

# City of Fayetteville, Arkansas

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



## City Council Meeting

March 16, 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 Kit Williams*  
*City Clerk Kara Paxton*

**Zoom Information: Public Registration link:** [https://zoom.us/join/zoom/register/WN\\_Q-VsnxmDSnKLU9nizdIq](https://zoom.us/join/zoom/register/WN_Q-VsnxmDSnKLU9nizdIq) Webinar ID: 987 0066 5523

### 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.1 2020-0872 APPROVAL OF THE FEBRUARY 18, 2021 CITY COUNCIL MEETING MINUTES AND FEBRUARY 23, 2021 SPECIAL CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

A.2 2021-0136 2021 WASHINGTON COUNTY JAIL SERVICES: A RESOLUTION TO APPROVE THE PER CAPITA JAIL FEE AGREEMENT WITH WASHINGTON COUNTY FOR JAIL SERVICES IN 2021 IN THE AMOUNT OF \$91,553.45

[Legislation Text](#)

[SRP - FY2021 Jail Fee Agreement](#)

A.3 2021-0139 BKD, LLP: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN AN ENGAGEMENT LETTER WITH BKD, LLP AND PAY AN AMOUNT NOT TO EXCEED \$124,440.00 FOR AUDITING SERVICES FOR THE 2020 AUDIT

[Legislation Text](#)

A.4 2021-0143 HAZMAT SERVICES REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$2,733.00 RECOGNIZING HAZMAT SERVICES REVENUE RECEIVED FROM PROGRESSIVE INSURANCE AND INCREASING THE RELATED EXPENSE BUDGET

[Legislation Text](#)

[HAZMAT SERVICES REVENUE](#)

[BA\\_HAZMAT SERVICES REVENUE](#)

A.5 2021-0144 RFQ 201-01 MCCLELLAND CONSULTING ENGINEERS: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC., PURSUANT TO RFQ #20-01 SELECTION #22, IN THE AMOUNT OF \$128,900.00 FOR THE DESIGN OF THE NORTH STREET CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROJECT

[Legislation Text](#)

[RFQ 201-01 MCCLELLAND CONSULTING ENGINEERS](#)

[BA\\_RFQ 20-01 MCCLELLAND CONSULTING ENGINEERS](#)

A.6 2021-0159 YRCC SPRING PROGRAM DONATION REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$3,813.00 REPRESENTING DONATIONS FROM FRIENDS OF YRCC TO FUND 2021 SPRING SEMESTER PROGRAMS OFFERED AT THE YVONNE RICHARDSON COMMUNITY CENTER

[Legislation Text](#)

[YRCC SPRING PROGRAM DONATION REVENUE](#)

[BA\\_YRCC SPRING PROGRAM DONATION REVENUE](#)

A.7 2021-0175 SHOFNER LEASE AGREEMENT: A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH WILLIAM KEITH SHOFNER, JR. FOR 82.55 ACRES OF UNUSED LAND ADJACENT TO LAKE SEQUOYAH FOR THE PURPOSES OF PASTURING CATTLE AND HORSES, AND CUTTING AND BALING HAY

[Legislation Text](#)

[SHOFNER LEASE AGREEMENT](#)

A.8 2021-0176 PRICE LEASE AGREEMENT: A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH JEFF PRICE FOR 54.55 ACRES OF UNUSED LAND ADJACENT TO LAKE SEQUOYAH FOR THE PURPOSES OF PASTURING CATTLE AND HORSES, AND CUTTING AND BALING HAY

[Legislation Text](#)

[PRICE LEASE AGREEMENT](#)

A.9 2021-0151 2021 FIVE YEAR ECONOMIC VITALITY AND RECOVERY PLAN: A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE STUDY AND DEVELOPMENT OF A FIVE YEAR ECONOMIC VITALITY AND RECOVERY PLAN IN 2021

[Legislation Text](#)

[2021 FIVE YEAR ECONOMIC VITALITY AND RECOVERY PLAN](#)

