

# **City of Fayetteville, Arkansas**

*113 West Mountain Street*

*Fayetteville, AR 72701*

*(479) 575-8323*



## **City Council Final Agenda**

**Tuesday, March 21, 2023**

**5:30 PM**

**City Hall Room 219**

### **City Council Members**

***Council Member Sonia Harvey Ward 1***

***Council Member D'Andre Jones Ward 1***

***Council Member Sarah Moore Ward 2***

***Council Member Mike Wiederkehr Ward 2***

***Council Member Scott Berna Ward 3***

***Council Member Sarah Bunch Ward 3***

***Council Member Teresa Turk Ward 4***

***Council Member Holly Hertzberg Ward 4***

***Mayor Lioneld Jordan***

***City Attorney Kit Williams***

***City Clerk Treasurer Kara Paxton***

**ZOOM INFORMATION:**

1. **WEBINAR: 830 4376 0393**  
**PUBLIC REGISTRATION LINK:**  
[HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/  
WN\\_BOQPNCQST4WGZEDLKNZV0W](https://us06web.zoom.us/webinar/register/?wn=BOQPNCQST4WGZEDLKNZV0W)

**CALL TO ORDER****ROLL CALL****PLEDGE OF ALLEGIANCE****MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS****CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS**

1. **NOMINATING COMMITTEE REPORT (2023-577)**

**PROPOSED AGENDA ADDITIONS****A. CONSENT**

- A.1. **APPROVAL OF THE MARCH 7, 2023 CITY COUNCIL MEETING MINUTES**  
(2022-316)

**A.2. TREE ESCROW PAYMENTS:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$101,992.00 TO TRANSFER A TREE ESCROW BALANCE FOR THE PLANTING OF MITIGATION TREES IN VARIOUS LOCATIONS THROUGHOUT THE CITY OF FAYETTEVILLE (2023-438)

**A.3. G.W. VAN KEPPEL COMPANY:**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF A STREET SWEEPER/BROOM FROM G.W. VAN KEPPEL COMPANY FOR THE AMOUNT OF \$66,877.00 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2023-474)

**A.4. LEWIS FORD OF FAYETTEVILLE:**

A RESOLUTION TO APPROVE THE PURCHASE OF FIVE FORD VEHICLES

FROM LEWIS FORD OF FAYETTEVILLE IN THE TOTAL AMOUNT OF \$191,058.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-426)

**A.5. PETROLEUM TRADERS CORPORATION:**

A RESOLUTION TO AWARD BID #23-18 AND APPROVE A ONE YEAR CONTRACT WITH PETROLEUM TRADERS CORPORATION FOR BULK FUEL PURCHASES WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS (2023-495)

**A.6. DONATION REVENUE FROM FRIENDS OF YRCC:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$22,126.00 REPRESENTING DONATION REVENUE FROM FRIENDS OF YRCC TO FUND THE 2023 PROGRAMS OFFERED AT THE YVONNE RICHARDSON COMMUNITY CENTER (2023-501)

**A.7. RFP 22-11, RAY KLEIN, INC:**

A RESOLUTION TO AWARD RFP 22-11 AND AUTHORIZE A ONE YEAR CONTRACT WITH RAY KLEIN, INC. D/B/A PROFESSIONAL CREDIT SERVICE FOR ACCOUNT COLLECTION SERVICES WITH AUTOMATIC RENEWALS FOR UP TO FOUR (4) ADDITIONAL ONE YEAR TERMS (2023-510)

**A.8. SURFCO RESTORATION & CONSTRUCTION, LLC:**

A RESOLUTION TO APPROVE A THREE YEAR LEASE AGREEMENT WITH SURFCO RESTORATION AND CONSTRUCTION, LLC FOR OFFICE SPACE IN THE AIRPORT TERMINAL BUILDING AT 4500 SOUTH SCHOOL AVENUE FOR RENT IN THE AMOUNT OF \$1,000.00 PER MONTH (2023-481)

**A.9. AMENDMENT 3, HAWKINS WEIR ENGINEERS, INC.:**

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN THE AMOUNT OF \$80,660.00 FOR ADDITIONAL SERVICES ASSOCIATED WITH THE PROJECT TO ALLEVIATE FLOODING NEAR THE NORTH COLLEGE AVENUE AND EAST SUNBRIDGE DRIVE INTERSECTION, AND TO APPROVE A BUDGET ADJUSTMENT– 2019 DRAINAGE BOND PROJECT (2023-497)

