

# City of Fayetteville, Arkansas

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



## City Council Meeting

May 18, 2021  
5:30 p.m.

City Hall Room 219  
113 West Mountain

## City Council Members

*Sania 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 Lionell Jordan  
City Attorney Kit Williams  
City Clerk Kara Paxton

### Call To Order

### Roll Call

### Pledge of Allegiance

### Mayor's Announcements, Proclamations and Recognitions

### City Council Meeting Presentations, Reports and Discussion Items

- 2021-0291 RECOGNITION AWARDS PRESENTATION FOR FIRE DEPARTMENT PERSONNEL FOR BRAVERY AND MERITORIOUS SERVICE TO THE CITIZENS OF FAYETTEVILLE  
[Legislation Text](#)  
[Updated SRF, SRM\\_Meritorious and Bravery Awards Presentation 5-18-21 Council Meeting](#)  
[SRF, SRM\\_Meritorious and Bravery Awards Presentation for Fire Employees 5-18-21 Council Meeting](#)

### Agenda Additions

#### A. Consent

- 2020-0876 APPROVAL OF THE MAY 4, 2021 CITY COUNCIL MEETING MINUTES  
[Legislation Text](#)
- 2021-0322 WALTON FAMILY FOUNDATION GRANT: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO ACCEPT A GRANT FROM THE WALTON FAMILY FOUNDATION IN THE AMOUNT OF \$385,000.00 TO FUND THE CONSTRUCTION OF BICYCLE AND PEDESTRIAN IMPROVEMENTS ALONG PROSPECT STREET, PARK AVENUE, TRENTON BOULEVARD, AND REBECCA STREET TO CREATE THE MISSION-RAZORBACK CONNECTOR, AND TO APPROVE A BUDGET ADJUSTMENT  
[Legislation Text](#)  
[WALTON FAMILY FOUNDATION GRANT](#)  
[BA\\_WALTON FAMILY FOUNDATION GRANT](#)
- 2021-0323 ARKANSAS DEPARTMENT OF TRANSPORTATION: A RESOLUTION TO APPROVE A PAYMENT OF \$199,940.00 TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF A SIDE PATH ALONG WEDINGTON DRIVE AT THE INTERSECTION OF INTERSTATE 49, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$40,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRAIL IMPROVEMENTS BOND PROJECT  
[Legislation Text](#)  
[ARKANSAS DEPARTMENT OF TRANSPORTATION](#)  
[BA\\_ARKANSAS DEPARTMENT OF TRANSPORTATION](#)
- 2021-0328 U.S. DEPARTMENT OF TRANSPORTATION GRANT - 2019 TRAIL IMPROVEMENTS BOND PROJECT: A RESOLUTION TO APPROVE A PAYMENT OF \$46,000.00 TO THE UNIVERSITY OF ARKANSAS FOR THE PREPARATION OF A BENEFIT-COST ANALYSIS BY OLSSON ASSOCIATES, INC. FOR A REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY GRANT THROUGH THE U.S. DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO MAPLE STREET, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRAIL IMPROVEMENTS BOND PROJECT  
[Legislation Text](#)  
[U.S. DEPARTMENT OF TRANSPORTATION GRANT](#)  
[BA\\_U.S. DEPARTMENT OF TRANSPORTATION GRANT](#)
- 2021-0325 WASHINGTON COUNTY RADIO SYSTEM MOU: A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH WASHINGTON COUNTY AND THE CITY OF SPRINGDALE TO IMPROVE PUBLIC SAFETY RADIO COMMUNICATIONS BY ESTABLISHING A COUNTY-WIDE SYSTEM  
[Legislation Text](#)  
[WASHINGTON COUNTY RADIO SYSTEM MOU](#)
- 2021-0331 HFI FLETCHER, LLC: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$19,824.38 RECOGNIZING REVENUE FROM A COST SHARE AGREEMENT WITH HFI FLETCHER, LLC FOR A SEWER MAIN EXTENSION ALONG A PORTION OF NORTH FLETCHER AVENUE  
[Legislation Text](#)  
[HFI FLETCHER, LLC](#)  
[BA\\_HFI FLETCHER, LLC](#)
- 2021-0353 MOUNT OLIVE WATER ASSOCIATION: A RESOLUTION TO APPROVE A FIFTEEN YEAR WATER PURCHASE AGREEMENT WITH MOUNT OLIVE WATER ASSOCIATION  
[Legislation Text](#)  
[MOUNT OLIVE WATER ASSOCIATION](#)
- 2021-0354 BADGER METER, INC.: A RESOLUTION TO APPROVE A ONE YEAR MASTER SERVICE AGREEMENT WITH BADGER METERS, INC. WITH UP TO 9 AUTOMATIC ANNUAL RENEWALS TO OPERATE THE CURRENT AND FUTURE ADVANCED METERING INFRASTRUCTURE WATER METERS INSTALLED BY THE UTILITIES DEPARTMENT  
[Legislation Text](#)  
[BADGER METER, INC.](#)
- 2021-0336 UNIVERSITY OF ARKANSAS MEMORANDUM OF AGREEMENT: A RESOLUTION TO APPROVE AN AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH THE UNIVERSITY OF ARKANSAS FOR THE INSTALLATION AND MAINTENANCE OF STREET SIGNS ON CERTAIN ROADWAYS ON OR NEAR THE UNIVERSITY CAMPUS  
[Legislation Text](#)  
[UNIVERSITY OF ARKANSAS MEMORANDUM OF AGREEMENT](#)
- 2021-0357 BOSTON MOUNTAIN SOLID WASTE DISTRICT MOU: A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF \$15,000.00 FOR THE COLLECTION OF HOUSEHOLD HAZARDOUS WASTE IN FAYETTEVILLE  
[Legislation Text](#)  
[BOSTON MOUNTAIN SOLID WASTE DISTRICT MOU](#)
- 2021-0321 FIRE STATION 9 ACCESS EASEMENT: A RESOLUTION TO APPROVE THE CONVEYANCE OF A PERMANENT PUBLIC CROSS- ACCESS EASEMENT TO ROBERT AND VICKIE PARKER FOR THE PURPOSE OF PROVIDING PUBLIC CROSS-ACCESS AT FIRE STATION NO. 9  
[Legislation Text](#)  
[FIRE STATION 9 ACCESS EASEMENT](#)
- 2021-0278 FLINTCO, LLC CHANGE ORDER NO. 3 - 2019 POLICE HEADQUARTERS BOND PROJECT: A RESOLUTION TO APPROVE CHANGE ORDER NO. 3 TO THE CONSTRUCTION MANAGER AT RISK CONTRACT WITH FLINTCO, LLC FOR THE POLICE HEADQUARTERS PROJECT IN THE AMOUNT OF \$12,536,023.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 POLICE HEADQUARTERS BOND PROJECT  
[Legislation Text](#)  
[FLINTCO, LLC POLICE HEADQUARTERS CO3](#)  
[BA\\_FLINTCO, LLC POLICE HEADQUARTERS CO3](#)

