

City of Fayetteville, Arkansas

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



City Council Meeting

May 3, 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 Kinton 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 Lioneld Jordan
City Attorney Kit Williams
City Clerk Treasurer Kara Paxton*

Zoom Information: City Council Meeting ** (P) 5-3-22 @ 5:30 PM Webinar ID: 818 4889 5709 Public Registration Link: <https://us06web.zoom.us/join/81848895709>

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items

- 2022-0339 RECOGNIZE CIVILIANS, WES WOOTEN AND GRIFFIN WEBB, WHO HAVE DEMONSTRATED LIFE-SAVING HEROIC SERVICE AT A MOTOR VEHICLE ACCIDENT SCENE.

[Legislation Text](#)

[SRF_SRM_Civilian Heroic Service Recognition](#)

- 2021-1079 MONTHLY FINANCIAL REPORT

[Legislation Text](#)

Proposed Agenda Additions

A. Consent

- A.12021-1049 APPROVAL OF THE APRIL 5, 2022 AND APRIL 19, 2022 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

- A.22022-0309 HAZMAT SERVICES REVENUE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$2,639.00 RECOGNIZING HAZMAT SERVICES REVENUE RECEIVED FROM WASHINGTON COUNTY AND INCREASING THE RELATED EXPENSE BUDGET

[Legislation Text](#)

[HAZMAT SERVICES REVENUE](#)

[BA_HAZMAT SERVICES REVENUE](#)

- A.32022-0311 RECREATIONAL TRAILS PROGRAM GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A RECREATIONAL TRAILS PROGRAM GRANT IN THE AMOUNT OF \$75,000.00 FOR IMPROVEMENTS TO KESSLER MOUNTAIN NATURAL SURFACE TRAILS, TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[RECREATIONAL TRAILS PROGRAM GRANT](#)

[BA_RECREATIONAL TRAILS PROGRAM GRANT](#)

- A.42022-0335 JET FUEL AND AVGAS PURCHASE: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,040,690.00 FOR THE PURCHASE OF ADDITIONAL LOADS OF JET FUEL AND AVGAS DUE TO INCREASING FUEL SALES AND RISING FUEL COSTS

[Legislation Text](#)

[JET FUEL AND AVGAS](#)

[BA_JET FUEL AND AVGAS](#)

- A.52022-0342 RFP 22-03 TITAN LAWN & LANDSCAPE, LLC: A RESOLUTION TO AWARD RFP 22-03 AND AUTHORIZE A ONE YEAR CONTRACT WITH TITAN LAWN & LANDSCAPE, LLC, FOR MOWING SERVICES ON AN AS-NEEDED BASIS FOR THE ESTIMATED BASE AMOUNT OF \$91,310.72 AND ANY ADDITIONAL SERVICES TO BE BILLED AT THE HOURLY RATES PROVIDED IN THE CONTRACT, WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS

[Legislation Text](#)

[RFP 22-03 TITAN LAWN & LANDSCAPE, LLC](#)

- A.62022-0343 BID #20-58 KING ELECTRICAL CONTRACTORS, INC.: A RESOLUTION TO APPROVE A PROPOSAL FROM KING ELECTRICAL CONTRACTORS, INC. IN THE TOTAL AMOUNT OF \$62,991.00, PURSUANT TO BID NO. 20-58, ELECTRICAL SERVICES ASSOCIATED WITH THE ADDITION OF PARKING LOT LIGHTING AT WALKER PARK, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[BID #20-58 KING ELECTRICAL CONTRACTORS, INC.](#)

[BA_BID #20-58 KING ELECTRICAL CONTRACTORS, INC.](#)

- A.72022-0346 BID #22-31 DOGGETT FREIGHTLINER: A RESOLUTION TO AWARD BID #22-31 AND AUTHORIZE THE PURCHASE OF A FREIGHTLINER RECYCLING TRUCK FROM DOGGETT FREIGHTLINER OF SPRINGDALE, AR IN THE TOTAL AMOUNT OF \$203,025.00 PLUS ANY APPLICABLE TAX AND SHIPPING CHARGES FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

[Legislation Text](#)

