

# City of Fayetteville, Arkansas

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



## City Council Meeting

February 15, 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 Kinion 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: City Council Meeting \*\* Tuesday, February 15 @ 5:30 PM Public Registration Link: [https://us06web.zoom.us/join/wn\\_zA08-VcETgGPYgWHSI97Sg](https://us06web.zoom.us/join/wn_zA08-VcETgGPYgWHSI97Sg) Webinar ID: 816 5247 0455**

### Call To Order

### Roll Call

### Pledge of Allegiance

### Mayor's Announcements, Proclamations and Recognitions

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

- 2022-0013 CERTIFIED MUNICIPAL CLERK DESIGNATION PRESENTATION - CITY CLERK TREASURER KARA PAXTON

[Legislation Text](#)

- 2022-0077 PUBLIC FACILITIES BOARD MAYOR APPOINTMENT - CHARLIE WATSON

[Legislation Text](#)

[PUBLIC FACILITIES BOARD MAYOR APPOINTMENT - CHARLIE WATSON](#)

### Proposed Agenda Additions

- 2022-0146 HABITAT FOR HUMANITY'S PROPOSED HOUSES IN SOUTH FAYETTEVILLE: A RESOLUTION TO WAIVE DEVELOPMENT PERMIT FEES FOR HABITAT FOR HUMANITY'S PROPOSED HOUSES IN SOUTH FAYETTEVILLE

[Legislation Text](#)

[HABITAT FOR HUMANITY'S PROPOSED HOUSES IN SOUTH FAYETTEVILLE](#)

### A. Consent

- 2021-1044 APPROVAL OF THE FEBRUARY 1, 2022 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

- 2022-0076 SAFE CAMP: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$29,500.00 TO PAY FOR VEGETATION REMOVAL AND TRASH CLEAN UP AT THE FORMER SAFE CAMP LOCATION

[Legislation Text](#)

[SAFE CAMP](#)

[BA\\_SAFE CAMP](#)

- 2022-0083 2022/2023 ASPHALT OVERLAY/SIDEWALKS PROJECTS: A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION OVERLAY AND SIDEWALK PROJECTS LIST FOR 2022 AND 2023

[Legislation Text](#)

[2022/2023 ASPHALT OVERLAY/SIDEWALKS PROJECTS](#)

- 2021-0075 2021-22 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR THE FOURTH JUDICIAL DISTRICT DRUG TASK FORCE IN THE AMOUNT OF \$153,180.00, AND TO AUTHORIZE MAYOR JORDAN TO SIGN ALL NECESSARY DOCUMENTS TO RECEIVE THE GRANT FUNDS

[Legislation Text](#)

[2021-22 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT](#)

- 2022-0094 MOTOROLA SOLUTIONS INCORPORATED: A RESOLUTION TO AUTHORIZE A CONTRACT WITH MOTOROLA SOLUTIONS INC. IN THE AMOUNT OF \$893,228.90 PLUS APPLICABLE TAX AND FREIGHT CHARGES FOR THE PURCHASE OF RADIO EQUIPMENT, DESIGN, INSTALLATION, AND SOFTWARE AT THE CENTRAL DISPATCH CENTER LOCATED AT THE NEW POLICE HEADQUARTERS, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$82,000.00

[Legislation Text](#)

[MOTOROLA SOLUTIONS INCORPORATED](#)

- 2022-0095 XYBIX SYSTEMS: A RESOLUTION TO APPROVE THE PURCHASE OF DISPATCH FURNITURE FOR THE CENTRAL DISPATCH CENTER FROM XYBIX SYSTEMS, INC. IN THE AMOUNT OF \$170,396.37 PLUS ANY APPLICABLE TAX AND DELIVERY CHARGES, PURSUANT TO A HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT

[Legislation Text](#)

[XYBIX SYSTEMS](#)

- 2022-0092 COMMUNITY ACCESS TELEVISION D/B/A YOUR MEDIA: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$12,000.00 RECOGNIZING CONTRACT PRODUCTION REVENUE FROM COMMUNITY ACCESS TELEVISION D/B/A YOUR MEDIA AND TO INCREASE THE RELATED PROMOTIONAL ACTIVITIES BUDGET

[Legislation Text](#)

[COMMUNITY ACCESS TELEVISION DBA YOUR MEDIA](#)

[BA\\_COMMUNITY ACCESS TELEVISION DBA YOUR MEDIA](#)

[Late Submittal - Approved by S. Norton](#)

