

# **City of Fayetteville, Arkansas**

*113 West Mountain Street*

*Fayetteville, AR 72701*

*(479) 575-8323*



## **City Council Tentative Agenda**

**Tuesday, October 10, 2023**

**4:30 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 ID: 814 9871 6976**  
**PUBLIC REGISTRATION LINK:**  
[HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/  
WN\\_KQBYPJ2FQXMMUK1MZP9M2A](https://us06web.zoom.us/j/81498716976)

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS**

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

**A. CONSENT**

- A.1. APPROVAL OF THE OCTOBER 3, 2023 CITY COUNCIL MEETING MINUTES: (2023-566)**

- A.2. NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION (MEMBERSHIP RENEWAL):**

A RESOLUTION TO AUTHORIZE THE CITY'S CONTINUED MEMBERSHIP IN THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION THROUGH 2028 AND TO APPROVE THE PAYMENT OF MEMBERSHIP DUES FOR 2024 IN THE AMOUNT OF \$79,856.65 (2023-1127)

- A.3. DRIVERS SELECT (SERVICE CONTRACT):**

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE A CONTRACT WITH DRIVERS SELECT, INC. FOR CDL DRIVERS ON AN AS-NEEDED BASIS THROUGH DECEMBER 15, 2025 (2023-1131)

- A.4. HIRING NWA (SERVICE CONTRACT):**

A RESOLUTION TO WAIVE THE REQUIREMENTS OF COMPETITIVE BIDDING AND AUTHORIZE A CONTRACT WITH HIRING NWA, LLC FOR CDL DRIVERS ON AN AS-NEEDED BASIS THROUGH DECEMBER 15, 2025 (2023-1139)

- A.5. CROSSLAND HEAVY CONTRACTORS, INC. (BA CORRECTION):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT FOR THE MIDTOWN CORRIDOR PROJECT PHASE TWO - 2019 TRAILS BOND

PROJECT (2023-1170)

**A.6. BENCHMARK CONSTRUCTION OF NWA, INC. (CHANGE ORDER NO. 4):**

A RESOLUTION TO APPROVE CHANGE ORDER NO. 4 WITH BENCHMARK CONSTRUCTION OF NWA, INC. IN THE AMOUNT OF \$23,351.20 FOR WORK ASSOCIATED WITH THE NELSON HACKETT BOULEVARD IMPROVEMENTS PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1089)

**A.7. INGRAM MICRO, INC. (SERVICE CONTRACT):**

A RESOLUTION TO APPROVE A THREE YEAR RENEWAL OF THE CITY'S NUTANIX SERVER SOFTWARE LICENSE FOR THE NOLAND AND WEST SIDE WATER RESOURCE RECOVERY FACILITIES WITH INGRAM MICRO INC. FOR THE TOTAL AMOUNT OF \$63,732.11 PLUS APPLICABLE TAXES, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1088)

**A.8. MCCLELLAND CONSULTING ENGINEERS, INC. (AMENDMENT NO. 3):**

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE TOTAL AMOUNT OF \$1,446,340.00 FOR FINAL ENGINEERING DESIGN FOR THE WEST CORRIDOR WATER TRANSMISSION LINE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1133)

**A.9. SIDE PATH ON WEDINGTON DRIVE (ARDOT COST SHARE):**

A RESOLUTION TO APPROVE A PAYMENT TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$45,437.00 TO CONSTRUCT A 10 FOOT WIDE SHARED USE PAVED TRAIL ALONG THE NORTH SIDE OF WEDINGTON DRIVE FROM STEAMBOAT DRIVE TO SALEM ROAD, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$25,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1128)

**A.10. PLAYCORE WISCONSIN, INC. (PURCHASE AGREEMENT):**

A RESOLUTION TO APPROVE THE PURCHASE OF BATTING CAGES FOR THE GARY HAMPTON SOFTBALL COMPLEX FROM PLAYCORE WISCONSIN, INC. D/B/A GAMETIME IN THE AMOUNT OF \$168,727.72, PURSUANT TO AN OMNIA PARTNERS COOPERATIVE PURCHASING AGREEMENT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$8,440.00, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1140)

