City of Fayetteville, Arkansas

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

City Council Agenda Session

September 27, 2022
4:30 p.m.

City Hall Room 219

City Council Members

Sonia Harvey Ward 1
D'Andre Jones Ward 1
Mark Kinion 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 Lioneld Jordan
City Attorney Kit Williams
City Clerk Treasurer Kara Paxton

Zoom Information: Public Registration Link: https://us06web.zoom.us/webinar/register/WN_-t61MK9URs6J89BX6Irv3g Webinar ID: 827 1022 9384

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items:

1. 2021-1089 MONTHLY FINANCIAL REPORT

   Legislation Text

Proposed Agenda Additions

A. Consent:

A.1 2021-1059 APPROVAL OF THE SEPTEMBER 6, 2022 CITY COUNCIL MEETING MINUTES AND THE SEPTEMBER 20, 2022 CITY COUNCIL MEETING MINUTES

Legislation Text

A.2 2022-0851 FOOD RECYCLING SOLUTIONS, LLC: A RESOLUTION TO APPROVE AN AGREEMENT WITH FOOD RECYCLING SOLUTIONS, LLC FOR THE HAULING OF ORGANIC COMPOSTABLES AND RECYCLABLE MATERIAL IN THE CITY OF FAYETTEVILLE

Legislation Text

FOOD RECYCLING SOLUTIONS, LLC

A.3 2022-0868 HAWKINS-WEIR ENGINEERS, INC. AMENDMENT NO. 1: A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED $32,240.00 FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO RECYCLING AND TRASH FACILITY IMPROVEMENTS

Legislation Text

HAWKINS-WEIR ENGINEERS, INC. AMENDMENT NO. 1

A.4 2022-0853 J.A. RIGGS TRACTOR COMPANY D/B/A RIGGS POWER SYSTEMS, STATION W1: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A CATERPILLAR GENERATOR FROM J.A. RIGGS TRACTOR COMPANY D/B/A RIGGS POWER SYSTEMS IN THE AMOUNT OF $74,265.00 PLUS ANY APPLICABLE TAX AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE AT THE SOUTH MOUNTAIN PUMP STATION

Legislation Text

J.A. RIGGS TRACTOR COMPANY DBA RIGGS POWER SYSTEMS, STATION W1

A.5 2022-0854 J.A. RIGGS TRACTOR COMPANY DBA RIGGS POWER SYSTEMS, STATION W18: A RESOLUTION TO AUTHORIZE THE PURCHASE OF A CATERPILLAR GENERATOR FROM J.A. RIGGS TRACTOR COMPANY D/B/A RIGGS POWER SYSTEMS IN THE AMOUNT OF $55,990.00 PLUS ANY APPLICABLE TAX AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, FOR USE AT THE GULLEY ROAD WATER PUMP STATION

Legislation Text

J.A. RIGGS TRACTOR COMPANY DBA RIGGS POWER SYSTEMS, STATION W18

A.6 2022-0882 ALLTEL CORPORATION DBA VERIZON WIRELESS FIFTH AMENDMENT: A RESOLUTION TO APPROVE THE FIFTH AMENDMENT TO THE WATER TOWER ATTACHMENT COMMUNICATIONS SITE AGREEMENT WITH ALLTEL CORPORATION D/B/A VERIZON WIRELESS TO ALLOW VERIZON TO REPLACE THE CELLULAR COMMUNICATIONS EQUIPMENT ON THE OLDER OF THE TWO GULLEY ROAD ELEVATED WATER STORAGE TANKS

Legislation Text

ALLTEL CORPORATION DBA VERIZON WIRELESS FIFTH AMENDMENT

A.7 2022-0858 CRAFTON, TULL & ASSOCIATES, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH CRAFTON, TULL & ASSOCIATES, INC., PURSUANT TO RFQ 22-01 SELECTION #12, IN AN AMOUNT NOT TO EXCEED $146,780.00 FOR DESIGN SERVICES ASSOCIATED WITH THE LAKE FAYETTEVILLE BALLFIELD RENOVATION PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $7,340.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 PARK IMPROVEMENT BOND PROJECT

Legislation Text

CRAFTON, TULL & ASSOCIATES, INC.

