

City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
479-575-8323



City Council Meeting

February 2, 2021
5:30 p.m.

City Hall Room 219
113 West Mountain

City Council Members

Sonia Gutierrez, Ward 1
D'Andre Jones, Ward 1
Mark Kinton, Ward 2
Matthew Petty, Ward 2
Sloan Scroggin, Ward 3
Sarah Bunch, Ward 3
Teresa Turk, Ward 4
Holly Hertzberg, Ward 4

ELECTED OFFICIALS:
Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Kara Paxton

*PLEASE NOTE: AGENDA LINKS ARE NOT ACCESSIBLE CURRENTLY THROUGH THE CHROME BROWSER BECAUSE OF A RECENT SECURITY UPDATE. PLEASE SWITCH TO FIREFOX, EDGE, SAFARI OR IE TO OPEN AGENDA LINKS. THE CITY OF FAYETTEVILLE'S INFORMATION TECHNOLOGY DEPARTMENT IS CURRENTLY WORKING WITH THE SOFTWARE VENDOR TO CORRECT THIS ISSUE.

*ZOOM INFORMATION: Public Registration link: https://zoom.us/join/zoom/register/WN_KbYgQEzUQ829rVoqTXNCA Webinar ID: 996 4695 3130

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

- 2020-1053 STATE OF THE CITY ADDRESS WILL BE PRESENTED AT THE CITY COUNCIL AGENDA SESSION BY MAYOR LIONELD JORDAN

[Legislation Text](#)

City Council Meeting Presentations, Reports and Discussion Items

- 2020-0972 MONTHLY FINANCIAL REPORT

[Legislation Text](#)

Agenda Additions

A. Consent

- 2020-0868 APPROVAL OF THE JANUARY 5, 2021 AND JANUARY 7, 2021 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

- 2020-1154 BID # 20-58 KING ELECTRICAL CONTRACTORS, INC. - 2019 PARK IMPROVEMENT BOND PROJECT: A RESOLUTION TO APPROVE A PROPOSAL FROM KING ELECTRICAL CONTRACTORS, INC. IN THE TOTAL AMOUNT OF \$50,050.00, PURSUANT TO BID # 20-58, FOR ELECTRICAL SERVICES ASSOCIATED WITH THE SQUARE LIGHTING AND ELECTRICAL IMPROVEMENTS PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,005.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 PARK IMPROVEMENT BOND PROJECT

[Legislation Text](#)

[Austin King, Inc D/B/A King Electric](#)
[BA_Austin King, Inc D/B/A King Electric](#)

- 2021-0035 CENTENNIAL PARK UNDERGROUND UTILITY EASEMENT: A RESOLUTION TO APPROVE THE CONVEYANCE OF A GENERAL UNDERGROUND UTILITY EASEMENT TO OZARKS ELECTRIC COOPERATIVE CORPORATION, OZARKS GO AND AT&T ACROSS A PORTION OF CENTENNIAL PARK AT MILLSAP MOUNTAIN TO PLACE THE OVERHEAD UTILITY LINES UNDERGROUND FOR AESTHETIC AND SAFETY PURPOSES

[Legislation Text](#)

[CENTENNIAL PARK UTILITY EASEMENT](#)

- 2021-0008 OPENEDGE: A RESOLUTION TO AUTHORIZE A CONTRACT WITH OPENEDGE, A DIVISION OF GLOBALPAYMENTS, FOR PROCESSING PARKS AND RECREATION CREDIT CARD TRANSACTIONS

[Legislation Text](#)

[OPENEDGE](#)

- 2021-0016 ARKANSAS DEPARTMENT OF TRANSPORTATION: A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF A SECTION OF THE RAZORBACK GREENWAY ACROSS THE LAKE FAYETTEVILLE DAM, TO AUTHORIZE THE MAYOR TO SIGN ADDITIONAL DOCUMENTS AS NECESSARY TO UTILIZE \$150,000.00 IN FEDERAL-AID FUNDS THROUGH THE RECREATIONAL TRAILS PROGRAM, AND TO APPROVE A BUDGET ADJUSTMENT TO RECOGNIZE THE REVENUE

[Legislation Text](#)

[2021-0016 RTP Grant Packet - Lake Fayetteville Trail Improvements](#)
[2021-0016 BA Lake Fayetteville Trail Improvements](#)