**A.11. TITAN LAWN & LANDSCAPE, LLC (CONTRACT AMENDMENT NO. 2):**

A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE CONTRACT WITH TITAN LAWN AND LANDSCAPE, LLC TO INCREASE PAYMENTS FOR THE 2024 RENEWAL PERIOD BY 4.5%, AND TO INCREASE PAYMENTS FOR

FUTURE ANNUAL RENEWALS BY 3% (2023-1167)

**A.12. EVANS CONSTRUCTION AND REMODELING, LLC (CHANGE ORDER #1):**

A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 WITH EVANS CONSTRUCTION AND REMODELING, LLC IN THE AMOUNT OF \$8,775.00 FOR ADDITIONAL CONSTRUCTION ASSOCIATED WITH THE WILSON PARK HISTORIC STRUCTURES ROOFING PROJECT (2023-1142)

**A.13. 911 EQUIPMENT LEASE WITH WASHINGTON COUNTY (RESOLUTION):**

A RESOLUTION TO APPROVE A PAYMENT TO WASHINGTON COUNTY FOR REIMBURSEMENT OF COSTS FOR LEASED 911 EQUIPMENT IN THE AMOUNT OF \$220,000.00 AND MAINTENANCE COSTS OF UP TO \$99,000.00 (2023-1130)

**A.14. JUSTICE ASSISTANCE GRANT (GRANT AWARD):**

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE 2023 JUSTICE ASSISTANCE GRANT LOCAL SOLICITATION GRANT AWARD IN THE AMOUNT OF \$85,805.00 TO PROVIDE FUNDING FOR LAW ENFORCEMENT TRAINING, EQUIPMENT, AND SUPPLIES, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1135)

**B. UNFINISHED BUSINESS**

**B.1. 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. SCHARFENBERG 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 (2022-191)

FOR ITEM HISTORY FROM 07/05/2022 THROUGH 06/20/2023 CONTACT THE CITY CLERK'S OFFICE.

AT THE 06/20/2023 CITY COUNCIL MEETING THIS ITEM WAS TABLED UNTIL THE 10/17/2023 CITY COUNCIL MEETING.

**B.2. MISTY SIMPSON (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 \$50,000.00 TO MISTY SIMPSON FOR A WATER DAMAGE CLAIM ARISING AT 2425 EAST SHARON STREET (2023-962)

AT THE 08/15/23 CITY COUNCIL MEETING THIS ITEM WAS TABLED TO THE 10/17/23 CITY COUNCIL MEETING.

**B.3. 2024 MILLAGE LEVY (ORDINANCE):**

AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR THE YEAR 2023 FIXING THE RATE THEREOF AT 2.3 MILLS FOR GENERAL FUND OPERATIONS, 0.4 MILLS FOR THE FIREMEN'S PENSION AND RELIEF FUND, 0.4 MILLS FOR THE POLICEMEN'S PENSION AND RELIEF FUND, 2.5 MILLS FOR FAYETTEVILLE PUBLIC LIBRARY OPERATIONS AND 1.2 MILLS FOR THE FAYETTEVILLE PUBLIC LIBRARY EXPANSION; AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS (2023-1123)

AT THE OCTOBER 3, 2023 CITY COUNCIL MEETING, THIS ITEM WAS LEFT ON THE FIRST READING.

