

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Tentative Agenda

Tuesday, May 30, 2023

4:30 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 ID: 820 0724 1569**
PUBLIC REGISTRATION LINK:
[HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/
WN_BG_5DTYGQXGQ76J3DLYJWW](https://us06web.zoom.us/join/82007241569)

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS

CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS

1. **MONTHLY FINANCIAL REPORT:**

- A. **CONSENT**

- A.1. **APPROVAL OF THE MAY 16, 2023 CITY COUNCIL MEETING MINUTES:
(2023-490)**

- A.2. **E-SCOOTER PROGRAM REVENUE (BUDGET ADJUSTMENT):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$15,000.00 TO ALLOW REVENUE FROM THE E-SCOOTER PROGRAM TO BE USED FOR THE CITY'S TRAILS AND MOBILITY PROGRAM (2023-719)

- A.3. **MILESTONE CONSTRUCTION COMPANY, LLC. (CONSTRUCTION CONTRACT):**

A RESOLUTION TO AWARD BID #23-24 AND AUTHORIZE A CONTRACT WITH MILESTONE CONSTRUCTION COMPANY, LLC IN THE AMOUNT OF \$488,300.29 FOR THE HAPPY HOLLOW SIDEWALK IMPROVEMENTS PROJECT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$50,000.00 (2023-781)

- A.4. **HAWKINS-WEIR ENGINEERS, INC. - HWY 112 (SERVICE AGREEMENT):**

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$98,610.00 FOR ADDITIONAL SERVICES DURING THE FINAL DESIGN PHASES OF THE UTILITY RELOCATIONS ALONG HIGHWAY 112 (2023-784)

A.5. HAWKINS-WEIR ENGINEERS, INC. - I-49 & MLK (SERVICE AGREEMENT):

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$276,110.00 FOR ADDITIONAL DESIGN SERVICES FOR UTILITY RELOCATIONS ASSOCIATED WITH THE I-49/MARTIN LUTHER KING, JR. BOULEVARD INTERCHANGE PROJECT (2023-785)

A.6. KLM ENGINEERING, INC. (SERVICE AGREEMENT):

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH KLM ENGINEERING, INC., PURSUANT TO RFQ #23-01 SELECTION #3, IN AN AMOUNT NOT TO EXCEED \$36,062.00 FOR WATER STORAGE TANK INSPECTIONS, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$7,212.40 (2023-786)

A.7. WEX BANK (PURCHASE CONTRACT):

A RESOLUTION TO APPROVE A CONTRACT WITH WEX BANK, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, TO ENABLE THE CITY TO PARTICIPATE IN A FUEL CARD PROGRAM (2023-779)

A.8. CANON USA INC. (PURCHASE CONTRACT):

A RESOLUTION TO APPROVE THE PURCHASE OF COPIERS AND MANAGED PRINT SERVICES FROM CANON USA, INC., PURSUANT TO A STATE OF ARKANSAS COOPERATIVE PURCHASING CONTRACT, THROUGH JULY 31, 2024 (2023-780)

A.9. GOVDEALS INC. (PURCHASE CONTRACT):

A RESOLUTION TO AUTHORIZE A CONTRACT WITH GOVDEALS, INC. FOR ONLINE AUCTION SERVICES FOR SURPLUS EQUIPMENT AND VEHICLES THROUGH MARCH 19, 2025 AND ANY RENEWAL PERIODS, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2023-778)

A.10. SPRINGDALE TRACTOR CO. (PURCHASE CONTRACT):

A RESOLUTION TO AUTHORIZE THE PURCHASE OF A KUBOTA TRACTOR FROM SPRINGDALE TRACTOR FOR THE AMOUNT OF \$16,651.72 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-745)

A.11. GAPVAX INC. (PURCHASE CONTRACT):

A RESOLUTION TO APPROVE THE PURCHASE OF A GAPVAX EXCAVATOR FROM GAPVAX, INC. IN THE AMOUNT OF \$665,575.70, PLUS ANY APPLICABLE SALES TAXES AND FREIGHT CHARGES, PURSUANT TO A

SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-744)

A.12. RUSH TRUCK CENTERS (UTILITY TRUCK PURCHASE CONTRACT):

A RESOLUTION TO APPROVE THE PURCHASE OF TWO INTERNATIONAL HEAVY DUTY UTILITY TRUCKS AND ONE SNOW PLOW ATTACHMENT FROM RUSH TRUCK CENTERS OF ARKANSAS, INC. FOR THE TOTAL AMOUNT OF \$218,435.95 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2023-743)

A.13. RUSH TRUCK CENTERS (RECYCLE TRUCK PURCHASE CONTRACT):

A RESOLUTION TO APPROVE THE PURCHASE OF TWO INTERNATIONAL RECYCLE BODY TRUCKS FROM RUSH TRUCK CENTERS OF ARKANSAS, INC. FOR THE TOTAL AMOUNT OF \$499,990.56 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2023-742)

A.14. ARDOT - HIGHWAY 16 (RELOCATION AGREEMENT):

A RESOLUTION TO APPROVE A UTILITY RELOCATION AGREEMENT WITH THE ARKANSAS STATE HIGHWAY COMMISSION FOR UTILITY RELOCATIONS RELATED TO THE HIGHWAY 16 EAST WIDENING PROJECT (2023-782)

A.15. ARDOT - HIGHWAY 112 (RELOCATION AGREEMENT):

A RESOLUTION TO APPROVE A UTILITY RELOCATION AGREEMENT WITH THE ARKANSAS STATE HIGHWAY COMMISSION FOR UTILITY RELOCATIONS RELATED TO THE HIGHWAY 112 IMPROVEMENTS PROJECT (2023-783)

