

# City of Fayetteville, Arkansas

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



## City Council Meeting

September 21, 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 Kinion 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: Webinar ID: 818 5804 8463 Public Registration Link: <https://us06web.zoom.us/join/81858048463>

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items

Proposed Agenda Additions

### A. Consent

A.12020-0884 APPROVAL OF THE AUGUST 24, 2021 SPECIAL CITY COUNCIL MEETING MINUTES AND THE SEPTEMBER 7, 2021 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

A.22021-0675 ADDITIONAL JET FUEL PURCHASE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$413,169.00 TO APPROPRIATE ADDITIONAL FUNDING FOR THE PURCHASE OF JET FUEL THROUGH THE END OF 2021

[Legislation Text](#)

[ADDITIONAL JET FUEL PURCHASE](#)

[BA\\_ADDITIONAL JET FUEL PURCHASE](#)

A.32021-0692 FEDERAL AVIATION ADMINISTRATION (FAA) GRANT: A RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN A CONSTRUCTION CONTRACT WITH EMERY SAPP & SONS, INC. IN THE AMOUNT OF \$5,565,491.44 FOR THE RUNWAY PAVEMENT AND LIGHTING REHABILITATION PROJECT AT DRAKE FIELD, TO AUTHORIZE THE MAYOR TO EXECUTE TASK ORDER # 3 WITH GARVER, LLC IN THE AMOUNT OF \$235,000.00 FOR CONSTRUCTION PHASE SERVICES, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$613,585.44, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[FEDERAL AVIATION ADMINISTRATION \(FAA\) GRANT](#)

[BA\\_FEDERAL AVIATION ADMINISTRATION \(FAA\) GRANT](#)

A.42021-0691 80/20 ARKANSAS DEPARTMENT OF AERONAUTICS GRANT: A RESOLUTION TO AUTHORIZE THE APPLICATION FOR AN 80/20 ARKANSAS DEPARTMENT OF AERONAUTICS GRANT IN THE AMOUNT OF \$352,181.75 TO FUND THE REHABILITATION OF THE FUEL FARM

[Legislation Text](#)

[80/20 ARKANSAS DEPARTMENT OF AERONAUTICS GRANT](#)

A.52021-0676 STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FOR STATE FUNDING OF THE FOURTH JUDICIAL DISTRICT DRUG TASK FORCE IN THE AMOUNT OF \$91,319.00, AND TO AUTHORIZE MAYOR JORDAN TO SIGN ALL NECESSARY DOCUMENTS TO RECEIVE THE GRANT FUNDS

[Legislation Text](#)

[STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT](#)

A.62021-0677 OZARKS ELECTRIC COOPERATIVE CORPORATION AND OZARKS GO, LLC: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO CONVEY A 2,494 SQUARE FOOT GENERAL UNDERGROUND UTILITY EASEMENT TO OZARKS ELECTRIC COOPERATIVE CORPORATION AND OZARKS GO, LLC TO PROVIDE ELECTRICAL AND DATA SERVICE ACROSS THE WESTERN SIDE OF CENTENNIAL PARK

[Legislation Text](#)

[OZARKS ELECTRIC COOPERATIVE CORPORATION AND OZARKS GO, LLC](#)

A.72021-0693 PURCHASE OF NEW VEHICLES: A RESOLUTION TO AUTHORIZE THE USE OF EXISTING COOPERATIVE PURCHASING AGREEMENTS OR BIDS THROUGH THE ARKANSAS OFFICE OF STATE PROCUREMENT, CITY OF FAYETTEVILLE PURCHASING DIVISION, OR SOURCEWELL, AS WELL AS LOCAL DEALER MATCHED PRICING, FOR THE PURCHASE OF NEW VEHICLES AND OPTIONS ON AN AS NEEDED BASIS, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[PURCHASE OF NEW VEHICLES](#)

[BA\\_PURCHASE OF NEW VEHICLES](#)