BUDGET ADJUSTMENT

A.8 2022-0862 RECOGNIZE INTEREST REVENUE FOR SALES & USE TAX CAPITAL IMPROVEMENT AND REFUNDING BONDS SERIES 2019: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT RECOGNIZING INTEREST REVENUE GENERATED FROM THE SALES & USE TAX CAPITAL IMPROVEMENT AND REFUNDING BONDS SERIES 2019

Legislation Text

RECOGNIZE INTEREST REVENUE FOR SALES & USE TAX CAPITAL IMPROVEMENT AND REFUNDING BONDS SERIES 2019

BUDGET ADJUSTMENT

A.9 2022-0872 BEAVER WATER DISTRICT: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $800,000.00 FOR THE PURCHASED WATER ACCOUNT DUE TO INCREASED WATER USAGE

Legislation Text

BEAVER WATER DISTRICT

BUDGET ADJUSTMENT

A.10 2022-0864 RIGHTSEAT, LLC AGREEMENT: A RESOLUTION TO APPROVE A THIRTY (30) YEAR GROUND LEASE AGREEMENT WITH RIGHTSEAT, LLC FOR AIRPORT PROPERTY LOCATED NORTH OF THE DRAKE FIELD TERMINAL BUILDING AT 4249 SOUTH SCHOOL AVENUE FOR THE CONSTRUCTION OF A 80' X 70' HANGAR, WITH AN OPTION TO EXTEND THE GROUND LEASE FOR AN ADDITIONAL TEN (10) YEARS

Legislation Text

RIGHTSEAT, LLC AGREEMENT

A.11 2022-0860 PURCHASE ADDITIONAL LOADS OF FUEL: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $579,000.00 FOR THE PURCHASE OF ADDITIONAL LOADS OF JET FUEL AND AVGAS DUE TO INCREASING FUEL SALES AND RISING FUEL COSTS

Legislation Text

PURCHASE ADDITIONAL LOADS OF FUEL

BUDGET ADJUSTMENT

A.12 2022-0867 WT EQUIPMENT OF SPRINGDALE: A RESOLUTION TO APPROVE THE PURCHASE OF A BOBCAT E42 COMPACT EXCAVATOR WITH ATTACHMENTS AND TRAILER FROM WT EQUIPMENT OF SPRINGDALE IN THE AMOUNT OF $101,205.00, PLUS ANY APPLICABLE SALES TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

WT EQUIPMENT OF SPRINGDALE

BUDGET ADJUSTMENT

A.13 2022-0870 BID #22-43 LEGACY CONSTRUCTION MANAGEMENT, INC.: A RESOLUTION TO AWARD BID #22-43 AND AUTHORIZE A CONTRACT WITH LEGACY CONSTRUCTION MANAGEMENT, INC. IN THE AMOUNT OF $279,684.69 FOR IMPROVEMENTS TO THE RECYCLING AND TRASH COLLECTIONS TRANSFER STATION FLOOR, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $50,000.00

Legislation Text

BID #22-43 LEGACY CONSTRUCTION MANAGEMENT, INC.

A.14 2022-0874 CARBON REDUCTION PROGRAM FEDERAL-AID FUNDS: A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO APPLY FOR AND UTILIZE CARBON REDUCTION PROGRAM FEDERAL-AID FUNDS IN AN AMOUNT OF UP TO $500,000.00 FOR STREET LIGHTING IMPROVEMENT PROJECTS

Legislation Text

CARBON REDUCTION PROGRAM FEDERAL-AID FUNDS

A.15 2022-0884 RAILROAD CROSSING UPGRADE COST AND MAINTENANCE AGREEMENT: A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE A RAILROAD CROSSING UPGRADE COST AND MAINTENANCE AGREEMENT WITH THE ARKANSAS AND MISSOURI RAILROAD FOR MODIFICATIONS REQUIRED FOR THE RAZORBACK ROAD AND 15TH STREET INTERSECTION PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $80,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 STREET IMPROVEMENT BOND PROJECT

Legislation Text

RAILROAD CROSSING UPGRADE COST AND MAINTENANCE AGREEMENT

BUDGET ADJUSTMENT

A.16 2022-0865 U.S. GEOLOGICAL SURVEY JOINT FUNDING AGREEMENT: A RESOLUTION TO APPROVE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGE OPERATION AND MAINTENANCE AND WATER QUALITY SAMPLING AND MONITORING AT VARIOUS LOCATIONS IN THE CITY OF FAYETTEVILLE IN 2022 WITH THE AMOUNT PAID BY THE CITY NOT TO EXCEED $61,582.00