A.16. ROBERT WALSH (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 \$10,434.25 TO ROBERT WALSH AND EQUITY TRUST COMPANY FOR WATER MAIN BREAK DAMAGE AT 2416 EAST SHARON STREET, AND TO APPROVE A BUDGET ADJUSTMENT (2023-787)

A.17. STEVE MANGAN (SEWER DAMAGE CLAIM):

A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$42,971.43 TO STEVE AND HEATHER MANGAN FOR SEWER OVERFLOW DAMAGE AT 3190 NORTH MALINDA DRIVE (2023-788)

A.18. BEAVER WATERSHED ALLIANCE (COST SHARE AGREEMENT):

A RESOLUTION TO APPROVE A COST SHARE AGREEMENT WITH THE BEAVER WATERSHED ALLIANCE FOR THE INSTALLATION OF LOW IMPACT DEVELOPMENT FEATURES IN THE TOWN BRANCH WATERSHED ASSOCIATED WITH THE ELMHURST AND MCCLINTON DRAINAGE IMPROVEMENT PROJECT WITH MATCHING FUNDS PROVIDED BY THE CITY IN THE AMOUNT OF \$190,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2023-747)

A.19. FREESE AND NICHOLS, INC. (SERVICE AGREEMENT):

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC., PURSUANT TO RFQ #22-14, IN AN AMOUNT NOT TO EXCEED \$151,420.00 FOR HAMESTRING CREEK WATERSHED FLOOD MITIGATION AND GRANT SUPPORT (2023-749)

A.20. ANN HARBISON FARMS (LEASE AGREEMENT):

A RESOLUTION TO AWARD BID #23-23 AND AUTHORIZE A FIVE YEAR AIRPORT HAY FIELD LEASE AGREEMENT WITH ANN HARBISON FOR RENT IN THE AMOUNT OF \$6,001.00 PER YEAR (2023-752)

A.21. MOTOROLA SOLUTIONS INC. (EQUIPMENT PURCHASE):

A RESOLUTION TO AUTHORIZE THE PURCHASE OF RADIO EQUIPMENT FROM MOTOROLA SOLUTIONS INC. IN THE AMOUNT OF \$419,383.29 PLUS ANY APPLICABLE TAX AND FREIGHT CHARGES, AND TO APPROVE A BUDGET ADJUSTMENT (2023-753)

B. UNFINISHED BUSINESS**C. NEW BUSINESS****C.1. APPEAL: CUP-2023-0043: (435 N. OLIVER AVE/ KING INVESTMENTS OF FAYETTEVILLE LLC, 482):**

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS SARAH MOORE, SCOTT BERNA, AND TERESA TURK AND DENY CONDITIONAL USE PERMIT CUP 2023-043 FOR A SHORT-TERM RENTAL AT 435 NORTH OLIVER AVENUE IN WARD 4 (2023-748)

C.2. ARTS & CULTURE MASTER PLAN (FUNDING APPROVAL):

A RESOLUTION TO APPROVE FUNDING OF \$200,000.00 TO DEVELOP AN ARTS AND CULTURE MASTER PLAN AND TO APPROVE A BUDGET ADJUSTMENT (2023-789)

C.3. HISTORIC BLACK DISTRICT PRESERVATION (LAND PURCHASE):

A RESOLUTION TO AUTHORIZE THE MAYOR OF THE CITY OF FAYETTEVILLE TO PURCHASE REAL ESTATE TO BE RETURNED TO THE NWA BLACK HERITAGE ASSOCIATION FOR RESTORATION, REDEVELOPMENT, AND ADVANCEMENT TO THE AFRICAN AMERICAN COMMUNITY INTO THE VIBRANT AND THRIVING DISTRICT IT IS MEANT TO BE (2023-754)

C.4. AMENDMENT - §166.25 (UDC):

AN ORDINANCE TO AMEND §166.25 COMMERCIAL, OFFICE AND MIXED USE DESIGN AND DEVELOPMENT STANDARDS OF THE UNIFIED DEVELOPMENT CODE TO CLARIFY THAT CROSS ACCESS BETWEEN PROPERTIES IS REQUIRED (2023-710)

C.5. AMENDMENT - §130.23 (FALSE ALARM REDUCTION):

AN ORDINANCE TO AMEND §130.23 FALSE ALARM REDUCTION OF THE FAYETTEVILLE CODE TO SIMPLIFY AND CLARIFY CERTAIN PROVISIONS AND REDUCE SOME FEES FOR SERVICE (2023-746)

C.6. PLANNED ZONING DISTRICT-2023-0002: (SOUTHEAST OF W. MARTIN LUTHER KING JR BLVD AND S. SMOKEHOUSE TRAIL/SWEET BAY AT KESSLER, 596):

AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED PZD-2023-002 FOR APPROXIMATELY 4.49 ACRES LOCATED SOUTHEAST OF WEST MARTIN LUTHER KING, JR. BOULEVARD AND SOUTH SMOKEHOUSE TRAIL IN WARD 1 (2023-776)

PROPOSED AGENDA ADDITIONS**D. CITY COUNCIL AGENDA SESSION PRESENTATIONS**

D.1. SALES TAX REPORT - PAUL BECKER AND ENERGY REPORT - PETER NIERENGARTEN

D.2. FAYETTEVILLE ARTS COUNCIL PRESENTATION - ABBY HOLLIS

E. CITY COUNCIL TOUR

F. ANNOUNCEMENTS

G. ADJOURNMENT