**C. NEW BUSINESS****C.1. PARTI INVESTMENTS, LLC (CONDEMNATION):**

A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO SEEK CONDEMNATION AND POSSESSION OF CERTAIN LANDS OWNED BY PARTI INVESTMENTS, LLC NEEDED FOR THE HIGHWAY 71B CORRIDOR PROJECT (2023-1141)

**C.2. WEST WATER TRANSMISSION MAIN (CONDEMNATIONS):**

A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO SEEK CONDEMNATION AND POSSESSION OF CERTAIN LANDS OWNED BY INDIVIDUALS NEEDED FOR THE WEST TRANSMISSION WATER MAIN PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1168)

**C.3. DEPUTY CLERK - COMMUNICATIONS (FTE-1):**

A RESOLUTION TO AUTHORIZE A FULL-TIME POSITION (FTE-1) - DEPUTY CLERK - COMMUNICATIONS POSITION, IN THE CITY CLERK TREASURER'S OFFICE. (2023-1137)

**C.4. FAYETTEVILLE YOUTH ADVISORY COUNCIL (ORDINANCE):**

AN ORDINANCE TO ENACT ARTICLE XXVI FAYETTEVILLE YOUTH ADVISORY COUNCIL IN §33 DEPARTMENTS, BOARDS, COMMISSIONS AND AUTHORITIES OF THE FAYETTEVILLE CODE (2023-1134)

**C.5. REINDL PROPERTIES, INC. (PURCHASE CONTRACT):**

A RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN A REAL ESTATE PURCHASE CONTRACT WITH REINDL PROPERTIES, INC. FOR THE SALE OF APPROXIMATELY 0.5 ACRES OF CITY PROPERTY IN THE SOUTH END OF THE CIVIC PLAZA FOR THE AMOUNT OF \$1,247,455.00 (2023-1171)

**C.6. VACATION-2023-0010: (33 E. 4TH ST./BERQUIST, 523):**

AN ORDINANCE TO APPROVE VAC 23-010 FOR PROPERTY LOCATED AT 33 EAST 4TH STREET IN WARD 1 TO VACATE A 0.19 ACRE PORTION OF UTILITY EASEMENT (2023-1169)

**C.7. VACATION-2023-0008: (4089 N. SHILOH DR/CLAUDE SHILOH LLC, 135):**

AN ORDINANCE TO APPROVE VAC 23-008 FOR PROPERTY LOCATED AT 4089 NORTH SHILOH DRIVE IN WARD 3 TO VACATE THREE UTILITY EASEMENTS TOTALING 0.36 ACRES (2023-1164)

**C.8. VACATION-2023-0009: (280 E 12TH STREET/FHA DEVELOPMENT, 563):**

AN ORDINANCE TO APPROVE VAC 23-009 FOR PROPERTY LOCATED AT 280 EAST 12TH STREET IN WARD 1 TO VACATE A PORTION OF ALLEY RIGHT-OF-WAY (2023-1158)

**C.9. REZONING-2023-0025: (524 S. WILLOW AVE./BWB WILLOW LLC, 524):**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-025 FOR APPROXIMATELY 0.22 ACRES LOCATED AT 524 SOUTH WILLOW AVENUE IN WARD 1 FROM NC, NEIGHBORHOOD CONSERVATION TO DG, DOWNTOWN GENERAL (2023-1138)

**C.10. APPEAL - CUP-2023-0096: (426 N. OLIVER AVE/HOGTAILING HOLDINGS LLC, 482):**

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS SCOTT BERNA, SARAH BUNCH, AND D'ANDRE JONES AND APPROVE A CONDITIONAL USE PERMIT CUP 2023-0096 FOR A SHORT-TERM RENTAL AT 426 NORTH OLIVER AVENUE (2023-1132)

**C.11. ARPA RFP 23-12 RECIPIENT SELECTION (RESOLUTION):**

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A SUBRECIPIENT AGREEMENT WITH \_\_\_\_\_, PURSUANT TO RFP 23-12, IN THE AMOUNT OF \_\_\_\_\_, FOR A PROJECT TO ADDRESS HOUSING INSTABILITY IN FAYETTEVILLE (2023-1176)

**PROPOSED AGENDA ADDITIONS****D. CITY COUNCIL AGENDA SESSION PRESENTATIONS****D.1. RFP 23-12, INTERVIEWS - STEVEN DOTSON, BECCI SISSON, ALLISON QUINLAN****E. CITY COUNCIL TOUR**

**F. ANNOUNCEMENTS**

**G. ADJOURNMENT**