT ST./TREAT STREET RIGHT-OF-WAY\)](#)

D. City Council Agenda Session Presentations

- D.12021-1074 AGENDA SESSION PRESENTATION - SALES TAX REPORT, PAUL BECKER ENERGY REPORT, PETER NIERENGARTEN
[Legislation Text](#)
- D.22022-0065 AGENDA SESSION PRESENTATION- 2020 CITY COUNCIL WARD REDISTRICTING
[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 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: Deaf or 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.