

City of Fayetteville, Arkansas

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



City Council Agenda Session

May 31, 2022
4:30 p.m.

City Hall Room 219

City Council Members

*Sonia Harvey Ward 1
D'Andre Jones Ward 1
Mark Kinton Ward 2
Mike Wiederkehr 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 Treasurer Kara Paxton*

Zoom Information: City Council Agenda Session 5-31-22 at 4:30 PM Webinar ID: 827 1022 9384 Public Registration Link: <https://us06web.zoom.us/join/82710229384>

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

A. Consent:

A.12021-1051 APPROVAL OF THE MAY 17, 2022 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

A.22022-0399 ECOVERSE INDUSTRIES, LTD.: A RESOLUTION TO APPROVE THE PURCHASE OF A SCREENER FROM ECOVERSE INDUSTRIES, LTD. IN THE AMOUNT OF \$398,937.64 PLUS ANY APPLICABLE TAXES AND SHIPPING CHARGES, PURSUANT TO A HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

[Legislation Text](#)

[ECOVERSE INDUSTRIES, LTD.](#)

A.32022-0468 POLICY AOP-202 WELLNESS PROGRAM, FIRE DEPARTMENT: A RESOLUTION TO APPROVE POLICY AOP-202, WELLNESS PROGRAM, AS PART OF THE FAYETTEVILLE FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES

[Legislation Text](#)

[POLICY AOP-202 WELLNESS PROGRAM, FIRE DEPARTMENT](#)

[053122 ADDITIONAL AOP ORIGINAL POLICY AOP-202 WELLNESS PROGRAM, FIRE DEPARTMENT](#)

A.42022-0423 2022 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM: A RESOLUTION AUTHORIZING AN APPLICATION FOR A 2022 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM MATCHING GRANT IN THE AMOUNT OF \$625,000.00 TO ESTABLISH A VIOLENT CRIME RESPONSE UNIT FOR A PERIOD OF THREE (3) YEARS, WITH MATCHING FUNDS IN THE AMOUNT OF \$341,555.00 AND \$292,054.00 IN NON-GRANT RELATED PROJECT EXPENSES TO BE PAID BY THE CITY

[Legislation Text](#)

[2022 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM:](#)

A.52022-0438 FAYETTEVILLE AREA COMMUNITY FOUNDATION GIVING TREE GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A GRANT FROM THE FAYETTEVILLE AREA COMMUNITY FOUNDATION IN THE AMOUNT OF \$1,224.00 TO FUND AN AFTERSCHOOL PROGRAM FOR JUNIOR HIGH STUDENTS AT THE YVONNE RICHARDSON COMMUNITY CENTER, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[FAYETTEVILLE AREA COMMUNITY FOUNDATION GIVING TREE GRANT](#)

[BUDGET ADJUSTMENT](#)

A.62022-0430 WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO 9: A RESOLUTION TO APPROVE TASK ORDER NO. 9 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$73,000.00 FOR CONTINUED NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS WITHIN COMPLETED RESTORATION PROJECT AREAS

[Legislation Text](#)

[WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO 9](#)

A.72022-0458 APPLY FOR FEDERAL-AID FUNDS FOR ROAD AND BRIDGE IMPROVEMENTS: A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO APPLY FOR AND UTILIZE FEDERAL-AID FUNDS FOR ROAD IMPROVEMENT PROJECTS AT NORTH HEMLOCK AVENUE AND THE MILLSAP ROAD/COLLEGE AVENUE INTERSECTION; AND FOR A BRIDGE IMPROVEMENT PROJECT FOR BRIDGE #19976 ON ARMSTRONG AVENUE OVER TOWN BRANCH

[Legislation Text](#)

[APPLY FOR FEDERAL-AID FUNDS FOR ROAD AND BRIDGE IMPROVEMENTS](#)

A.82022-0435 BID #22-33 DFI TECHNOLOGIES, INC.: A RESOLUTION TO AWARD BID NO. 22-33 AND APPROVE A ONE YEAR CONTRACT WITH DFI TECHNOLOGIES, INC. FOR MAILING SERVICES AT AN APPROXIMATE COST OF \$368,115.60 WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS

[Legislation Text](#)

[BID #22-33 DFI TECHNOLOGIES, INC.](#)

A.92022-0462 N79TW, LLC GROUND LEASE AGREEMENT AT 4240 SOUTH SCHOOL AVENUE: A RESOLUTION TO APPROVE A THIRTY (30) YEAR GROUND LEASE AGREEMENT WITH N79TW, LLC FOR AIRPORT PROPERTY LOCATED IMMEDIATELY NORTH OF THE DRAKE FIELD TERMINAL BUILDING AT 4240 SOUTH SCHOOL AVENUE FOR THE CONSTRUCTION OF A 75' X 100' HANGAR, WITH AN OPTION TO EXTEND THE GROUND LEASE FOR AN ADDITIONAL TEN (10) YEAR TERM

