

# City of Fayetteville, Arkansas

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



## City Council Meeting

April 19, 2022  
5:30 p.m.

City Hall Room 219  
113 West Mountain

## City Council Members

*Sonia Harvey Ward 1  
D'Andre Jones Ward 1  
Mark Kinion Ward 2  
Mike Wiederkehr 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 Treasurer Kara Paxton*

Zoom Information: 4-19-22 City Council Meeting Webinar ID: 818 4889 5709 Public Registration Link: <https://us06web.zoom.us/join/joinMeeting?meetingid=81848895709>

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.1 2022-0297 RFQ #22-01, SELECTION #2 MCCLELLAND CONSULTING ENGINEERS, INC. AND GTS, INC.: A RESOLUTION TO AWARD RFQ #22-01 SELECTION #2 AND AUTHORIZE THE PURCHASE OF ON-CALL MATERIALS TESTING SERVICES FROM MCCLELLAND CONSULTING ENGINEERS, INC., OLSSON, INC. AND GTS, INC. BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH APRIL 30, 2023

[Legislation Text](#)

[RFQ #22-01, SELECTION #2 MCCLELLAND CONSULTING ENGINEERS, INC. AND GTS, INC.](#)

A.2 2022-0298 RFQ #22-01, SELECTION #3 MCCLELLAND CONSULTING ENGINEERS, INC. AND OLSSON ASSOCIATES, INC.: A RESOLUTION TO AWARD RFQ #22-01 SELECTION #3 AND AUTHORIZE THE PURCHASE OF ON-CALL SURVEYING SERVICES FROM MCCLELLAND CONSULTING ENGINEERS, INC. AND OLSSON, INC. BASED ON RATES PROVIDED AND AVAILABILITY AS NEEDED THROUGH APRIL 30, 2023

[Legislation Text](#)

[RFQ #22-01, SELECTION #3 MCCLELLAND CONSULTING ENGINEERS, INC. AND OLSSON ASSOCIATES, INC.](#)

A.3 2022-0291 BKD, LLP: A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN AN ENGAGEMENT LETTER WITH BKD, LLP AND PAY AN AMOUNT NOT TO EXCEED \$117,320.00 FOR AUDITING SERVICES FOR THE 2021 AUDIT

[Legislation Text](#)

[BKD, LLP](#)

A.4 2022-0181 AMEND RESOLUTION 33-22: A RESOLUTION TO AMEND RESOLUTION 33-22 BY REDUCING THE AMOUNT OF REAPPROPRIATIONS TO THE 2022 BUDGET BY \$9,279,035.00, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[AMEND RESOLUTION 33-22](#)

[BA, AMEND RESOLUTION 33-22](#)

### B. Unfinished Business

B.1 2022-0184 RZN-2022-003 (2235 W. WEDINGTON DR./PAGLIANI): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-003 LOCATED AT 2235 WEST WEDINGTON DRIVE FOR APPROXIMATELY 0.43 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RI-12, RESIDENTIAL INTERMEDIATE, 12 UNITS PER ACRE

[Legislation Text](#)

[RZN-2022-003 \(2235 W. WEDINGTON DR./PAGLIANI\)](#)

[ADDITIONAL INFORMATION BOA 04/05/22, RZN-2022-003 \(2235 W. WEDINGTON DR./PAGLIANI\)](#)

B.2 2022-0190 RZN-2021-093 (1101 N. WOOLSEY AVE./WRMC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 21-093 LOCATED AT 1101 NORTH WOOLSEY AVENUE FOR APPROXIMATELY 0.75 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES-GENERAL

[Legislation Text](#)

[RZN-2021-093 \(1101 N. WOOLSEY AVE./WRMC\)](#)

B.3 2022-0255 RZN-2022-008 (608 S. RAY AVE./SIEMEK): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-008 LOCATED AT 608 SOUTH RAY AVENUE IN WARD 1 FOR APPROXIMATELY 0.47 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

[Legislation Text](#)

[RZN-2022-008 \(608 S. RAY AVE./SIEMEK\)](#)

B.4 2022-0182 RZN-2022-006 (3493 N. HWY 112/BIOTECH PHARMACAL): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-006 LOCATED SOUTH OF WEST HIGHWAY 112 FOR APPROXIMATELY 65.90 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL; RSF-8 RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE; AND I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL TO NS-G, NEIGHBORHOOD SERVICES-GENERAL; CS, COMMUNITY SERVICES; UT, URBAN THOROUGHFARE; AND I-1, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL

[Legislation Text](#)

[RZN-2022-006 \(3493 N. HWY 112/BIOTECH PHARMACAL\)](#)

B.5 2022-0252 RZN-2022-011 (3220 W. OLD FARMINGTON RD./STRICKLIN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-011 LOCATED AT 3220 WEST OLD FARMINGTON ROAD IN WARD 1 FOR APPROXIMATELY 20.40 ACRES FROM RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION

[Legislation Text](#)

[RZN-2022-011 \(3220 W. OLD FARMINGTON RD./STRICKLIN\)](#)