### B. Unfinished Business

B.12021-0657 RZN-2021-056 (2699 W. MLK BLVD./ABAILAT, 558): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-056 LOCATED AT 2699 WEST MARTIN LUTHER KING, JR. BOULEVARD FOR APPROXIMATELY 0.43 ACRES FROM C-2, THOROUGHFARE COMMERCIAL AND R-A, RESIDENTIAL AGRICULTURAL TO C-2 THOROUGHFARE COMMERCIAL

[Legislation Text](#)

[RZN-2021-056 \(2699 W. MLK BLVD./ABAILAT, 558\)](#)

B.22021-0659 APPEAL ADM-2021-045 (1236 S. SCHOOL AVE./VAUGHN RECYCLING): A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS SARAH BUNCH, HOLLY HERTZBERG, AND D'ANDRE JONES AND APPROVE AN AMENDMENT TO CONDITIONAL USE PERMIT CUP 08-2908 TO AUTHORIZE VAUGHN RECYCLING TO LEGALLY EXPAND ITS RECYCLING ACTIVITIES TO 1236 SOUTH SCHOOL AVENUE

[Legislation Text](#)

[APPEAL ADM-2021-045 \(1236 S. SCHOOL AVE./VAUGHN RECYCLING\)](#)

[ADDITIONAL\\_09/02/21\\_APPEAL ADM-2021-045 \(1236 S. SCHOOL AVE./VAUGHN RECYCLING\)](#)

### C. New Business

C.12021-0668 BRYCER, LLC: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE MAYOR JORDAN TO SIGN A THREE-YEAR CONTRACT WITH BRYCER, LLC TO PROVIDE THIRD PARTY REPORTING SERVICES FOR FIRE PROTECTION SYSTEMS IN THE CITY OF FAYETTEVILLE, PURSUANT TO § 94.06 OF THE FAYETTEVILLE CITY CODE

[Legislation Text](#)

[BRYCER LLC](#)

C.22021-0670 RZN-2021-059 (740 W. STONE ST./APOGEE PROPERTIES): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-059 LOCATED AT 740 WEST STONE STREET FOR APPROXIMATELY 0.24 ACRES FROM RMF-40, RESIDENTIAL MULTI FAMILY, 40 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

[Legislation Text](#)

[RZN-2021-059 \(740 W. STONE ST./APOGEE PROPERTIES\)](#)

C.32021-0671 RZN-2021-060 (699 W. WHILLOCK ST./FOSTER): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-060 LOCATED AT 699 WEST WHILLOCK STREET FOR APPROXIMATELY 1.43 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

[Legislation Text](#)

[RZN-2021-060 \(699 W. WHILLOCK ST./FOSTER\)](#)

C.42021-0680 RZN-2021-061 (1428 E. HUNTSVILLE RD./LASEY): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-061 LOCATED AT 1428 EAST HUNTSVILLE ROAD FOR APPROXIMATELY 1.85 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

[Legislation Text](#)

[RZN-2021-061 \(1428 E. HUNTSVILLE RD./LASEY\)](#)

C.52021-0681 RZN-2021-062 (WEST OF 1000 BLOCK S. HOLLYWOOD AVE./FAYETTEVILLE ASSOCIATES, LTD.): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-062 LOCATED WEST OF THE 1000 BLOCK SOUTH HOLLYWOOD AVENUE FOR APPROXIMATELY 0.83 ACRES FROM C-2, THOROUGHFARE COMMERCIAL TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

[Legislation Text](#)

[RZN-2021-062 \(WEST OF 1000 BLOCK S. HOLLYWOOD AVE./FAYETTEVILLE ASSOCIATES, LTD.\)](#)

C.62021-0672 VAC-2021-023 (793 W. DICKSON ST./WHITESIDE ST. R-O-W): AN ORDINANCE TO APPROVE VAC 21-023 FOR PROPERTY LOCATED AT 793 WEST DICKSON STREET TO VACATE PORTIONS OF ALLEY RIGHT-OF-WAY AND STREET RIGHT-OF-WAY

[Legislation Text](#)

[VAC-2021-023 \(793 W. DICKSON ST./WHITESIDE ST. R-O-W\)](#)