**A.10. CONSTRUCTION MANAGER AT RISK SERVICES CONTRACT WITH  
CROSSLAND HEAVY CONTRACTORS:**

A RESOLUTION TO AUTHORIZE A CONSTRUCTION MANAGER AT RISK SERVICES CONTRACT WITH CROSSLAND HEAVY CONTRACTORS, INC., IN AN AMOUNT NOT TO EXCEED \$38,950.00, PURSUANT TO RFQ 23-02, FOR THE LAKE FAYETTEVILLE SOFTBALL IMPROVEMENT PROJECT (2023-507)

**A.11. 2023 JUSTICE ASSISTANCE GRANT (JAG) AWARD:**

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE 2023 JUSTICE ASSISTANCE GRANT AWARD IN THE AMOUNT OF \$124,499.00 TO PROVIDE FUNDING FOR THE FOURTH JUDICIAL DISTRICT DRUG TASK FORCE (2023-435)

**A.12. FAYETTEVILLE ADVERTISING & PROMOTION COMMISSION:**

A RESOLUTION TO APPROVE A 10 YEAR LEASE AGREEMENT WITH THE FAYETTEVILLE ADVERTISING AND PROMOTION COMMISSION FOR THE TOWN CENTER AND TOWN CENTER PARKING DECK (2023-499)

**A.13. TITAN LAWN AND LANDSCAPE CONTRACT AMENDMENT:**

A RESOLUTION TO APPROVE AN AMENDMENT TO THE CONTRACT WITH TITAN LAWN AND LANDSCAPE, LLC IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$150,000.00 TO PROVIDE TRASH AND REMOVAL SERVICES FROM UNSANCTIONED CAMP SITES ON CITY PROPERTY ALONG THE TRAIL SYSTEM AND ADJACENT PROPERTIES AS NEEDED, AND TO APPROVE A BUDGET ADJUSTMENT. (2023-545)

**B. UNFINISHED BUSINESS****B.1. RZN 23-002: (SE OF N. GREGG AVE AND W. ELM ST/LEGACY VENTURES LLC, 367):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-002 LOCATED SOUTHEAST OF NORTH GREGG AVENUE AND WEST ELM STREET IN WARD 2 FOR APPROXIMATELY 1.71 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE AND RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2023-450)

AT THE MARCH 7, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS LEFT ON THE FIRST READING.

**C. NEW BUSINESS****C.1. FAYETTEVILLE FIRE DEPARTMENT INCENTIVE PLAN:**

A RESOLUTION TO APPROVE THE FIRE DEPARTMENT INCENTIVE PLAN, AND TO APPROVE A BUDGET ADJUSTMENT (2023-503)

**C.2. RZN 23-003 (1275 N. GREGG AVE/PATHWAY BAPTIST CHURCH, 405):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-003 LOCATED AT 1275 NORTH GREGG AVENUE IN WARD 2 FOR APPROXIMATELY 2.24 ACRES FROM RMF-24, RESIDENTIAL

MULTI-FAMILY, 24 UNITS PER ACRE TO RMF-40, RESIDENTIAL MULTI-FAMILY, 40 UNITS PER ACRE (2023-500)

**C.3. RZN 23-004 (2910 N. OLD WIRE RD. / VAN SCYOC, 255):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 23-004 LOCATED AT 2910 NORTH OLD WIRE ROAD IN WARD 3 FOR APPROXIMATELY 14.70 ACRES FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, 4 UNITS PER ACRE AND R-A, RESIDENTIAL AGRICULTURE TO R-A, RESIDENTIAL AGRICULTURE AND NC, NEIGHBORHOOD CONSERVATION (2023-502)

**D. CITY COUNCIL AGENDA SESSION PRESENTATIONS**

**D.1. DEPARTMENT OF ECONOMIC VITALITY UPDATE - DEVIN HOWLAND**

(2023-407)

**D.2. UPDATE ON THE ARPA CHILDCARE PROGRAM - YOLANDA FIELDS**

(2023-536)

**E. CITY COUNCIL TOUR**

**E.1. TOUR OF PROPERTIES THAT ARE SUBJECTS OF AGENDA ITEMS (2023-450 AND 2023-502)**

**DATE: MARCH 17TH, 2023**

**TIME: 4:00 PM (BEGINNING AT LEGACY VENTURES) - 4:30 PM**

**TENTATIVELY (VAN SCYOC)**

**ADDRESS: SOUTHEAST OF GREGG AND ELM (LEGACY VENTURES) - 2910 NORTH OLD WIRE ROAD (SCYOC)**

**PARKING: PARKING VARIES BY LOCATION.**

**REQUEST: REZONING REQUESTS FORWARDED FROM THE PLANNING COMMISSION.**

(2023-576)

**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 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.