- 2021-0018 TITAN RBR PROPERTIES, LLC: A RESOLUTION TO APPROVE AN ENCROACHMENT PERMIT AGREEMENT WITH ARKANSAS & MISSOURI RAILROAD CO. AND A CONTRACT WITH TITAN RBR PROPERTIES, LLC FOR UTILITY RELOCATIONS ASSOCIATED WITH A MULTI-FAMILY DEVELOPMENT ON RAZORBACK ROAD

[Legislation Text](#)

[TITAN RBR PROPERTIES, LLC](#)

- 2021-0026 RFQ 20-01 SELECTION #26, DEVELOPMENT CONSULTANTS, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH DEVELOPMENT CONSULTANTS, INC., PURSUANT TO RFQ 20-01 SELECTION #26, IN AN AMOUNT NOT TO EXCEED \$46,790.00 FOR THE DESIGN OF A 12-INCH GRAVITY SEWER MAIN ALONG RAZORBACK ROAD

[Legislation Text](#)

[RFQ 20-01 SELECTION #26, DEVELOPMENT CONSULTANTS, INC.](#)

- 2021-0010 BUFFINGTON WEIR, LLC CHANGE ORDER NO. 1: A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE WATER MAIN INSTALLATION COST SHARE AGREEMENT WITH BUFFINGTON WEIR, LLC IN THE AMOUNT OF \$70,064.16

[Legislation Text](#)

[BUFFINGTON WEIR, LLC](#)

- 2021-0024 NELSON BYRD WOLTZ, LLC CHANGE ORDER NO. 4: A RESOLUTION TO APPROVE CHANGE ORDER NO. 4 TO THE CONTRACT WITH NELSON BYRD WOLTZ, LLC IN THE AMOUNT OF \$65,000.00 FOR THE DEVELOPMENT OF AN OPERATIONS AND MAINTENANCE STRATEGY FOR THE OUTDOOR PUBLIC SPACE IN THE CULTURAL ARTS CORRIDOR PROJECT

[Legislation Text](#)

[NELSON BYRD WOLTZ \(NBW\) LANDSCAPE ARCHITECTS](#)

- 2021-0025 THE FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT: A RESOLUTION TO AUTHORIZE AN APPLICATION FOR A 90/10 ASSISTANCE TO FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF \$300,000.00 FOR THE PURCHASE OF TWO BRUSH TRUCK VEHICLES FOR THE FIRE DEPARTMENT

[Legislation Text](#)

[SRF_SRM_FY2020 AFG Grant Approval to Apply](#)

- 2021-0029 CHEVROLET OF FAYETTEVILLE - POLICE DEPARTMENT: A RESOLUTION TO APPROVE THE PURCHASE OF A CHEVROLET TAHOE FROM CHEVROLET OF FAYETTEVILLE IN THE AMOUNT OF \$36,753.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE POLICE DEPARTMENT

[Legislation Text](#)

[CHEVROLET OF FAYETTEVILLE - POLICE DEPARTMENT](#)

- 2021-0031 CHEVROLET OF FAYETTEVILLE - YVONNE RICHARDSON COMMUNITY CENTER: A RESOLUTION TO APPROVE THE PURCHASE OF A CHEVY EXPRESS 15 PASSENGER VAN FROM CHEVROLET OF FAYETTEVILLE IN THE AMOUNT OF \$26,295.00, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR USE BY THE YVONNE RICHARDSON COMMUNITY CENTER, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[CHEVROLET OF FAYETTEVILLE](#)
[BA_CHEVROLET OF FAYETTEVILLE](#)

- 2021-0030 WILLIAMS TRACTOR, INC.: A RESOLUTION TO APPROVE THE PURCHASE OF EIGHT HUSTLER SUPER Z MOWERS FROM WILLIAMS TRACTOR, INC. IN THE TOTAL AMOUNT OF \$78,000.00, PLUS ANY APPLICABLE SALES TAXES AND FREIGHT CHARGES, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT

[Legislation Text](#)

[SRF - Sourcewell Parks Mowers](#)

B. Unfinished Business

- 2020-1136 ANX 2020-0001(3435 E. ZION RD./BURGE): AN ORDINANCE TO APPROVE THE ANNEXATION PETITION OF PATRICIA LYNNE SEVERINO, AS TRUSTEE OF THE ROBERT EUGENE BURGE IRREVOCABLE TRUST, AND ANNEX 59.00 ACRES OF LAND LOCATED AT 3435 EAST ZION ROAD

