

City of Fayetteville, Arkansas

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



City Council Meeting

February 18, 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 Lionel Jordan
City Attorney Kim Williams
City Clerk Kara Paxton

Meeting was rescheduled from February 16th to February 18th, 2021 due to inclement weather.

Zoom Information: https://zoom.us/join/register?WN_2L5f6tdzQlA5Ejm6U6S8hA Webinar ID: 944 4787 7582

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items

Agenda Additions

A. Consent

A.12020-0870 APPROVAL OF THE JANUARY 19, 2021 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

A.22021-0019 MSI CONSULTING GROUP, LLC : A RESOLUTION TO AUTHORIZE THE PURCHASE OF ANNUAL SOFTWARE MAINTENANCE FROM MSI CONSULTING GROUP, LLC FOR VIRTUAL JUSTICE SOFTWARE USED BY THE DISTRICT COURT, POLICE DEPARTMENT, AND CITY PROSECUTOR DIVISION IN THE AMOUNT OF \$21,600.00 PLUS APPLICABLE TAXES, FOR AN INITIAL TERM OF 1 YEAR WITH THE OPTION TO RENEW FOR FOUR ADDITIONAL ONE YEAR TERMS, AND TO APPROVE A 10% ANNUAL PROJECT CONTINGENCY IN THE EVENT ADDITIONAL LICENSES ARE NEEDED

[Legislation Text](#)

[MSI CONSULTING GROUP, LLC](#)

A.32021-0027 ESRI, INC.: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A THREE-YEAR ENTERPRISE LICENSE AGREEMENT WITH ESRI, INC. IN THE AMOUNT OF \$55,000.00 PER YEAR FOR THE CONTINUED USE OF GEOGRAPHIC INFORMATION SYSTEM SOFTWARE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,500.00 PER YEAR

[Legislation Text](#)

[SRF ESRI LEA V3.pdf](#)

A.42021-0028 CIVICPLUS, LLC: A RESOLUTION TO APPROVE A ONE YEAR MASTER SERVICES AGREEMENT WITH CIVICPLUS, LLC FOR WEBSITE CONTENT MANAGEMENT SYSTEM SERVICES IN THE AMOUNT OF \$23,268.54 FOR THE FIRST YEAR AND AUTOMATIC RENEWALS FOR FOUR ADDITIONAL ONE YEAR TERMS WITH AN ANNUAL PRICE INCREASE OF FIVE PERCENT (5%), AND TO APPROVE A PROJECT CONTINGENCY OF \$5,000.00 EACH YEAR THE CONTRACT IS IN EFFECT

[Legislation Text](#)

[SRF SRM CivicPlus.pdf](#)

A.52021-0051 SURDEX CORPORATION: A RESOLUTION TO APPROVE A CONTRACT WITH SURDEX CORPORATION IN THE AMOUNT OF \$28,000.00, PURSUANT TO A FEDERAL GSA ADVANTAGE COOPERATIVE PURCHASING CONTRACT, FOR AERIAL PHOTOGRAPHY SERVICES

[Legislation Text](#)

[SURDEX CORPORATION](#)

A.62021-0066 COURT AUTOMATION FUND UPGRADES: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$20,000.00 RECOGNIZING REVENUE FROM THE COURT AUTOMATION FUND FOR UPGRADES TO THE SERVERS, SOFTWARE, COMPUTERS, AND RELATED TECHNOLOGY EQUIPMENT USED BY THE FAYETTEVILLE DISTRICT COURT

[Legislation Text](#)

[COURT AUTOMATION FUND UPGRADES](#)

[BA_COURT AUTOMATION FUND UPGRADES](#)

A.72021-0060 RFQ 20-01 CRAFTON, TULL & ASSOCIATES, INC. - 2019 DRAINAGE BONDS PROJECT: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH CRAFTON, TULL & ASSOCIATES, INC. PURSUANT TO RFQ 20-01. IN THE TOTAL AMOUNT OF \$72,390.00 FOR ENGINEERING DESIGN SERVICES ASSOCIATED WITH THE FLOODING WITHIN THE STONEBRIDGE MEADOWS SUBDIVISION, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 DRAINAGE BONDS PROJECT