B.6 2022-0260 APPEAL OF: ADM-2022-001 (509 W. PRAIRIE ST./PRAIRIE STREET LIVE): A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS SONIA HARVEY, D'ANDRE JONES, AND MARK KINION AND APPROVE AN AMENDMENT TO CONDITIONAL USE PERMIT CUP 19-6721 FOR PRAIRIE STREET LIVE LOCATED AT 509 WEST PRAIRIE STREET

[Legislation Text](#)

[APPEAL OF: ADM-2022-001 \(509 W. PRAIRIE ST./PRAIRIE STREET LIVE\)](#)

[Factors to Consider for Conditional Use Permits and Application to Prairie Street Live - 2.25.22](#)

### C. New Business

C.1 2022-0242 BID #22-35 RAZORBACK ROAD CONSTRUCTION: A RESOLUTION TO AWARD BID #22-35 AND AUTHORIZE A CONTRACT WITH FLINTCO, LLC IN THE AMOUNT OF \$2,398,991.26 FOR THE CONSTRUCTION OF RAZORBACK ROAD FROM THE UNIVERSITY'S ADMINISTRATION SERVICES BUILDING TO HOTZ DRIVE. TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$100,000.00, AND TO APPROVE A BUDGET ADJUSTMENT TO RECOGNIZE REVENUE IN THE AMOUNT OF \$1,372,516.00 FROM THE UNIVERSITY OF ARKANSAS AND \$334,055.00 IN FEDERAL-AID FUNDING AND TO MOVE \$792,421.00 FROM THE W&S IMPACT FEE FUNDS TO THE PROJECT

[Legislation Text](#)

[BID #22-35 RAZORBACK ROAD CONSTRUCTION](#)

[BA, BID #22-35 RAZORBACK ROAD CONSTRUCTION](#)

C.2 2022-0306 RZN-2022-012 (1893 & 1909 N. STEPHEN CARR BLVD./EUBANKS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-012 LOCATED AT 1893 AND 1909 NORTH STEPHEN CARR BOULEVARD IN WARD 2 FOR APPROXIMATELY 3.5 ACRES FROM R-A, RESIDENTIAL AGRICULTURAL TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[RZN-2022-012 \(1893 & 1909 N. STEPHEN CARR BLVD./EUBANKS\)](#)

C.3 2022-0305 RZN-2022-013 (NE OF S. SCHOOL AVE. & W. 22ND ST./GRAHAM HOUSE, LLC): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-013 LOCATED NORTHEAST OF SOUTH SCHOOL AVENUE AND WEST 22ND STREET IN WARD 1 FOR APPROXIMATELY 1.35 ACRES FROM C-2, THOROUGHFARE COMMERCIAL TO CS, COMMUNITY SERVICES

[Legislation Text](#)

[RZN-2022-013 \(NE OF S. SCHOOL AVE. & W. 22ND ST./GRAHAM HOUSE, LLC\)](#)

C.4 2022-0253 VAC-2022-005 (WEST FOXGLOVE DR./ADVENTURE SUBARU): AN ORDINANCE TO APPROVE VAC 22-005 FOR PROPERTY LOCATED AT WEST FOXGLOVE DRIVE IN WARD 2 TO VACATE A PORTION OF A GENERAL ACCESS AND UTILITY EASEMENT

[Legislation Text](#)

[VAC-2022-005 \(WEST FOXGLOVE DR./ADVENTURE SUBARU\)](#)

[Late Submittal - Approved by S. Norton](#)

C.5 2022-0301 VAC-2022-008 (NW OF 481 S. SCHOOL AVENUE/MILL DISTRICT LLC): AN ORDINANCE TO APPROVE VAC 22-008 FOR PROPERTY LOCATED NORTHWEST OF 481 SOUTH SCHOOL AVENUE IN WARD 2 TO VACATE A PORTION OF AN ACCESS AND PARKING EASEMENT

[Legislation Text](#)

[VAC-2022-008 \(NW OF 481 S. SCHOOL AVENUE/MILL DISTRICT LLC\)](#)

C.6 2022-0310 AMERICAN RESCUE PLAN ACT FUNDS: A RESOLUTION TO AUTHORIZE THE APPROVAL TO ELECT THE STANDARD ALLOWANCE OF \$10,000,000.00 IN REVENUE LOSSES DUE TO THE PUBLIC HEALTH EMERGENCY CREATED BY THE COVID-19 PANDEMIC FROM THE PREVIOUSLY AWARDED AMERICAN RESCUE PLAN ACT FUNDS

[Legislation Text](#)

[AMERICAN RESCUE PLAN ACT FUNDS](#)

### D. City Council Agenda Session Presentations

D.1 2022-0263 AGENDA SESSION PRESENTATION - PARKING EQUIPMENT UPDATE, JUSTIN CLAY

[Legislation Text](#)

[Late Submittal - Approved by S. Norton](#)

E. City Council Tour: Pagliani Rezoning Time: 4:00 PM Address: 2235 W. Wedington Dr. Parking: On-site with overflow along Ora St. to the south Request: Rezone the property from RSF-4, Residential Single-family, 4 Units per Acre, to RI-U, Residential Intermediate-Urban, subject to a bill of assurance limiting development to two duplexes and a maximum of four units.

### 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:

Overrun 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 allow 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 courtesies 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.