

# **City of Fayetteville, Arkansas**

*113 West Mountain Street*

*Fayetteville, AR 72701*

*(479) 575-8323*



## **City Council Final Agenda**

**Thursday, July 6, 2023**

**5:30 PM**

**City Hall Room 219**

### **City Council Members**

*Vacant 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: 834 2286 1699**  
**PUBLIC REGISTRATION**  
**LINK: [HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/  
WN F-NK-PV1QMKGb1HXPMGLG](https://us06web.zoom.us/webinar/register/?wn=F-NK-PV1QMKGb1HXPMGLG)**

**CALL TO ORDER****ROLL CALL****PLEDGE OF ALLEGIANCE****MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS**

1. **SERVICE RECOGNITION FOR COUNCIL MEMBER SONIA HARVEY**

**CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS**

1. **MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER**
2. **NOMINATING COMMITTEE REPORT - COMMITTEE CHAIR**

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

- A.1. **APPROVAL OF THE JUNE 6, 2023 AND JUNE 20, 2023 CITY COUNCIL MEETING MINUTES (2023-552)**

**A.2. EVANS CONSTRUCTION & REMODELING, LLC (SERVICE CONTRACT):**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH EVANS CONSTRUCTION AND REMODELING, LLC IN THE AMOUNT OF \$49,000.00 FOR LABOR AND MATERIALS FOR THE POLICE DEPARTMENT SUBSTATION FOUNDATIONS AND SLAB LOCATED IN THE REPLACEMENT PARKING DECK (2023-793)

**A.3. SAFE STREETS FOR ALL / VISION ZERO RESOLUTION (ACTION PLAN):**

A RESOLUTION TO APPROVE AND ADOPT A VISION ZERO POLICY IN THE CITY OF FAYETTEVILLE (2023-815)

**A.4. FPD DONATIONS FOR YCPA (BUDGET ADJUSTMENT):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$4,750.00 RECOGNIZING DONATION REVENUE TO THE POLICE

DEPARTMENT IN SUPPORT OF THE YOUTH CITIZEN'S POLICE ACADEMY  
(2023-823)

## **B. UNFINISHED BUSINESS**

### **B.1. REZONING-2023-0014: (SE OF DEAD HORSE MOUNTAIN ROAD AND E. GOFF FARM ROAD/RIVERWOOD HOMES, 606, 607, 645, 646):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-014 LOCATED SOUTHEAST OF DEAD HORSE MOUNTAIN ROAD AND GOFF FARM ROAD IN WARD ONE FOR APPROXIMATELY 112.98 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL AND RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE SUBJECT TO A BILL OF ASSURANCE TO NC, NEIGHBORHOOD CONSERVATION; CS, COMMUNITY SERVICES; AND R-A, RESIDENTIAL AGRICULTURAL (2023-792)

AT THE 06/20/2023 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE FIRST READING.

## **C. NEW BUSINESS**

### **C.1. FILL VACANCY FOR CITY COUNCIL MEMBER / WARD ONE, POSITION ONE (RESOLUTION):**

A RESOLUTION TO CALL A SPECIAL ELECTION ON NOVEMBER 14, 2023 TO FILL A VACANCY IN THE OFFICE OF THE CITY COUNCIL MEMBER FOR WARD ONE, POSITION ONE OF THE CITY OF FAYETTEVILLE (2023-874)

### **C.2. FAYETTEVILLE HERITAGE & HISTORIC PRESERVATION PLAN:**

A RESOLUTION TO APPROVE THE FAYETTEVILLE HERITAGE AND HISTORIC PRESERVATION PLAN (2023-833)

### **C.3. CROSSLAND HEAVY CONTRACTORS, INC (CHANGE ORDER #1):**

A RESOLUTION TO APPROVE CHANGE ORDER #1 TO THE CONSTRUCTION MANAGER AT RISK CONTRACT WITH CROSSLAND HEAVY CONTRACTORS FOR THE LAKE FAYETTEVILLE SOFTBALL RENOVATION PROJECT IN THE AMOUNT OF \$2,702,903.00, TO ESTABLISH A GUARANTEED MAXIMUM PRICE FOR CONSTRUCTION IN THE AMOUNT OF \$2,702,903.00, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$93,500.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 PARK IMPROVEMENT BOND PROJECT (2023-834)

### **C.4. ORDINANCE AMENDMENT §118.01 (SHORT TERM RENTAL DENSITY CAP):**

AN ORDINANCE TO AMEND §118.01 APPLICABILITY OF THE FAYETTEVILLE CITY CODE TO REDUCE THE CITYWIDE DENSITY CAP FOR

SHORT TERM RENTALS TO 475, AND TO DECLARE AN EMERGENCY  
(2023-838)

**D. CITY COUNCIL AGENDA SESSION PRESENTATIONS**

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

**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 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.