[Legislation Text](#)

[CRAFTON TULL & ASSOCIATES, INC.](#)

[BA_CRAFTON TULL & ASSOCIATES, INC.](#)

A.82021-0076 OZARKS ELECTRIC COOPERATIVE CORPORATION: A RESOLUTION TO APPROVE THE CONVEYANCE OF A GENERAL UNDERGROUND UTILITY EASEMENT TO OZARKS ELECTRIC COOPERATIVE CORPORATION ACROSS A PORTION OF KESSLER MOUNTAIN REGIONAL PARK

[Legislation Text](#)

[OZARKS ELECTRIC COOPERATIVE CORPORATION](#)

A.92021-0092 PARK LAND LICENSE AGREEMENT FOR UNDERWOOD PARK: A RESOLUTION TO APPROVE THE ATTACHED PARK LAND LICENSE AGREEMENT WITH KTB LIMITED PARTNERSHIP FOR APPROXIMATELY 17.26 ACRES ADJOINING UNDERWOOD PARK WEST OF DEAN SOLOMON ROAD TO BE USED BY THE PUBLIC FOR RECREATIONAL PURPOSES

[Legislation Text](#)

[PARK LAND LICENSE AGREEMENT FOR UNDERWOOD PARK](#)

A.102021-0068 CLABBER CREEK PHASE III DONATION: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$13,000.00 RECOGNIZING AND ALLOCATING REVENUE FROM THE CLABBER CREEK PHASE III PROPERTY OWNERS ASSOCIATION FOR THE MATERIAL COSTS OF A TRAIL CONNECTING FIREFLY CATCH DRIVE TO THE CLABBER CREEK TRAIL

[Legislation Text](#)

[CLABBER CREEK PHASE III DONATION](#)

[BA_CLABBER CREEK PHASE III DONATION](#)

A.112020-1000 RFQ 20-06 JOHNSON CONTROLS INC.: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A PROJECT DEVELOPMENT AGREEMENT WITH JOHNSON CONTROLS INC., PURSUANT TO RFQ 20-06, IN THE AMOUNT OF \$70,450.00 TO CONDUCT AN ENERGY AUDIT AND IDENTIFY POTENTIAL ENERGY AND COST SAVING MEASURES FOR CITY FACILITIES

[Legislation Text](#)

[Project Development Agreement - JCI - Final](#)

B. Unfinished Business

B.12020-1012 SHORT-TERM RENTAL REGULATIONS: AN ORDINANCE TO AMEND §118.01 APPLICABILITY OF CHAPTER 118 BUSINESS REGISTRY AND LICENSES, CHAPTER 151 DEFINITIONS, CHAPTER 161 ZONING REGULATIONS, § 162.01 ESTABLISHMENT/LISTING OF CHAPTER 162 USE UNITS, AND CHAPTER 163 USE CONDITIONS OF THE UNIFIED DEVELOPMENT CODE TO CLASSIFY THE TYPES OF SHORT-TERM RENTALS AND CREATE REGULATIONS TO PERMIT AND INSPECT THE RENTALS

[Legislation Text](#)

[Staff Report STR 1.13](#)

[COMBINED_SHORT-TERM RENTAL REGULATIONS](#)

B.22020-1055 BANK OF FAYETTEVILLE/DEPOT LOT SITE: AN ORDINANCE TO APPROVE A CONTRACT WITH THE BANK OF FAYETTEVILLE, GREG HOUSE, FAYETTEVILLE DEPOT, LLC (AND POSSIBLY TED BELDEN) TO PURCHASE ABOUT ONE HALF ACRE IN THE DEPOT/BANK LOT FOR \$350,000.00, TO APPROVE A LEASE-TO-OWN ARRANGEMENT WITH GREG HOUSE FOR THE 2 ACRE LOT ON THE NORTH END OF THE CIVIC PLAZA, TO AGREE TO CONVEY TO GREG HOUSE THE OWNERSHIP OF ABOUT 14,000 SQUARE FEET OF THE BOTTOM FLOOR OF THE CITY'S PUBLIC PARKING DECK AND OTHER ITEMS, AND TO PASS AN EMERGENCY CLAUSE