[Legislation Text](#)

[ANX 2020-0001\(3435 E. ZION RD./BURGE\)](#)
[010521 ADDITIONAL_ANX 2020-0001\(3435 E. ZION RD./BURGE\)](#)
[010721 ADDITIONAL_ANX 2020-0001\(3435 E. ZION RD./BURGE\)](#)
[011921 ADDITIONAL_ANX 2020-0001\(3435 E. ZION RD./BURGE\)](#)

- 2020-1140 PZD-2020-002 (3435 E. ZION RD./CHANDLER CROSSING SD): AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 2020-0002 FOR APPROXIMATELY 81.89 ACRES LOCATED AT 3435 EAST ZION ROAD

[Legislation Text](#)

[PZD-2020-002 \(3435 E. ZION RD./CHANDLER CROSSING SD\)](#)
[010521 ADDITIONAL_PZD-2020-002 \(3435 E. ZION RD./CHANDLER CROSSING SD\)](#)
[010721 ADDITIONAL_PZD-2020-002 \(3435 E. ZION RD./CHANDLER CROSSING SD\)](#)
[011921 ADDITIONAL_PZD-2020-002 \(3435 E. ZION RD./CHANDLER CROSSING SD\)](#)

- 2020-1073 VAC-2020-009 (EAST OF 662 W. TAYLOR ST./GREGG AVE. R-O-W): AN ORDINANCE TO APPROVE VAC 20-009 FOR PROPERTY LOCATED EAST OF 662 WEST TAYLOR STREET TO VACATE A PORTION OF STREET RIGHT-OF-WAY

[Legislation Text](#)

[VAC-2020-0009_Vacation \(EAST OF 662 W. TAYLOR ST./GREGG AVE. R-O-W 444\)](#)
[ADDITIONAL_VAC-2020-009 \(East of 662 W. Taylor St. Gregg Ave. R-O-W\)](#)
[ADDITIONAL_VAC-2020-009 \(EAST OF 662 W. TAYLOR ST./GREGG AVE. R-O-W\)](#)

- 2020-1067 AMEND §166.22 COMMUNITY SERVICES AND § 161.24 URBAN THOROUGHFARE: AN ORDINANCE TO AMEND §166.22 COMMUNITY SERVICES AND § 161.24 URBAN THOROUGHFARE BY CHANGING CERTAIN PERMITTED USES TO CONDITIONAL USES

[Legislation Text](#)

[AMEND §166.22 COMMUNITY SERVICES AND § 166.24 URBAN THOROUGHFARE](#)
[ADDITIONAL 12/29/20_AMEND §161.22 COMMUNITY SERVICES AND § 161.24 URBAN THOROUGHFARE](#)
[010521 ADDITIONAL_AMEND §161.22 COMMUNITY SERVICES AND § 161.24 URBAN THOROUGHFARE](#)
[010521 ADDITIONAL_PROPOSED AMENDMENT](#)
[011921 ADDITIONAL_AMEND §161.22 COMMUNITY SERVICES AND § 161.24 URBAN THOROUGHFARE](#)

C. New Business

- 2021-0064 AMEND §166.22 COMMUNITY SERVICES: AN ORDINANCE TO AMEND §166.22 COMMUNITY SERVICES TO MOVE USE UNIT 8, SINGLE-FAMILY DWELLINGS AND USE UNIT 9, TWO FAMILY DWELLINGS FROM PERMITTED USES TO CONDITIONAL USES

[Legislation Text](#)

[AMEND §166.22 COMMUNITY SERVICES](#)

- 2021-0065 AMEND § 166.24 URBAN THOROUGHFARE: AN ORDINANCE TO AMEND § 166.24 URBAN THOROUGHFARE TO MOVE USE UNIT 8, SINGLE-FAMILY DWELLINGS AND USE UNIT 9, TWO FAMILY DWELLINGS FROM PERMITTED USES TO CONDITIONAL USES

[Legislation Text](#)

[AMEND § 166.24 URBAN THOROUGHFARE](#)

- 2021-0015 2021-2022 PAVEMENT, SIDEWALK, AND MAINTENANCE WORKPLANS - 2019 STREET IMPROVEMENT BOND PROJECT: A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION PAVEMENT MANAGEMENT AND PAVEMENT SIDEWALK AND MAINTENANCE WORKPLANS FOR 2021 AND 2022 - 2019 STREET IMPROVEMENT BOND PROJECT