Legislation Text

U.S. GEOLOGICAL SURVEY JOINT FUNDING AGREEMENT

B. Unfinished Business:

B.1 2022-0766 RFQ 22-01 OLSSON, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH OLSSON, INC., PURSUANT TO RFQ #22-01, IN THE AMOUNT OF $89,900.00 TO PROVIDE AN ASSESSMENT OF LANDS WITH HIGH ECOLOGICAL VALUE AND TO DEVELOP AN ECOSYSTEMS SERVICES PLAN, AND TO APPROVE A PROJECT CONTINGENCY OF $8,990.00

Legislation Text

RFQ 22-01 OLSSON, INC. (OLD PACKET: 9/6/22 MEETING)

ADDITIONAL INFORMATION RFQ 22-01 OLSSON, INC. (NEW PACKET: 10/4/22 MEETING)

B.2 2022-0657 RAZE AND REMOVAL OF STRUCTURE AT 2860 E. WYMAN RD.: A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY LEROY H. SCHAFERNBERG LOCATED AT 2860 EAST WYMAN ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $17,800.00

Legislation Text

RAZE AND REMOVAL OF STRUCTURE AT 2860 E. WYMAN RD.

BUDGET ADJUSTMENT

B.3 2022-0757 VAC 22-018 (W. SLIGO ST AND S. RAZORBACK RD/MEADOW VALE DEVELOPMENT, LLC): AN ORDINANCE TO APPROVE VAC 22-018 FOR PROPERTY LOCATED AT WEST SLIGO STREET AND SOUTH RAZORBACK ROAD IN WARD 1 TO VACATE A PORTION OF STREET RIGHT-OF-WAY

Legislation Text

VAC 22-018 (W. SLIGO ST AND S. RAZORBACK RD/MEADOW VALE DEVELOPMENT, LLC)

B.4 2022-0814 MILLER BOSKUS LACK ARCHITECTS, P.A., D/B/A MBL PLANNING: A RESOLUTION TO APPROVE A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH MILLER BOSKUS LACK ARCHITECTS, P.A., D/B/A MBL PLANNING PURSUANT TO RFQ #21-09, IN THE AMOUNT OF $212,257.00 FOR THE DEVELOPMENT OF A PRE-APPROVED BUILDING DESIGN PROGRAM, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $10,613.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

MILLER BOSKUS LACK ARCHITECTS, P.A., D/B/A MBL PLANNING

BUDGET ADJUSTMENT

B.5 2022-0787 RZN 22-037: (SE OF W. 18TH ST & W. CUSTER LN/SOUTHERN LIVING CONSTRUCTION LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-037 LOCATED SOUTHEAST OF WEST 18TH STREET AND WEST CUSTER LANE IN WARD 1 FOR APPROXIMATELY 3.10 ACRES FROM RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE AND C-1, NEIGHBORHOOD COMMERCIAL TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

Legislation Text

RZN 22-037: (SE OF W. 18TH ST & W. CUSTER LN/SOUTHERN LIVING CONSTRUCTION LLC)

C. New Business:

C.1 2022-0878 AMEND §118.01 APPLICABILITY, §151.01 DEFINITIONS AND §163.18 SHORT-TERM RENTALS: AN ORDINANCE TO AMEND §118.01 APPLICABILITY OF THE FAYETTEVILLE CITY CODE, AND § 151.01 DEFINITIONS AND §163.18 SHORT-TERM RENTALS OF THE UNIFIED DEVELOPMENT CODE TO REMOVE THE CONDITIONAL USE PERMIT REQUIREMENT FOR TYPE 2 SHORT-TERM RENTALS, AND TO REPEAL THE SUNSET PROVISION

Legislation Text

AMEND §118.01 APPLICABILITY, §151.01 DEFINITIONS AND §163.18 SHORT-TERM RENTALS

C.2 2022-0861 VAC 22-021 (927 E. ROCKWOOD TRAIL/THOMPSON): AN ORDINANCE TO APPROVE VAC 22-021 FOR PROPERTY LOCATED AT 927 EAST ROCKWOOD TRAIL IN WARD 1 TO VACATE A PORTION OF A UTILITY EASEMENT

Legislation Text

VAC 22-021 (927 E. ROCKWOOD TRAIL/THOMPSON)

C.3 2022-0866 VAC 22-020 (1070 N. MARINONI DR/MARINONI INC.): AN ORDINANCE TO APPROVE VAC 22-020 FOR PROPERTY LOCATED AT 1070 NORTH MARINONI DRIVE IN WARD 4 TO VACATE A PORTION OF A UTILITY EASEMENT

Legislation Text

VAC 22-020 (1070 N. MARINONI DR/MARINONI INC.)