#### B. Unfinished Business

- 2021-0276 RPZD-2021-003: (2390 S. DEAD HORSE MTN. RD./MEADOWS AT STONEBRIDGE SD): AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED R-PZD 21-003 FOR APPROXIMATELY 51.33 ACRES LOCATED AT 2390 SOUTH DEAD HORSE MOUNTAIN ROAD TO ALLOW THE DEVELOPMENT OF 168 RESIDENTIAL LOTS AND 1 MIXED USE LOT  
[Legislation Text](#)  
[RPZD-2021-003: \(2390 S. DEAD HORSE MTN. RD./MEADOWS AT STONEBRIDGE SD\)](#)  
[042021\\_ADDITIONAL RPZD-2021-003: \(2390 S. DEAD HORSE MTN. RD./MEADOWS AT STONEBRIDGE SD\)](#)  
[PZD-2021-000003 EX A - REVISED & Public comment](#)
- 2021-0301 RZN 2021-035: (S.E. OF MORNINGSIDE DR. & HUNTSVILLE RD./PARK MEADOWS, PH. V): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-035 LOCATED SOUTHEAST OF MORNINGSIDE DRIVE AND HUNTSVILLE ROAD FOR APPROXIMATELY 0.66 ACRES FROM NC, NEIGHBORHOOD CONSERVATION TO CS, COMMUNITY SERVICES  
[Legislation Text](#)  
[RZN 2021-035: \(S.E. OF MORNINGSIDE DR. & HUNTSVILLE RD./PARK MEADOWS, PH. V\)](#)
- 2021-0304 RZN 2021-036: (216 & 224 N. FLETCHER AVE. AND 227 N. SUMMIT AVE./ADMIRAL EAST, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-036 LOCATED AT 216 AND 224 NORTH FLETCHER AVENUE AND 227 NORTH SUMMIT AVENUE FOR APPROXIMATELY 0.58 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-18, RESIDENTIAL SINGLE FAMILY, 18 UNITS PER ACRE  
[Legislation Text](#)  
[RZN 2021-036: \(216 & 224 N. FLETCHER AVE. AND 227 N. SUMMIT AVE./ADMIRAL EAST, LLC.\)](#)  
[ADDITIONAL051121\\_RZN 2021-036: \(216 & 224 N. FLETCHER AVE. AND 227 N. SUMMIT AVE./ADMIRAL EAST, LLC.\)](#)

