

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, January 16, 2024

5:30 PM

City Hall Room 219

City Council Members

Council Member Robert B. Stafford 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: 812 6791 2222**
PUBLIC REGISTRATION LINK: [HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_CN7QQCLKT9EF0MWJNPA1QA](https://us06web.zoom.us/join/81267912222)

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS

CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS

1. **MARTIN LUTHER KING, JR. BROTHERHOOD AWARD PRESENTED BY CITY ATTORNEY KIT WILLIAMS**
2. **ELECTION OF VICE MAYOR**

PROPOSED AGENDA ADDITIONS

A. CONSENT

A.1. APPROVAL OF THE JANUARY 2, 2024 CITY COUNCIL MEETING MINUTES

A.2. NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION (EDUCATION PROGRAM):

A RESOLUTION TO APPROVE A ONE-YEAR CONTRACT WITH THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION IN THE AMOUNT OF \$44,559.78 FOR A STORMWATER EDUCATION PROGRAM FOR 2024 TO SATISFY PORTIONS OF THE NPDES PHASE II STORMWATER PERMIT REQUIREMENTS (2023-1546)

A.3. HAMESTRING CREEK AND TRIBUTARIES (GRANT APPLICATIONS):

A RESOLUTION TO AUTHORIZE APPLICATIONS FOR MATCHING GRANTS FOR THE HAMESTRING CREEK AND TRIBUTARIES FLOOD MITIGATION EFFORTS (2023-1553)

A.4. NABHOLZ CONSTRUCTION, CO. (CHANGE ORDER):

A RESOLUTION TO APPROVE CHANGE ORDER NO. 14 TO THE CONTRACT WITH NABHOLZ CONSTRUCTION CORPORATION IN THE AMOUNT OF \$137,742.40 FOR WORK RELATED TO THE CULTURAL ARTS CORRIDOR

REPLACEMENT PARKING DECK PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT – 2019 CULTURAL ARTS CORRIDOR BOND PROJECT (2023-1556)

A.5. ESRI, INC. (SOFTWARE AGREEMENT):

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A THREE-YEAR ENTERPRISE LICENSE AGREEMENT WITH ESRI, INC. IN THE AMOUNT OF \$58,905.00 PER YEAR FOR THE CONTINUED USE OF GEOGRAPHIC INFORMATION SYSTEM SOFTWARE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,890.50 PER YEAR (2023-1570)

A.6. SEVEN HILLS HOMELESS CENTER (ARPA FUNDS):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$1,630,000.00 TO FUND THE APPROVED ARPA PROJECTS ADDRESSING HOUSING INSTABILITY (2023-1592)

B. UNFINISHED BUSINESS

C. NEW BUSINESS

C.1. NINTH ANNUAL NATIONAL DAY OF RACIAL HEALING (RECOGNITION):

A RESOLUTION TO RECOGNIZE THE NINTH ANNUAL NATIONAL DAY OF RACIAL HEALING ON THE WEDNESDAY FOLLOWING DR. MARTIN LUTHER KING, JR. HOLIDAY (2024-1634)

C.2. FHS FOOTBALL TEAM AND ATHLETIC DEPARTMENT (RECOGNITION):

A RESOLUTION TO HONOR THE 2023 FAYETTEVILLE HIGH SCHOOL FOOTBALL TEAM AND THE FAYETTEVILLE ATHLETIC DEPARTMENT (2023-1554)

C.3. HAWKINS WEIR ENGINEERS, INC. (CONTRACT AMENDMENT):

A RESOLUTION TO APPROVE AMENDMENT NO. 4 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC. IN THE AMOUNT OF \$483,940.00 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 (2023-1549)

C.4. STEARNS STREET EXTENSION (BUDGET ADJUSTMENT):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT TO CREATE A PROJECT BUDGET FOR AN EXTENSION OF STEARNS STREET BETWEEN VANTAGE DRIVE AND OLD MISSOURI ROAD (2023-1593)

C.5. APPEAL: ADM-2023-0048: (1110 N. GARLAND AVENUE, ROADRUNNER APPEAL/FAYETTEVILLE STRONG, BARTLETT, 405):

A RESOLUTION TO GRANT THE APPEAL OF CITY COUNCIL MEMBERS SARAH MOORE AND TERESA TURK AND DENY VARIANCES VAR-2023-029 AND VAR-2023-030 FOR A GAS STATION DEVELOPMENT AT 1110 NORTH GARLAND AVENUE (2023-1555)

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS**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 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.