[Legislation Text](#)

[BANK OF FAYETTEVILLE/DEPOT LOT SITE](#)

[ADDITIONAL_BANK OF FAYETTEVILLE/DEPOT LOT SITE](#)

B.32020-0943 RFQ-19-01 OLSSON, INC. AMENDMENT #2: A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH OLSSON, INC., PURSUANT TO RFQ #19-01, IN THE AMOUNT OF \$154,900.00 FOR THE REMAINING ARCHITECTURAL SERVICES RELATED TO THE REPLACEMENT PARKING DECK FOR THE CULTURAL ARTS CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT

[Legislation Text](#)

[RFQ-19-01 OLSSON, INC. AMENDMENT #2](#)

[BA_RFQ-19-01 OLSSON, INC. AMENDMENT #2](#)

[ADDITIONAL_RFQ-19-01 OLSSON, INC. AMENDMENT #2](#)

B.42020-1136 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\(3435 E. ZION RD./BURGE\)](#)

[B.4 and B.5 Public Comment](#)

[B.4 and B.5 WCRC - Clear Creek Assessment Final Report 3-30-20](#)

[1-B.4 and B.5 FTN - COF-Spillway Modification Study 11-12-2020](#)

[2-B.4 and B.5 FTN - COF-Spillway Modification Study 11-12-2020-2](#)

[3-B.4 and B.5 FTN - COF-Spillway Modification Study 11-12-2020-2-2](#)

[4-B.4 and B.5 FTN - COF-Spillway Modification Study 11-12-2020-2-2](#)

[B.4 and B.5 FTN - Delineation-Chandler Crossing Subdivision Draft 02-01-2021](#)

[B.4 and B.5 WCRC - Presentation for Fayetteville - Hilton Creek - 2-8-21](#)

[B.4 and B.5 Updated additional information](#)

B.52020-1140 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 \(3435 E. ZION RD./CHANDLER CROSSING SD\)](#)

[ADDITIONAL_CHANDLER CROSSING](#)

[B.4 and B.5 Public Comment](#)

[B.4 and B.5 WCRC - Clear Creek Assessment Final Report 3-30-20](#)

[1-B.4 and B.5 FTN - COF-Spillway Modification Study 11-12-2020](#)

[2-B.4 and B.5 FTN - COF-Spillway Modification Study 11-12-2020-2](#)

[3-B.4 and B.5 FTN - COF-Spillway Modification Study 11-12-2020-2-2](#)

[4-B.4 and B.5 FTN - COF-Spillway Modification Study 11-12-2020-2-2](#)

[B.4 and B.5 FTN - Delineation-Chandler Crossing Subdivision Draft 02-01-2021](#)

[B.4 and B.5 WCRC - Presentation for Fayetteville - Hilton Creek - 2-8-21](#)

[B.5 Chandler](#)

[B.4 and B.5 Updated additional information](#)

[B.5 PZD Chandler Crossing](#)

B.62021-0038 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 \(318 S. COMBS AVE./LAMB DEVELOPMENT\)](#)

B.72021-0064 AMEND §161.22 COMMUNITY SERVICES: AN ORDINANCE TO AMEND §161.22 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](#)

B.82021-0065 AMEND § 161.24 URBAN THOROUGHFARE: AN ORDINANCE TO AMEND § 161.24 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](#)