[Legislation Text](#)

[N79TW, LLC GROUND LEASE AGREEMENT AT 4240 SOUTH SCHOOL AVENUE](#)

A.102022-0464 N79TW, LLC GROUND LEASE EAST SIDE OF DRAKE FIELD, HANGAR ONE: A RESOLUTION TO APPROVE A THIRTY (30) YEAR GROUND LEASE AGREEMENT WITH N79TW, LLC FOR AIRPORT PROPERTY LOCATED ON THE EAST SIDE OF DRAKE FIELD OFF OF TAXIWAY G FOR THE CONSTRUCTION OF A 130' X 90' HANGAR, KNOWN AS HANGAR ONE, WITH AN OPTION TO EXTEND THE GROUND LEASE FOR AN ADDITIONAL TEN (10) YEAR TERM

[Legislation Text](#)

[N79TW, LLC GROUND LEASE EAST SIDE OF DRAKE FIELD, HANGAR ONE](#)

A.112022-0465 N79TW, LLC GROUND LEASE EAST SIDE OF DRAKE FIELD, HANGAR TWO: A RESOLUTION TO APPROVE A THIRTY (30) YEAR GROUND LEASE AGREEMENT WITH N79TW, LLC FOR AIRPORT PROPERTY LOCATED ON THE EAST SIDE OF DRAKE FIELD OFF OF TAXIWAY G FOR THE CONSTRUCTION OF A 130' X 90' HANGAR, KNOWN AS HANGAR TWO, WITH AN OPTION TO EXTEND THE GROUND LEASE FOR AN ADDITIONAL TEN (10) YEAR TERM

[Legislation Text](#)

[N79TW, LLC GROUND LEASE EAST SIDE OF DRAKE FIELD, HANGAR TWO](#)

A.122022-0466 FAA GRANT FOR AIRCRAFT RESCUE & FIRE FIGHTING CART: A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF A FEDERAL AVIATION ADMINISTRATION GRANT IN THE AMOUNT OF \$33,333.00 TO FUND AN AIRCRAFT RESCUE & FIRE FIGHTING CART FOR DRAKE FIELD AIRPORT, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[FAA GRANT FOR AIRCRAFT RESCUE & FIRE FIGHTING CART](#)

[BUDGET ADJUSTMENT](#)

B. Unfinished Business: None

C. New Business:

C.12022-0469 PATRICIA KNEPP WATER DAMAGE CLAIM: A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$40,000.00 TO PATRICIA KNEPP FOR WATER DAMAGE REMEDIATION AT 3252 NORTH MAKEIG COURT

[Legislation Text](#)

[PATRICIA KNEPP WATER DAMAGE CLAIM](#)

C.22022-0481 SASH DEVELOPMENT, LLC: A RESOLUTION TO APPROVE A COST SHARE AGREEMENT WITH SASH DEVELOPMENT, LLC FOR THE INSTALLATION OF A FIRE HYDRANT AND FITTINGS FOR FIRE FLOW PROTECTION NEAR EAST SPRING STREET AND NORTH OLIVE AVENUE WITH A REFUND IN AN ESTIMATED AMOUNT OF \$9,900.00 TO BE PAID BY THE CITY OF FAYETTEVILLE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$1,980.00

[Legislation Text](#)

[SASH DEVELOPMENT, LLC](#)

C.32022-0471 RZN-2022-019 (811 N. OLIVE AVE./PATTON): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-019 LOCATED AT 811 NORTH OLIVE AVENUE IN WARD 2 FOR APPROXIMATELY 0.11 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

[Legislation Text](#)

[RZN-2022-019 \(811 N. OLIVE AVE./PATTON\)](#)

C.42022-0432 ANX 2022-001, ANNEXATION (SOUTHEAST OF N. HUGHMOUNT RD./CULLERS): AN ORDINANCE TO ANNEX THAT PROPERTY DESCRIBED IN ANNEXATION PETITION ANX 22-001 SUBMITTED BY WINDELL CULLERS FOR PROPERTY LOCATED SOUTHEAST OF NORTH HUGHMOUNT ROAD AND NORTHWEST OF WARD 4 CONTAINING APPROXIMATELY 41.53 ACRES

[Legislation Text](#)

[ANX 2022-001, ANNEXATION \(SOUTHEAST OF N. HUGHMOUNT RD./CULLERS\):](#)