#### C. New Business

- 2021-0299 1155 PROPERTIES, LLC: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH 1155 PROPERTIES, LLC FOR THE UPSIZING OF A WATER LINE ALONG DRAKE STREET WITH A REFUND IN AN AMOUNT NOT TO EXCEED \$47,752.10 TO BE PAID BY THE CITY OF FAYETTEVILLE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$4,775.21  
[Legislation Text](#)  
[1155 PROPERTIES, LLC](#)
- 2021-0341 RC PARK MEADOWS LLC COST SHARE: AN ORDINANCE TO WAIVE FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH RC PARK MEADOWS, LLC FOR THE OVERLAYING OF THE WEST SIDE OF MORNINGSIDE DRIVE WITH A REFUND IN AN AMOUNT NOT TO EXCEED \$75,155.88 TO BE PAID BY THE CITY OF FAYETTEVILLE  
[Legislation Text](#)  
[RC PARK MEADOWS LLC COST SHARE](#)
- 2021-0333 RZN 2021-038 (656 E. HUNTSVILLE RD./HAWKINS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-038 LOCATED AT 656 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-2021-038 \(656 E. HUNTSVILLE RD./HAWKINS\)](#)
- 2021-0352 RZN 2021-039 (4300 BLOCK OF MLK BLVD. /HOSKINS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-039 LOCATED AT THE 4300 BLOCK OF MARTIN LUTHER KING BOULEVARD FOR APPROXIMATELY 1.38 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES  
[Legislation Text](#)  
[RZN-2021-039 \(4300 BLOCK OF MLK BLVD. /HOSKINS\)](#)
- 2021-0343 VAC-2021-016 (1000 W. BULLDOG BLVD./DELAWARE AVE. R-O-W): AN ORDINANCE TO APPROVE VAC 21-016 FOR PROPERTY LOCATED AT 1000 WEST BULLDOG BOULEVARD TO VACATE A PORTION OF PUBLIC RIGHT-OF-WAY  
[Legislation Text](#)  
[VAC-2021-016 \(1000 W. BULLDOG BLVD./DELAWARE AVE. R-O-W\)](#)
- 2021-0355 VAC-2021-018 (1000 W. BULLDOG BLVD./HIS PROPERTIES): AN ORDINANCE TO APPROVE VAC 21-018 FOR PROPERTY LOCATED AT 1000 WEST BULLDOG BOULEVARD TO VACATE A PORTION OF A GENERAL UTILITY EASEMENT  
[Legislation Text](#)  
[VAC-2021-018 \(1000 W. BULLDOG BLVD./HIS PROPERTIES\)](#)
- 2021-0337 AMEND § 120.02 LANDLORD'S REPRESENTATIVE REGISTRY: AN ORDINANCE TO AMEND § 120.02 LANDLORD'S REPRESENTATIVE REGISTRY OF THE CITY CODE TO REQUIRE REGISTRATION OF PROPERTIES UTILIZED AS SHORT-TERM RENTALS  
[Legislation Text](#)  
[AMEND § 120.02 LANDLORD'S REPRESENTATIVE REGISTRY](#)
- 2021-0329 AMEND §151.01 DEFINITIONS AND ENACT §164.24 REGISTERED CHILD CARE FAMILY HOMES: AN ORDINANCE TO AMEND §151.01 DEFINITIONS AND ENACT §164.24 REGISTERED CHILD CARE FAMILY HOMES OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO ALLOW THE OPERATION OF SMALL IN-HOME CHILD CARE FACILITIES BY RIGHT THROUGHOUT THE CITY UNDER CERTAIN CONDITIONS  
[Legislation Text](#)  
[AMEND §151.01 DEFINITIONS AND ENACT §164.24 REGISTERED CHILD CARE FAMILY HOMES](#)
- 2021-0358 AMEND CHAPTER 167 TREE PRESERVATION AND PROTECTION, CHAPTER 177 LANDSCAPE REGULATIONS AND CHAPTER 151 DEFINITIONS: AN ORDINANCE TO AMEND CHAPTER 167 TREE PRESERVATION AND PROTECTION, CHAPTER 177 LANDSCAPE REGULATIONS, AND CHAPTER 151 DEFINITIONS OF THE UNIFIED DEVELOPMENT CODE TO OFFER CLARIFICATION, EFFICIENCIES, AND ADDITIONAL OPTIONS TO BOTH TREE PRESERVATION AND LANDSCAPING CODES  
[Legislation Text](#)  
[AMEND §167 TREE PRESERVATION AND PROTECTION, §177 LANDSCAPE REGULATIONS AND §151 DEFINITIONS](#)
- 2021-0287 AMEND §155.04 COUNCIL MEMBER APPEAL ON BEHALF OF RESIDENT: AN ORDINANCE TO AMEND §155.04 COUNCIL MEMBER APPEAL ON BEHALF OF RESIDENT TO PROVIDE FOR AN APPEAL OF EVERY PLANNING COMMISSION DETERMINATION OR DECISION INVOLVING DEVELOPMENT OR OTHER PROVISION WITHIN THE UNIFIED DEVELOPMENT CODE  
[Legislation Text](#)  
[AMEND §155.04 COUNCIL MEMBER APPEAL ON BEHALF OF RESIDENT](#)  
[memo\\_for\\_expansion\\_appeals\\_final Teresa Memo](#)

#### D. City Council Agenda Session Presentations

- 2021-0257 AGENDA SESSION PRESENTATION - PARTNERS FOR BETTER HOUSING UPDATE  
[Legislation Text](#)

#### E. City Council Tour: Monday, May 17, 2021 4:30 PM RZN 2021-036 (216 & 224 N Fletcher. Ave. and 227 N Summit Ave.)

#### 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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