C. New Business

C.12020-1160 APTITUDE ARKANSAS, LLC: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH APTITUDE ARKANSAS, LLC FOR THE INSTALLATION OF A PEDESTRIAN HYBRID BEACON FOR THE TSA LA GI TRAIL CROSSING ON RAZORBACK ROAD WITH A REFUND IN AN AMOUNT NOT TO EXCEED \$98,129.00 TO BE PAID BY THE CITY OF FAYETTEVILLE, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$9,813.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRAIL IMPROVEMENTS BOND PROJECT

[Legislation Text](#)

[APTITUDE ARKANSAS, LLC](#)

[BA_APTITUDE ARKANSAS, LLC](#)

C.22021-0072 BID #20-86 CROSSLAND HEAVY CONTRACTORS, INC. - 2019 PARK IMPROVEMENT BOND PROJECT: A RESOLUTION TO AWARD BID #20-86 AND AUTHORIZE A CONTRACT WITH CROSSLAND HEAVY CONTRACTORS, INC. IN THE AMOUNT OF \$6,387,494.47 FOR THE CONSTRUCTION OF PHASE TWO OF KESSLER MOUNTAIN REGIONAL PARK INCLUDING A FOUR-FIELD BASEBALL COMPLEX, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$487,505.53, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 PARK IMPROVEMENT BOND PROJECT

[Legislation Text](#)

[CROSSLAND HEAVY CONTRACTORS, INC.](#)

[CROSSLAND CONTRACT](#)

[APPENDIX A CITY BID PACKAGE](#)

[MAPS 1](#)

[MAPS 2 ETC](#)

[ADDITIONAL 1](#)

[ADDITIONAL 2](#)

[BA_CROSSLAND HEAVY CONTRACTORS, INC.](#)

C.32021-0079 PRAIRIE STREET LIVE APPEAL: A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS SARAH BUNCH, TERESA TURK, AND MARK KINION AND DENY AN EXTENSION TO PRAIRIE STREET LIVE'S CONDITIONAL USE PERMIT CUP 2019-6721 FOR OUTDOOR MUSIC AT 509 WEST PRAIRIE STREET

[Legislation Text](#)

[ADM 2020-017 PRAIRIE STREET LIVE APPEAL](#)

[ADDITIONAL_PRAIRIE STREET LIVE APPEAL](#)

C.42021-0070 RZN-2020-027 (1673 & 1675 N. FLORENCE ST./HERMEZ-HERNANDEZ): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-027 LOCATED AT 1673 AND 1675 NORTH FLORENCE STREET FOR APPROXIMATELY 0.30 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

[Legislation Text](#)

[RZN-2020-027 \(1673 & 1675 N. FLORENCE ST./HERMEZ-HERNANDEZ\)](#)

C.52021-0077 AMEND § 97.068 CAMPING PROHIBITED: AN ORDINANCE TO AMEND § 97.068 CAMPING PROHIBITED IN CHAPTER 97: PARKS AND RECREATION OF THE FAYETTEVILLE CODE TO ALLOW CAMPING IN THE FAYETTEVILLE PARKS SYSTEM IN DESIGNATED AREAS DURING SPECIAL EVENTS, RACES, AND TOURNAMENTS WITH AN APPROVED CAMPING PERMIT

[Legislation Text](#)

[AMEND § 97.068 CAMPING PROHIBITED](#)

C.62021-0074 AMEND §157.03 ANNEXATION AND ZONING MAP AMENDMENTS: AN ORDINANCE TO AMEND §157.03 ANNEXATION AND ZONING MAP AMENDMENTS IN CHAPTER 157 NOTIFICATION AND PUBLIC HEARINGS TO CLARIFY THAT HEARINGS BEFORE THE PLANNING COMMISSION ARE ONLY REQUIRED FOR PRIVATE PARTY PETITIONS FOR ANNEXATIONS AND AMENDMENTS TO THE ZONING MAP

[Legislation Text](#)

[AMEND §157.03 ANNEXATION AND ZONING MAP AMENDMENTS](#)

D. City Council Agenda Session Presentations

D.12021-0096 AGENDA SESSION PRESENTATION: DRAINAGE & STORMWATER STANDARDS

[Legislation Text](#)

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 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.

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