C.52022-0470 VAC-2022-013 (4180 N. COLLEGE AVE./CHICK-FIL-A): AN ORDINANCE TO APPROVE VAC 22-013 FOR PROPERTY LOCATED AT 4180 NORTH COLLEGE AVENUE IN WARD 3 TO VACATE A PORTION OF A WATER/SEWER EASEMENT

[Legislation Text](#)

[VAC-2022-013 \(4180 N. COLLEGE AVE./CHICK-FIL-A\)](#)

C.62022-0459 VAC-2022-011 (1148 & 1156 N. THOREAU LN./HASH): AN ORDINANCE TO APPROVE VAC 22-011 FOR PROPERTY LOCATED AT 1148 AND 1156 NORTH THOREAU LANE IN WARD 3 TO VACATE A PORTION OF A GENERAL UTILITY EASEMENT

[Legislation Text](#)

[VAC-2022-011 \(1148 & 1156 N. THOREAU LN./HASH\)](#)

C.72022-0478 VAC-2022-012 (4391 N. WATERSIDE CT./WHEATLEY DANCE STUDIO): AN ORDINANCE TO APPROVE VAC 22-012 FOR PROPERTY LOCATED AT 4391 NORTH WATERSIDE COURT IN WARD 3 TO VACATE A PORTION OF A UTILITY EASEMENT

[Legislation Text](#)

[VAC-2022-012 \(4391 N. WATERSIDE CT./WHEATLEY DANCE STUDIO\)](#)

C.82022-0480 VAC-2022-014 (5102 W. WEDINGTON DRIVE/ROCZEN DUPLEXES): AN ORDINANCE TO APPROVE VAC 22-014 FOR PROPERTY LOCATED AT 5102 WEST WEDINGTON DRIVE IN WARD 4 TO VACATE A PORTION OF A WATER/SEWER EASEMENT

[Legislation Text](#)

[VAC-2022-014 \(5102 W. WEDINGTON DRIVE/ROCZEN DUPLEXES\)](#)

C.92022-0434 AMEND §174.02 PERMIT APPLICATION/ISSUANCE: AN ORDINANCE TO AMEND § 174.02 PERMIT APPLICATION/ISSUANCE OF THE UNIFIED DEVELOPMENT CODE BY DELETING SUBSECTION 8 FROM SUBSECTION (A) APPLICATION

[Legislation Text](#)

[AMEND §174.02 PERMIT APPLICATION/ISSUANCE](#)

C.102022-0244 AMEND §159.01 FEES/SCHEDULE: AN ORDINANCE TO AMEND §159.01 FEES/SCHEDULE OF THE UNIFIED DEVELOPMENT CODE TO ADOPT INCREASED VARIANCE REQUEST FEES, ELIMINATE AN OBSOLETE ACCESSORY DWELLING UNIT FEE, AND CREATE FEES FOR SERVICES THAT ARE CURRENTLY PROVIDED WITHOUT ANY COST RECOVERY

[Legislation Text](#)

[AMEND §159.01 FEES/SCHEDULE](#)

[EXHIBIT A](#)

Proposed Agenda Additions:

1. 2022-0504 THEATRESQUARED, INC. AMEND 100 HUNDRED YEAR LEASE: A RESOLUTION TO AMEND THE ONE HUNDRED YEAR LEASE OF THE SPRING AND WEST PARKING LOT TO THEATRESQUARED, INC. IN ORDER TO SHIFT THE RESPONSIBILITY OF THEATRESQUARED, INC. TO PAY ITS UTILITY BILLS, BUILDING INSURANCE PREMIUMS, BUILDING AND ALL ITS MECHANICAL SYSTEMS MAINTENANCE AND REPAIRS TO THE CITY OF FAYETTEVILLE

[Legislation Text](#)

[THEATRESQUARED, INC. AMEND 100 HUNDRED YEAR LEASE](#)

[THEATRESQUARED, INC. - CITY ATTORNEY KIT WILLIAMS MEMO](#)

D. City Council Agenda Presentations:

D.12022-0340 AGENDA SESSION PRESENTATION - WILL DOCKERY, CHAIRMAN OF THE PARKS AND RECREATION ADVISORY BOARD, TO PRESENT THE PARKS AND RECREATION'S 2021 END OF YEAR REPORT.

[Legislation Text](#)

D.22021-1082 AGENDA SESSION PRESENTATION - SALES TAX REPORT, PAUL BECKER AND ENERGY REPORT, PETER NIERENGARTEN

[Legislation Text](#)

E. City Council Tour:

F. Announcements:

G. Adjournment