- 2022-0079 RFQ # 19-05 FLINTCO, LLC CHANGE ORDER #7 - 2019 TRANSPORTATION BOND PROJECT: A RESOLUTION TO APPROVE CHANGE ORDER NO. 7 TO THE CONSTRUCTION MANAGER AT RISK CONTRACT WITH FLINTCO, LLC FOR THE PORTER ROAD AND DEANE STREET ROUNDABOUT AS PART OF THE POLICE HEADQUARTERS PROJECT IN THE AMOUNT OF \$4,169,565.00, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$280,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROJECT

[Legislation Text](#)

[RFO # 19-05 FLINTCO, LLC CHANGE ORDER #7 - 2019 TRANSPORTATION BOND PROJECT](#)

[BA\\_RFO # 19-05 FLINTCO, LLC CHANGE ORDER #7 - 2019 TRANSPORTATION BOND PROJECT](#)

- 2022-0044 BURNS & MCDONNELL ENGINEERING COMPANY, INC. SUPPLEMENT AGREEMENT NO. 2: A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 2 TO THE CONTRACT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC. IN AN AMOUNT NOT TO EXCEED \$28,282.00 FOR A DETAILED NOISE ANALYSIS REQUIRED BY THE FEDERAL HIGHWAY ADMINISTRATION ASSOCIATED WITH THE HIGHWAY 112 IMPROVEMENT PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[BURNS & MCDONNELL ENGINEERING COMPANY INC. SUPPLEMENTAL AGREEMENT NO. 2](#)

[BA\\_BURNS & MCDONNELL ENGINEERING COMPANY INC. SUPPLEMENTAL AGREEMENT NO. 2](#)

### B. Unfinished Business

- 2022-0059 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 \(3373 N. COLLEGE AVE./LEWIS FORD\)](#)

- 2022-0041 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. New Business

- 2022-0088 APPEAL CUP-2021-052 (3349 W. WEDINGTON DR./GLIDE XPRESS CAR WASH): A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS TERESA TURK, HOLLY HERTZBERG AND MARK KINION AND APPROVE THE CONDITIONAL USE PERMIT CUP 2021-052 FOR A GLIDE XPRESS CAR WASH AT 3349 WEST WEDINGTON DRIVE

[Legislation Text](#)

[APPEAL CUP-2021-052 \(3349 W. WEDINGTON DR./GLIDE XPRESS CAR WASH\)](#)

[02/15/22 ADDITIONAL APPEAL CUP-2021-052 \(3349 W. WEDINGTON DR./GLIDE XPRESS CAR WASH\)](#)

- 2022-0074 VAC-2022-001 (2875 W. MARTIN LUTHER KING JR. BLVD./WALMART #144): AN ORDINANCE TO APPROVE VAC 22-01 FOR PROPERTY LOCATED AT 2875 WEST MARTIN LUTHER KING JUNIOR BOULEVARD TO VACATE A PORTION OF A GENERAL UTILITY EASEMENT

[Legislation Text](#)

[VAC-2022-001 \(2875 W. MARTIN LUTHER KING JR. BLVD./WALMART #144\)](#)

- 2022-0081 RZN-2021-087 (N. FUTRALL DR. BETWEEN WEDINGTON DR. & MLK BLVD./BARNES SOUTH): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-087 LOCATED ON NORTH FUTRALL DRIVE BETWEEN WEDINGTON DRIVE AND MARTIN LUTHER KING JUNIOR BOULEVARD FOR APPROXIMATELY 9.40 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[RZN-2021-087 \(N. FUTRALL DR. BETWEEN WEDINGTON DR. & MLK BLVD./BARNES SOUTH\)](#)

- 2022-0082 RZN-2021-092 (SOUTH OF 375 N. RUPPLE D./RIVERWOOD HOMES & MCBRYDE FAMILY): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-092 LOCATED SOUTH OF 375 NORTH RUPPLE ROAD FOR APPROXIMATELY 5.34 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES AND APPROXIMATELY 0.34 ACRES FROM CS, COMMUNITY SERVICES TO R-A, RESIDENTIAL AGRICULTURAL

[Legislation Text](#)

[RZN-2021-092 \(SOUTH OF 375 N. RUPPLE D./RIVERWOOD HOMES & MCBRYDE FAMILY\)](#)

- 2022-0084 RZN-2021-089 (SOUTH OF 1936 S. SHILOH DR./DDB INVESTMENTS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-089 LOCATED SOUTH OF 1936 SOUTH SHILOH DRIVE FOR APPROXIMATELY 9.11 ACRES FROM I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[RZN-2021-089 \(SOUTH OF 1936 S. SHILOH DR./DDB INVESTMENTS\)](#)