C.72021-0688 VAC-2021-024 (959 E. DOGWOOD LN./MOSLEY): AN ORDINANCE TO APPROVE VAC 21-024 FOR PROPERTY LOCATED AT 959 EAST DOGWOOD LANE TO VACATE A PORTION OF A GENERAL UTILITY EASEMENT

[Legislation Text](#)

[VAC-2021-024 \(959 E. DOGWOOD LN./MOSLEY\)](#)

C.82021-0710 VAC-2021-025 (SOUTH OF 240 E. ROCK ST./FLOWERS-DAVIS): AN ORDINANCE TO APPROVE VAC 21-025 FOR PROPERTY LOCATED SOUTH OF 240 EAST ROCK STREET TO VACATE A PORTION OF A WATER/SEWER RIGHT OF WAY GRANT

[Legislation Text](#)

[VAC-2021-025 \(SOUTH OF 240 E. ROCK ST./FLOWERS-DAVIS\)](#)

C.92021-0682 ANX-2021-002 (1287 N. 54TH ST./NORTHSTAR CONSTRUCTION): AN ORDINANCE TO ANNEX THAT PROPERTY DESCRIBED IN ANNEXATION PETITION ANX 21-002 SUBMITTED BY KUTAK ROCK, LLC ON BEHALF OF NORTHSTAR CONSTRUCTION FOR PROPERTY LOCATED AT 1287 NORTH 54TH STREET CONTAINING APPROXIMATELY 10.25 ACRES

[Legislation Text](#)

[ANX-2021-002 \(1287 N. 54TH ST./NORTHSTAR CONSTRUCTION\)](#)

C.102021-0685 2021 MILLAGE LEVY: AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR THE YEAR 2021 FIXING THE RATE THEREOF AT 2.3 MILLS FOR GENERAL FUND OPERATIONS, 0.4 MILLS FOR THE FIREMEN'S PENSION AND RELIEF FUND, 0.4 MILLS FOR THE POLICEMEN'S PENSION AND RELIEF FUND, 2.5 MILLS FOR FAYETTEVILLE PUBLIC LIBRARY OPERATIONS AND 1.2 MILLS FOR THE FAYETTEVILLE PUBLIC LIBRARY EXPANSION; AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS

[Legislation Text](#)

[2021 MILLAGE LEVY](#)

[ADDITIONAL\\_09/21/21\\_2021\\_1010\\_BUDGET\\_SUMMARY 091421 PRESENTATION](#)

C.112021-0687 AMEND § 71.065 GENERAL SPEED RESTRICTIONS: AN ORDINANCE TO AMEND § 71.065 GENERAL SPEED RESTRICTIONS OF THE FAYETTEVILLE CITY CODE TO ESTABLISH A DEFAULT SPEED LIMIT OF 20 MILES PER HOUR IN RESIDENTIAL AND BUSINESS DISTRICTS

[Legislation Text](#)

[AMEND § 71.065 GENERAL SPEED RESTRICTIONS](#)

C.122021-0694 3V DEVELOPMENT, LLC ADM 21-0057 APPEAL: A RESOLUTION TO GRANT THE APPEAL OF 3V DEVELOPMENT, LLC FOR ADM 21-0057 AND DETERMINE THAT REQUIRING THE CONSTRUCTION OF A SIDEWALK THAT CONFORMS TO § 171.13 OF THE UNIFIED DEVELOPMENT CODE ALONG THE PROPERTIES LOCATED AT 743, 755, AND 769 SOUTH WASHINGTON AVENUE EXCEEDS THE ROUGH PROPORTIONALITY OF THE IMPACT OF THE DEVELOPMENT

[Legislation Text](#)

[3V DEVELOPMENT, LLC ADM 21-0057 APPEAL](#)

[ADDITIONAL\\_09/14/21\\_3V DEVELOPMENT, LLC ADM 21-0057 APPEAL](#)

### D. City Council Agenda Session Presentations

D.12021-0649 AGENDA SESSION PRESENTATION - 2020 TAX LEVY RECOMMENDATION AND 2021 GENERAL FUND BUDGET DISCUSSION

[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, and Public Recognition, and Public Comment 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 for 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 unsignd-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 and 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.