City of Fayetteville, Arkansas

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

City Council Meeting

September 6, 2022
5:30 p.m.

City Hall Room 219
113 West Mountain

City Council Members

Sonia Harrey 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_w9rNGhaiRZqR9bsCPNXalA Webinar ID: 818 4889 5709

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items

1. 2021-1087 MONTHLY FINANCIAL REPORT

Legislation Text

Proposed Agenda Additions

A. Consent

A.1 2022-0717 INTERLOCAL AGREEMENT FOR CONTINUATION ADDENDUM: A RESOLUTION TO APPROVE AN ADDENDUM TO THE INTERLOCAL AGREEMENT FOR CONTINUATION OF AMBULANCE SERVICES THROUGH THE WASHINGTON COUNTY REGIONAL AMBULANCE AUTHORITY TO PROVIDE ADDITIONAL FUNDING IN THE AMOUNT OF $357,454.00, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

INTERLOCAL AGREEMENT FOR CONTINUATION ADDENDUM

BUDGET ADJUSTMENT

A.2 2022-0761 OLD MISSOURI LAND DEVELOPMENT, LLC: A RESOLUTION TO APPROVE A COST SHARE AGREEMENT WITH OLD MISSOURI LAND DEVELOPMENT, LLC FOR TRAIL IMPROVEMENTS ALONG THE EAST SIDE OF OLD MISSOURI ROAD NEAR THE ROLLING HILLS DRIVE INTERSECTION WITH A REFUND IN AN ESTIMATED AMOUNT OF $58,533.00 TO BE PAID BY THE CITY OF FAYETTEVILLE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $6,000.00

Legislation Text

OLD MISSOURI LAND DEVELOPMENT LLC

A.3 2022-0758 OLSSON, INC., AMENDMENT NO. 4: A RESOLUTION TO APPROVE AMENDMENT NO. 4 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH OLSSON, INC. IN THE AMOUNT OF $332,785.00 FOR ADDITIONAL ENGINEERING SERVICES RELATED TO THE MIDTOWN CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROJECT

Legislation Text

OLSSON, INC. AMENDMENT NO. 4

BUDGET ADJUSTMENT

A.4 2022-0763 MUD CREEK BRIDGE ASSESSMENT FUNDS-SAIN STREET: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $23,996.00 RECOGNIZING REVENUE FROM THE MUD CREEK BRIDGE ASSESSMENT FUNDS FOR THE SAIN STREET PROJECT

Legislation Text

MUD CREEK BRIDGE ASSESSMENT FUNDS-SAIN STREET

BUDGET ADJUSTMENT

A.5 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.

A.6 2022-0769 WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER 10: A RESOLUTION TO APPROVE TASK ORDER NO. 10 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF $22,500.00 FOR CONTINUING RIPARIAN HABITAT ENHANCEMENT AND CHANNEL STABILITY ESTABLISHMENT IN TANGLEWOOD BRANCH AND ASSOCIATED TRIBUTARIES IN THE FAY JONES WOODS AND THE LOWER RAMBLE

Legislation Text

WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER 10

A.7 2022-0770 PAYNELESS, LLC LAND SALE AGREEMENT: A RESOLUTION TO APPROVE A LAND SALE AGREEMENT WITH PAYNELESS, LLC FOR THE SALE OF APPROXIMATELY 0.25 ACRES FOR $80,085.00

Legislation Text

PAYNELESS, LLC LAND SALE AGREEMENT

A.8 2022-0774 PLAYCORE WISCONSIN, INC. D/B/A GAME TIME: A RESOLUTION TO APPROVE THE PURCHASE OF A SWING SET AND SAFETY SURFACING FROM PLAYCORE WISCONSIN, INC. D/B/A GAME TIME FOR INSTALLATION AT HOLLAND PARK IN THE AMOUNT OF $116,594.96, PURSUANT TO AN OMNIA COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A PROJECT CONTINGENCY OF $10,000.00

Legislation Text

PLAYCORE WISCONSIN, INC. D/B/A GAME TIME

A.9 2022-0762 LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM: A RESOLUTION TO APPROVE A VENDOR AGREEMENT THAT WILL ENROLL THE CITY OF FAYETTEVILLE IN THE LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM THROUGH THE ARKANSAS DEPARTMENT OF ENERGY AND ENVIRONMENT