#### B. Unfinished Business

B.1 2020-1012 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.2 2020-1055 BANK OF FAYETTEVILLE/DEPOT LOT SITE: AN ORDINANCE TO APPROVE REAL ESTATE PURCHASE CONTRACTS WITH THE FARMERS & MERCHANTS BANK, FAYETTEVILLE DEPOT, LLC, AND DICKSON & WEST INVESTMENTS, LLC TO PURCHASE ABOUT ONE HALF ACRE IN THE DEPOT/BANK LOT FOR \$350,000.00, TO APPROVE A LEASE-TO-OWN ARRANGEMENT WITH DICKSON & WEST INVESTMENTS, LLC FOR THE 2 ACRE LOT ON THE NORTH END OF THE CIVIC PLAZA, TO AGREE TO CONVEY TO DICKSON & WEST INVESTMENTS, LLC 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.3 2020-0943 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.4 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 \(3435 E. ZION RD./CHANDLER CROSSING SD\)](#)

[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](#)

[ADDITIONAL\\_030221\\_PZD-2020-002 \(3435 E. ZION RD./CHANDLER CROSSING SD\)](#)

B.5 2021-0070 RZN-2020-027 (1673 & 1675 N. FLORENE ST./HERMEZ-HERNANDEZ): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-027 LOCATED AT 1673 AND 1675 NORTH FLORENE 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 \(1673 & 1675 N. FLORENE ST./HERMEZ-HERNANDEZ\)](#)

B.6 2021-0132 RZN 2020-028 (EAST OF W. MICHAEL COLE DR & W. WEDINGTON DR./KIDDER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-028 LOCATED EAST OF WEST MICHAEL COLE DRIVE AND SOUTH OF WEST WEDINGTON DRIVE FOR APPROXIMATELY 5.00 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO RMF-18, RESIDENTIAL MULTI FAMILY, 18 UNITS PER ACRE

[Legislation Text](#)

[RZN 2020-028 \(EAST OF W. MICHAEL COLE DR & W. WEDINGTON DR./KIDDER\)](#)

#### C. New Business

C.1 2021-0163 STREET NAME CHANGE: A RESOLUTION TO CHANGE THE NAME OF LEROY POND DRIVE TO NOLAN RICHARDSON DRIVE AND TO CHANGE THE NAME OF MEADOW STREET BETWEEN STADIUM DRIVE AND GRAHAM AVENUE TO LEROY POND DRIVE

[Legislation Text](#)

[STREET NAME CHANGE](#)

[ADDITIONAL\\_STREET NAME CHANGE](#)

C.2 2021-0179 TRAFFIC CALMING POLICY: A RESOLUTION TO APPROVE A NEW TRAFFIC CALMING POLICY

[Legislation Text](#)

[TRAFFIC CALMING POLICY](#)

C.3 2021-0160 RZN-2020-024 (916 N. SANG AVE./GLORIOUS ASSETS, INC.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-024 LOCATED AT 916 NORTH SANG AVENUE FOR APPROXIMATELY 0.70 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-7, RESIDENTIAL SINGLE FAMILY, 7 UNITS PER ACRE, SUBJECT TO A BILL OF ASSURANCE

[Legislation Text](#)

[RZN-2020-024 \(916 N. SANG AVE./GLORIOUS ASSETS, INC.\)](#)

C.4 2021-0161 RZN-2020-030 (324 E. HUNTSVILLE RD./SIEMEK): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-030 LOCATED AT 324 EAST HUNTSVILLE ROAD FOR APPROXIMATELY 0.20 ACRES FROM RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

[Legislation Text](#)

[RZN-2020-030 \(324 E. HUNTSVILLE RD./SIEMEK\)](#)

C.5 2021-0177 APPEAL RZN-2020-026 (5200 BLOCK OF W. WEDINGTON DR./PLANET STORAGE, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 20-026 LOCATED IN THE 5200 BLOCK OF WEST WEDINGTON DRIVE FOR APPROXIMATELY 1.32 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[APPEAL RZN-2020-026 \(5200 BLOCK OF W. WEDINGTON DR./PLANET STORAGE, LLC\)](#)

C.6 2021-0180 VAC 662 WEST TAYLOR STREET: AN ORDINANCE TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY FOR PROPERTY LOCATED EAST OF 662 WEST TAYLOR STREET

[Legislation Text](#)

[VAC 662 WEST TAYLOR STREET](#)

C.7 2021-0181 REFORMATION OF DEEDS - 115 OKLAHOMA WAY: A RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO SEEK REFORMATION OF DEEDS FOR PROPERTY LOCATED AT 115 OKLAHOMA WAY

[Legislation Text](#)

[REFORMATION OF DEEDS - 115 OKLAHOMA WAY](#)

#### 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 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](http://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.

#### 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.

A copy of the complete City Council agenda is available on our website at [www.fayetteville-ar.gov](http://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.