C.4 2022-0869 RZN 22-041 (1453 SOUTH ROOT LN./HOLT): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-041 LOCATED AT 1453 SOUTH ROOT LANE IN WARD 1 FOR APPROXIMATELY 2.50 ACRES FROM R-A, RESIDENTIAL-AGRICULTURAL TO RSF-1, RESIDENTIAL SINGLE-FAMILY, 1 UNIT PER ACRE

Legislation Text

RZN 22-041 (1453 SOUTH ROOT LANE/HOLT)

C.5 2022-0873 RZN 22-042 (N. GREGG AVE AND N. FUTRALL DR/WASHINGTON REGIONAL MEDICAL CENTER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-042 LOCATED AT THE SOUTHWEST CORNER OF NORTH GREGG AVENUE AND NORTH FUTRALL DRIVE IN WARD 2 FOR APPROXIMATELY 4.05 ACRES FROM C-3, CENTRAL COMMERCIAL TO UT, URBAN THOROUGHFARE

Legislation Text

RZN 22-042 (N. GREGG AVE AND N. FUTRALL DR/WASHINGTON REGIONAL MEDICAL CENTER)

C.6 2022-0875 RZN 22-034 (113 E. DAVIDSON ST./GRAVES): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-034 LOCATED AT 113 EAST DAVIDSON STREET IN WARD 2 FOR APPROXIMATELY 0.14 ACRES FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE TO NS-L, NEIGHBORHOOD SERVICES - LIMITED

Legislation Text

RZN 22-034 (113 E. DAVIDSON ST./GRAVES)

C.7 2022-0876 RZN 22-040 (2255 E. HUNTSVILLE RD/BROOMFIELD): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-040 LOCATED AT 2255 EAST HUNTSVILLE ROAD IN WARD 1 FOR APPROXIMATELY 1.16 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL AND RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES - GENERAL

Legislation Text

RZN 22-040 (2255 E. HUNTSVILLE RD/BROOMFIELD)

C.8 2022-0877 RZN 22-043 (560 W. VAN ASCHE DR./TUNE & TUNE): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-043 LOCATED AT 560 WEST VAN ASCHE DRIVE IN WARD 2 FOR APPROXIMATELY 15.56 ACRES FROM R-A, RESIDENTIAL-AGRICULTURAL TO UT, URBAN THOROUGHFARE

Legislation Text

RZN 22-043 (560 W. VAN ASCHE DR./TUNE & TUNE)

C.9 2022-0879 VAC 22-010 (2015 S. VALE AVENUE/ TITAN VALE, LLC): AN ORDINANCE TO APPROVE VAC 22-010 FOR PROPERTY LOCATED AT 2015 SOUTH VALE AVENUE IN WARD 1 TO VACATE A PORTION OF AN ALLEY RIGHT-OF-WAY

Legislation Text

VAC 22-010 (2015 S. VALE AVENUE/ TITAN VALE, LLC)

C.10 2022-0880 APPEAL CUP 22-039 (2992 N. OAK BAILEY DR./OAK BAILEY CLUSTER DEVELOPMENT): A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS SARAH BUNCH, TERESA TURK, AND SLOAN SCROGGIN TO DENY CONDITIONAL USE PERMIT CUP 2022-039 FOR A CLUSTER HOUSING DEVELOPMENT FOR PROPERTY LOCATED AT 2992 NORTH OAK BAILEY DRIVE IN WARD 3, AND TO DENY A VARIANCE TO § 164.22(D) OF THE UNIFIED DEVELOPMENT CODE TO EXCEED THE MAXIMUM NUMBER OF DWELLING UNITS PERMITTED

Legislation Text

APPEAL CUP 22-039 (2992 N. OAK BAILEY DR./OAK BAILEY CLUSTER DEVELOPMENT)

D. City Council Agenda Session Presentations:

D.1 2021-1090 AGENDA SESSION PRESENTATION - SALES TAX REPORT, PAUL BECKER AND ENERGY REPORT, PETER NIERENGARTEN

Legislation Text

D.2 2022-0806 AGENDA SESSION PRESENTATION: SUPPORTING LIFELONG SUCCESS (SLS) COMMUNITY UPDATE - DEVIN HOWLAND

Legislation Text

E. City Council Tour:

F. Announcements:

G. Adjournment