[Legislation Text](#)

[2021-2022 PAVEMENT, SIDEWALK, AND MAINTENANCE WORKPLANS - 2019 STREET IMPROVEMENT BOND PROJECT](#)

- 2021-0053 AMEND §168.12 STREAMSIDE PROTECTION ZONES: AN ORDINANCE TO AMEND §168.12 STREAMSIDE PROTECTION ZONES (C) ESTABLISHMENT OF DESIGNATED SURFACE STREAMS TO INCORPORATE APPLICABLE STREAMS WITHIN AREAS WHICH MAY BE ANNEXED AFTER THE ADOPTION OF THE STREAMSIDE PROTECTION ORDINANCE INTO THE PROTECTIONS OF THE STREAMSIDE PROTECTION ZONES AND TO ADOPT AN EMERGENCY CLAUSE

[Legislation Text](#)

[AMEND §168.12 STREAMSIDE PROTECTION ZONES](#)

- 2021-0020 STARTUP JUNKIE CONSULTING, LLC: A RESOLUTION TO APPROVE THE SECOND TWO (2) YEAR RENEWAL CONTRACT WITH STARTUP JUNKIE CONSULTING, LLC TO PROVIDE ECONOMIC DEVELOPMENT CONSULTING SERVICES IN THE AREAS OF ENTREPRENEURSHIP AND INNOVATION IN THE TOTAL AMOUNT OF \$300,000.00

[Legislation Text](#)

[STARTUP JUNKIE CONSULTING LLC](#)

- 2021-0034 FAYETTEVILLE CHAMBER OF COMMERCE: A RESOLUTION TO APPROVE THE SECOND TWO (2) YEAR RENEWAL CONTRACT WITH THE FAYETTEVILLE CHAMBER OF COMMERCE IN THE AMOUNT OF \$180,000.00 PER YEAR TO PROVIDE ECONOMIC DEVELOPMENT CONSULTING SERVICES IN THE AREAS OF BUSINESS RECRUITMENT, RETENTION, AND EXPANSION

[Legislation Text](#)

[FAYETTEVILLE CHAMBER OF COMMERCE](#)

- 2020-0037 VAC 2020-011 (345 S. COMBS/COMBS AVE. ROW): AN ORDINANCE TO APPROVE VAC 20-011 FOR PROPERTY LOCATED AT 345 SOUTH COMBS AVENUE TO VACATE A PORTION OF STREET RIGHT-OF-WAY

[Legislation Text](#)

[VAC 2020-011 \(345 S. COMBS/COMBS AVE. ROW\)](#)

- 2021-0038 RZN 2020-025 (318 S. COMBS AVE./LAMB DEVELOPMENT): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-025 LOCATED AT 318 SOUTH COMBS AVENUE FOR APPROXIMATELY 0.20 ACRES FROM NC, NEIGHBORHOOD CONSERVATION TO DG, DOWNTOWN GENERAL

[Legislation Text](#)

[RZN 2020-025 \(318 S. COMBS AVE./LAMB DEVELOPMENT\)](#)

- 2021-0022 T2 SYSTEMS CANADA, INC.: AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A CONTRACT WITH T2 SYSTEMS CANADA, INC. THROUGH DECEMBER 31, 2021, WITH AUTOMATIC RENEWALS FOR UP TO THREE ADDITIONAL ONE YEAR TERMS FOR THE CONTINUED USE OF SOFTWARE AND SERVICES REQUIRED FOR THE CITY'S PARKING PAY STATIONS IN THE AMOUNT OF \$100.00 PER PAY STATION PER MONTH PLUS APPLICABLE TAXES

[Legislation Text](#)

[T2 SYSTEMS CANADA, INC.](#)

- 2021-0036 BID #21-20 ELECTRICAL RESOURCES, INC.: A RESOLUTION TO AWARD BID #21-20 AND AUTHORIZE A CONTRACT WITH ELECTRICAL RESOURCES, INC. IN THE AMOUNT OF \$7,920.84 FOR THE INSTALLATION OF NIGHT SKY FRIENDLY LED LIGHTING AT THE GRINDERS SKATEPARK IN WALKER PARK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$4,579.16

[Legislation Text](#)

[BID #21-20 ELECTRICAL RESOURCES, INC.](#)

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, 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 be broken into segments of three and two minutes. 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.

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 rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. 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 Devise 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.

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