

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, July 2, 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

MEETING INFORMATION:

1. **WEBINAR ID: 845 8021 8686**
PUBLIC REGISTRATION LINK: [HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_08DL07J1RLQMIE8QRPKULQ](https://us06web.zoom.us/join/84580218686)

AGENDA ITEM COMMENT - AGENDAITEMCOMMENT@FAYETTEVILLE-AR.GOV

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 - CHIEF FINANCIAL OFFICER**

PROPOSED AGENDA ADDITIONS

A. CONSENT

- A.1. **APPROVAL OF THE JUNE 18, 2024 CITY COUNCIL MEETING MINUTES**

- A.2. **CONTINUUM OF CARE PROGRAM (RENEWAL GRANTS):**

A RESOLUTION TO APPROVE THE RENEWAL OF FOUR CONTINUUM OF CARE PROGRAM GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE TOTAL AMOUNT OF \$334,694.00 FOR THE CITY TO ADMINISTER PROGRAMS TO ASSIST HOMELESS FAYETTEVILLE RESIDENTS (2024-216)

- A.3. **STANTEC CONSULTING SERVICES (CONTRACT AMENDMENT):**

A RESOLUTION TO APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH STANTEC CONSULTING SERVICES, INC. IN THE AMOUNT OF \$34,988.75 FOR A MULTIPLE PROPERTY DOCUMENTATION FORM AND NATIONAL REGISTER OF HISTORIC PLACES SUBMISSION FOR THE UNIVERSITY HEIGHTS AND HASKELL HEIGHTS NEIGHBORHOODS (2024-221)

- A.4. **ECO-COUNTER, INC. (PURCHASE AGREEMENT):**

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF AN ECO-DISPLAY CLASSIC FROM ECO-COUNTER, INC. IN THE TOTAL AMOUNT OF \$41,644.64 FOR THE RAZORBACK GREENWAY SECTION ADJACENT TO THE UPPER RAMBLE CIVIC PLAZA, AND TO APPROVE A BUDGET ADJUSTMENT – 2019 TRAIL IMPROVEMENT BOND PROJECT (2024-189)

A.5. SPATCO ENERGY SOLUTIONS, LLC. (CHANGE ORDER #1):

A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH SPATCO ENERGY SOLUTIONS, LLC IN THE AMOUNT OF \$37,297.30 FOR THE FUEL FARM REHABILITATION PROJECT AT DRAKE FIELD, AND TO APPROVE A BUDGET ADJUSTMENT (2024-226)

A.6. U.S. GEOLOGICAL SURVEY (JOINT FUNDING AGREEMENT):

A RESOLUTION TO APPROVE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGE OPERATION AND MAINTENANCE AND WATER QUALITY SAMPLING AND MONITORING AT VARIOUS LOCATIONS IN THE CITY OF FAYETTEVILLE IN 2024 WITH THE AMOUNT PAID BY THE CITY NOT TO EXCEED \$57,580.00 (2024-209)

A.7. AMERICAN SOCCER COMPANY, INC. (PURCHASE AGREEMENT):

A RESOLUTION TO AWARD RFP 24-07 AND AUTHORIZE A CONTRACT FOR THE PURCHASE OF YOUTH SOCCER UNIFORMS FROM AMERICAN SOCCER COMPANY, INC. D/B/A SCORE SPORTS IN THE AMOUNT OF \$16.10 PLUS APPLICABLE TAXES PER UNIFORM FOR THE FALL 2024 AND SPRING 2025 SEASONS WITH AN OPTION TO RENEW FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS (2024-218)

A.8. BLACK HILLS ENERGY, INC. (EASEMENT APPROVAL):

A RESOLUTION TO CONVEY A 25 FOOT WIDE NATURAL GAS EASEMENT TO BLACK HILLS ENERGY FOR THE EXTENSION OF A GAS LINE THROUGH COMBS PARK (2024-220)

A.9. RUSH TRUCK CENTERS (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF A 2024 INTERNATIONAL CV515 FROM RUSH TRUCK CENTERS IN THE AMOUNT OF \$110,548.16, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-207)

A.10. LEWIS FORD SALES, INC. (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF TWO HYBRID FORD F150S FROM LEWIS FORD SALES, INC. IN THE TOTAL AMOUNT OF \$104,368.00, PURSUANT TO ORDINANCE 6491 (2024-208)

A.11. HAWKINS-WEIR ENGINEERS, INC. (AMENDMENT NO. 1):

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE ENGINEERING SERVICES CONTRACT WITH HAWKINS-WEIR ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$155,500.00 FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE NOLAND WATER RESOURCE RECOVER FACILITY PRIMARY SWITCHGEAR IMPROVEMENTS PROJECT (2024-229)

A.12. HAWKINS-WEIR ENGINEERS, INC. (AMENDMENT NO. 2):

A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE ENGINEERING SERVICES CONTRACT WITH HAWKINS-WEIR ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$226,140.00 FOR ADDITIONAL SERVICES ASSOCIATED WITH UTILITY RELOCATIONS ALONG HIGHWAY 112, AND TO APPROVE A BUDGET ADJUSTMENT (2024-234)