Legislation Text

LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM

A.10 2022-0777 MCCLELLAND CONSULTING ENGINEERS, INC. AMENDMENT NO. 2: A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF $897,485.00 FOR PRELIMINARY ENGINEERING DESIGN FOR THE WEST CORRIDOR WATER TRANSMISSION LINE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

MCCLELLAND CONSULTING ENGINEERS, INC. AMENDMENT NO. 2

BUDGET ADJUSTMENT

A.11 2022-0778 ELITE BUILDING SOLUTIONS: A RESOLUTION TO APPROVE THE REPLACEMENT OF TWO HVAC UNITS IN THE MOTOR CONTROL CENTER BUILDING AT THE WEST SIDE WATER RESOURCE RECOVERY FACILITY BY ELITE BUILDING SOLUTIONS FOR THE AMOUNT OF $41,650.00, PLUS ANY APPLICABLE SALES TAXES AND FREIGHT CHARGES, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

ELITE BUILDING SOLUTIONS

A.12 2022-0776 RFQ 22-01 GARVER, LLC: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN THE AMOUNT OF $697,000.00, PURSUANT TO RFQ # 22-01, SELECTION 4, FOR FACILITIES MASTER PLANNING SERVICES AT THE NOLAND WATER RESOURCE RECOVERY FACILITY, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

RFQ 22-01 GARVER, LLC

BUDGET ADJUSTMENT

A.13 2022-0782 CITY OF SPRINGDALE WATER SERVICE AGREEMENT AMENDMENT: A RESOLUTION TO APPROVE AN AMENDMENT TO THE WATER SERVICE AGREEMENT WITH THE CITY OF SPRINGDALE TO MOVE THE WATER SERVICE BOUNDARY TO ALLOW FOUR PARCELS OF LAND NOW IN THE SPRINGDALE WATER SERVICE AREA BE MOVED INTO THE FAYETTEVILLE WATER SERVICE AREA

Legislation Text

CITY OF SPRINGDALE WATER SERVICE AGREEMENT AMENDMENT

A.14 2022-0785 GRAYBAR ELECTRIC COMPANY, INC.: A RESOLUTION TO APPROVE THE PURCHASE OF ELECTRICAL COMPONENTS FOR THE BIOSOLIDS MANAGEMENT SITE FROM GRAYBAR ELECTRIC COMPANY, INC. IN THE AMOUNT OF $97,720.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO AN OMNIA PARTNERS COOPERATIVE PURCHASING CONTRACT

Legislation Text

GRAYBAR ELECTRIC COMPANY, INC.

A.15 2022-0781 REALLOCATE CDBG-CV FUNDING FOR COVID-19 OUTREACH, TESTING AND PROTECTION: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF $557,298.00 TO REALLOCATE CDBG-CV FUNDING FOR COVID-19 OUTREACH, TESTING AND PROTECTION

Legislation Text

REALLOCATE CDBG-CV FUNDING FOR COVID-19 OUTREACH, TESTING AND PROTECTION

BUDGET ADJUSTMENT

A.16 2022-0764 BLACK & VEATCH CORPORATION-WATER AND SEWER RATE STUDY: A RESOLUTION TO APPROVE AN INCREASE IN PROJECT CONTINGENCY FUNDS IN THE AMOUNT OF $50,000.00 FOR SCOPE OF WORK MODIFICATIONS AS NEEDED FOR THE BLACK & VEATCH CORPORATION WATER AND SEWER RATE STUDY

Legislation Text

BLACK & VEATCH CORPORATION-WATER AND SEWER RATE STUDY

A.17 2022-0772 ADDITION OF GRANT ADMINISTRATOR AND PLANNING POSITIONS: A RESOLUTION TO APPROVE THE ADDITION OF 1.0 FULL TIME EQUIVALENT GRANT ADMINISTRATOR POSITION TO FACILITATE AND ADMINISTER AMERICAN RESCUE PLAN ACT FUND DISBURSEMENTS, TO APPROVE THE ADDITION OF 1.0 FULL TIME EQUIVALENT PLANNER POSITION FOR THE DEVELOPMENT SERVICES DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT

Legislation Text

ADDITION OF GRANT ADMINISTRATOR AND PLANNING POSITIONS

BUDGET ADJUSTMENT

A.18 2022-0620 FLEET FUEL THROUGH THE END OF 2022: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $1,738,000.00 FOR THE PURCHASE OF ADDITIONAL FLEET FUEL THROUGH THE END OF 2022

Legislation Text

FLEET FUEL THROUGH THE END OF 2022.