- 2022-0087 RPZD-2021-006 (500 N. SEQUOYAH DR./HIGH ACRES): AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 2021-006 FOR APPROXIMATELY 3.83 ACRES LOCATED AT 500 NORTH SEQUOYAH DRIVE

[Legislation Text](#)

[RPZD-2021-006 \(500 N. SEQUOYAH DR./HIGH ACRES\)](#)

- 2022-0089 EXPRESS THE INTENT TO SELL APPROXIMATELY 30.06 ACRES COMMERCE DISTRICT: A RESOLUTION TO EXPRESS THE INTENT OF THE CITY COUNCIL TO SELL APPROXIMATELY 30.06 ACRES OF CITY PROPERTY LOCATED IN THE COMMERCE DISTRICT

[Legislation Text](#)

[CITY OWNED COMMERCE DISTRICT LAND](#)

- 2022-0069 HFI FLETCHER, LLC: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH HFI FLETCHER, LLC FOR ADDITIONAL LOW IMPACT DEVELOPMENT MEASURES TO HELP ALLEVIATE DOWNSTREAM DRAINAGE ISSUES ON FLETCHER AVENUE WITH A REFUND IN AN AMOUNT NOT TO EXCEED \$16,567.13 TO BE PAID BY THE CITY OF FAYETTEVILLE

[Legislation Text](#)

[HFI FLETCHER, LLC](#)

[ADDITIONAL 02/09/22 HFI FLETCHER, LLC COST SHARE BREAKDOWN](#)

- 2022-0038 AMEND SECTIONS 156.03 DEVELOPMENT, PARKING AND LOADING, 166.02 DEVELOPMENT REVIEW PROCESS, 168.07 PERMIT PROCEDURES, 168.09 APPEALS AND 168.10 PROVISIONS FOR FLOOD HAZARD REDUCTION: AN ORDINANCE TO AMEND SECTIONS 156.03 DEVELOPMENT, PARKING AND LOADING, 166.02 DEVELOPMENT REVIEW PROCESS, 168.07 PERMIT PROCEDURES, 168.09 APPEALS AND 168.10 PROVISIONS FOR FLOOD HAZARD REDUCTION OF THE UNIFIED DEVELOPMENT CODE TO ADDRESS INCORRECT REFERENCES, CLARIFY WHAT QUALIFIES AS EXISTING IMPERVIOUS AREA, AND REMOVE REDUNDANCIES AND AMBIGUITIES FROM THE FLOOD DAMAGE PREVENTION CODE

[Legislation Text](#)

[STORMWATER UDC REVISIONS](#)

[EXHIBIT A](#)

- 2022-0086 AMEND ORDINANCE NO. 6393: AN ORDINANCE TO AMEND ORDINANCE NO. 6393 BY REMOVING SECTION 3, WHICH REQUIRES DEVELOPMENT APPROVAL AND THE POSTING OF A BOND BEFORE THE MAYOR CAN SIGN THE AGREEMENTS FOR THE NEW RAILROAD CROSSING AT FUTRALL DRIVE AND GREGG AVENUE

[Legislation Text](#)

[AMEND ORDINANCE NO. 6393](#)

- 2022-0090 AMEND ARTICLE XXIII ACTIVE TRANSPORTATION ADVISORY COMMITTEE: AN ORDINANCE TO AMEND §33.350 PURPOSE AND ESTABLISHMENT, §33.351 COMPOSITION, §33.352 TERMS OF OFFICE AND §33.354 MEETINGS OF ARTICLE XXIII ACTIVE TRANSPORTATION ADVISORY COMMITTEE TO INCREASE THE NUMBER OF RESIDENTS ON THE COMMITTEE

[Legislation Text](#)

[AMEND ARTICLE XXIII ACTIVE TRANSPORTATION ADVISORY COMMITTEE](#)

- 2022-0100 REVISED WARD BOUNDARIES: AN ORDINANCE TO APPROVE REVISED WARD BOUNDARIES TO EQUALIZE WARD POPULATIONS AFTER THE 2020 FEDERAL CENSUS AND TO AMEND §32.03 OF THE FAYETTEVILLE CODE

[Legislation Text](#)

[REVISED WARD BOUNDARIES](#)

[Late Submittal - Approved by S. Norton](#)

- 2022-0130 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 NINE MONTHS TO TWELVE MONTHS, AND TO DECLARE AN EMERGENCY

[Legislation Text](#)

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

### D. City Council Agenda Session Presentations

### 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 items they wish to address being presented by 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 Device 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](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.