A.13. POTABLE DOMESTIC WATER ACCESS TO ELLIS ESTATES (RESOLUTION):

A RESOLUTION TO APPROVE POTABLE DOMESTIC WATER ACCESS TO ELLIS ESTATES SUBDIVISION'S PRELIMINARY PLAT WHICH WAS APPROVED BY THE CITY ON AUGUST 9, 2021 FOR 53 WATER TAPS (2024-296)

B. UNFINISHED BUSINESS**C. NEW BUSINESS****C.1. §118.03 SUSPENSION AND REVOCATION OF BUSINESS LICENSE (AMENDMENT):**

AN ORDINANCE TO AMEND §118.03 SUSPENSION AND REVOCATION OF BUSINESS LICENSE OF THE FAYETTEVILLE CITY CODE TO ADDRESS THE REVOCATION OF BUSINESS LICENSES FOR SHORT-TERM RENTALS (2024-223)

C.2. §169.03 REVIEW AND/OR PERMITS REQUIRED; EXCEPTIONS (AMENDMENT):

AN ORDINANCE TO AMEND §169.03 REVIEW AND/OR PERMITS REQUIRED; EXCEPTIONS IN CHAPTER 169 PHYSICAL ALTERATION OF LAND OF THE UNIFIED DEVELOPMENT CODE TO REQUIRE PERMITS FOR THE PLACEMENT OF MORE THAN SIX INCHES OF MULCH AND COMPOST (2024-224)

C.3. IMPLEMENT USER FEE STUDY RECOMMENDATIONS (RESOLUTION OF INTENT):

A RESOLUTION OF INTENT TO IMPLEMENT THE RECOMMENDATIONS OF

THE 2024 USER FEE STUDY INCLUDING A FULL COST RECOVERY MODEL, ESTABLISHMENT OF A MASTER FEE SCHEDULE, AND ANNUAL ADJUSTMENT (2024-222)

C.4. VACATION-2024-0004: (4861 N. MAPLE GROVE DR./MONTGOMERY, 061):

AN ORDINANCE TO APPROVE VAC-24-04 FOR PROPERTY LOCATED AT 4861 NORTH MAPLE GROVE DRIVE IN WARD 3 TO VACATE A 312 SQUARE FOOT PORTION OF GENERAL UTILITY EASEMENT (2024-215)

C.5. VACATION-2024-0013: (653 W .15TH ST./WASHINGTON COUNTY PARTNERS LLC, 600):

AN ORDINANCE TO APPROVE VAC-24-13 FOR PROPERTY LOCATED AT 653 WEST 15TH STREET IN WARD 1 TO VACATE A 0.09 ACRE PORTION OF SEWER EASEMENT (2024-214)

C.6. VACATION-2024-0011: (EAST OF 1074 E. SAIN ST/TRAILS ON THE CREEK, 174):

AN ORDINANCE TO APPROVE VAC-24-11 FOR PROPERTY LOCATED EAST OF 1074 EAST SAIN STREET IN WARD 3 TO VACATE A 0.66 ACRE PORTION OF GENERAL UTILITY EASEMENT (2024-210)

C.7. REZONING-2024-0024: (3145 E. JOYCE BLVD/FAYETTEVILLE PUBLIC SCHOOLS, 177):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-24 FOR APPROXIMATELY 27.77 ACRES LOCATED AT 3145 EAST JOYCE BOULEVARD IN WARD 3 FROM R-A, RESIDENTIAL-AGRICULTURAL TO P-1, INSTITUTIONAL (2024-211)

C.8. REZONING-2024-0025: (4260 W. MARTIN LUTHER KING JR BLVD/CLUB CARWASH, 595):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-25 FOR APPROXIMATELY 1.44 ACRES LOCATED AT 4260 WEST MARTIN LUTHER KING JR. BOULEVARD IN WARD 1 FROM R-A, RESIDENTIAL-AGRICULTURAL AND UT, URBAN THOROUGHFARE TO UT, URBAN THOROUGHFARE (2024-212)

C.9. RENTER & RENTERS RIGHTS ADVOCATE APPOINTMENT TO THE HOUSING CRISIS TASK FORCE (RESOLUTION):

A RESOLUTION TO REQUIRE THE APPOINTMENT OF A RENTER AND AN INDIVIDUAL WHO WORKS WITH RENTERS' RIGHTS TO THE HOUSING CRISIS TASK FORCE (2024-293)

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

- D.1. EXTERNAL AUDIT RESULTS - CHAD MICHAEL REED**
- D.2. SALES TAX REPORT - CHIEF FINANCIAL OFFICER AND ENERGY REPORT
- ENVIRONMENTAL DIRECTOR**
- D.3. BUDGET PROCESS PRESENTATION - PAUL BECKER**
- D.4. USER FEE STUDY FINDINGS AND RECOMMENDATION - JONATHAN
CURTH**
- 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. Speakers shall be limited to a maximum of three (3) 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 three (3) 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.