BUDGET ADJUSTMENT

B. Unfinished Business

B.1 2022-0209 RAZE AND REMOVAL OF STRUCTURES AT 2141 N GREEN ACRES RD.: A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY ROSE MARY AUSTIN LOCATED AT 2141 NORTH GREEN ACRES ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF $33,894.00

Legislation Text

RAZE AND REMOVAL OF STRUCTURES AT 2141 N GREEN ACRES RD.

BA_RAZE AND REMOVAL OF STRUCTURES AT 2141 N GREEN ACRES RD.

ADDITIONAL INFORMATION 04/05/22_RAZE AND REMOVAL OF STRUCTURES AT 2141 N GREEN ACRES RD.

C. New Business

C.1 2022-0729 AMEND §157.02 DEVELOPMENT: AN ORDINANCE TO AMEND §157.02 DEVELOPMENT IN CHAPTER 157 NOTIFICATION AND PUBLIC HEARINGS OF THE UNIFIED DEVELOPMENT CODE TO REQUIRE PUBLIC NOTIFICATION OF ADMINISTRATIVE ITEMS AND VARIANCES CONSIDERED BY THE PLANNING COMMISSION

Legislation Text

AMEND §157.02 DEVELOPMENT

C.2 2022-0765 AMEND §97.070 RECREATIONAL ACTIVITIES AT LAKES FAYETTEVILLE, SEQUOYAH AND WILSON: AN ORDINANCE TO AMEND §97.070 RECREATIONAL ACTIVITIES AT LAKES FAYETTEVILLE, SEQUOYAH AND WILSON TO REMOVE REQUIRED FEES AT LAKE SEQUOYAH

Legislation Text

AMEND §97.070 RECREATIONAL ACTIVITIES AT LAKES FAYETTEVILLE, SEQUOYAH AND WILSON

C.3 2022-0726 RZN 22-030 (2178 E. HUNTSVILLE RD./ALBAN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-030 LOCATED AT 2178 EAST HUNTSVILLE ROAD IN WARD 1 FOR APPROXIMATELY 6.01 ACRES FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE AND R-O, RESIDENTIAL-OFFICE TO CS, COMMUNITY SERVICES

Legislation Text

RZN 22-030 (2178 E. HUNTSVILLE RD./ALBAN)

C.4 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)

C.5 2022-0723 AMEND §31.30 OFFICE OF CITY CLERK - TREASURER: AN ORDINANCE TO AMEND §31.30 OFFICE OF CITY CLERK - TREASURER (C) DUTIES TO EXPAND AND CLARIFY THE CITY CLERK'S CUSTODIAL AND DESTRUCTION OF CITY RECORDS DUTIES

Legislation Text

AMEND 31.30 OFFICE OF CITY CLERK-TREASURER

C.6 2022-0722 NELSON HACKETT HISTORICAL MARKER: A RESOLUTION TO ALLOW THE INSTALLATION OF AN HISTORICAL MARKER IN HONOR OF NELSON HACKETT IN THE CITY FLOWER BED IN FRONT OF THE BANK OF FAYETTEVILLE

Legislation Text

NELSON HACKETT HISTORICAL MARKER

C.7 2022-0721 RENAME ARCHIBALD YELL BOULEVARD TO NELSON HACKETT BOULEVARD: A RESOLUTION TO RENAME ARCHIBALD YELL BOULEVARD TO NELSON HACKETT BOULEVARD

Legislation Text

RENAME ARCHIBALD YELL BOULEVARD TO NELSON HACKETT BOULEVARD

D. City Council Agenda Session Presentations

D.1 2021-1088 AGENDA SESSION PRESENTATION - SALES TAX REPORT, PAUL BECKER AND ENERGY REPORT, PETER NIERENGARTEN

Legislation Text

D.2 2022-0808 AGENDA SESSION PRESENTATION - TIME TO ACKNOWLEDGE A DIFFERENT HISTORY; COUNCIL MEMBER JONES, DR. BANTON AND DR. PIERCE

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 discuss the agenda item being considered by the City Council. 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. As part of a person's public comments allowed above, the speaker may use electronic visual aids during their five (5) minutes presentation period concerning the agenda item being considered by the City Council. 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 comments that are harassing or amount to a personal attack against any identifiable individual including abusive comments and derogatory remarks about integrity or offer any other comments that are also not limited to the discussion of the specific agenda item being considered by the City Council. 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 a 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.