[BID #22-31 DOGGETT FREIGHTLINER](#)

- A.82022-0348 BID #22-26 GOODWIN & GOODWIN, INC.: A RESOLUTION TO AWARD BID #22-26 AND AUTHORIZE A CONTRACT WITH GOODWIN & GOODWIN, INC. IN THE AMOUNT OF \$603,630.00 FOR THE REPLACEMENT OF WATER SERVICE LINES IN THE SKYLER SUBDIVISION, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$120,726.00

[Legislation Text](#)

[BID #22-26 GOODWIN & GOODWIN, INC.](#)

- A.92022-0358 WATER DAMAGE CLAIMS: A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$100,000.00 TO COVER WATER LEAK AND SEWER OVERFLOW DAMAGE CLAIMS THAT MAY OCCUR IN 2022

[Legislation Text](#)

[WATER DAMAGE CLAIMS](#)

[BA_WATER DAMAGE CLAIMS](#)

- A.102022-0349 BID #22-30 W. CENTER STREET & N. HARMON AVENUE INTERSECTION PROJECT - 2019 TRANSPORTATION BOND PROJECT: A RESOLUTION TO AWARD BID #22-30 AND AUTHORIZE A CONTRACT WITH NEC, INC. IN THE AMOUNT OF \$1,752,736.50 FOR CONSTRUCTION OF THE WEST CENTER STREET AND NORTH HARMON AVENUE INTERSECTION PROJECT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$175,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 TRANSPORTATION BOND PROJECT

[Legislation Text](#)

[BID #22-30 W. CENTER STREET & N. HARMON AVENUE INTERSECTION PROJECT](#)

[BA_BID #22-30 W. CENTER STREET & N. HARMON AVENUE INTERSECTION PROJECT](#)

- A.112022-0350 PROJECT SAFE NEIGHBORHOOD GRANT AWARD: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A PROJECT SAFE NEIGHBORHOOD GRANT AWARD IN THE AMOUNT OF \$28,765.00 FOR THE FOURTH JUDICIAL DISTRICT DRUG TASK FORCE, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[PROJECT SAFE NEIGHBORHOOD \(PSN\) GRANT AWARD](#)

[BA_PROJECT SAFE NEIGHBORHOOD \(PSN\) GRANT AWARD](#)

- A.122022-0351 PROJECT SAFE NEIGHBORHOOD GRANT AWARD: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A PROJECT SAFE NEIGHBORHOOD GRANT AWARD IN THE AMOUNT OF \$14,100.00 FOR THE FAYETTEVILLE POLICE DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[PROJECT SAFE NEIGHBORHOOD GRANT AWARD](#)

[BA_PROJECT SAFE NEIGHBORHOOD GRANT AWARD](#)

B. Unfinished Business

- B.12022-0209 RAZE AND REMOVAL OF STRUCTURES AT 2141 N GREEN ACRES RD.: A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY ROSE MARY AUSTIN LOCATED AT 2141 NORTH GREEN ACRES ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$33,894.00

[Legislation Text](#)

[RAZE AND REMOVAL OF STRUCTURES AT 2141 N GREEN ACRES RD.](#)

[BA_RAZE AND REMOVAL OF STRUCTURES AT 2141 N GREEN ACRES RD.](#)

[ADDITIONAL INFORMATION 04/05/22_RAZE AND REMOVAL OF STRUCTURES AT 2141 N GREEN ACRES RD.](#)

- B.22022-0260 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](#)

- B.32022-0306 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. New Business

- C.12022-0355 SALES AND USE TAX CAPITAL IMPROVEMENT BONDS, SERIES 2022: AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY'S NOT TO EXCEED \$74,340,000 SALES AND USE TAX CAPITAL IMPROVEMENT BONDS, SERIES 2022, FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF CERTAIN STREET, TRAIL, DRAINAGE, PARK, CITY FACILITIES, ARTS CORRIDOR AND FIREFIGHTING FACILITIES AND IMPROVEMENTS; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST SUPPLEMENTAL TRUST INDENTURE PURSUANT TO WHICH THE SERIES 2022 BONDS WILL BE ISSUED AND SECURED; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT PURSUANT TO WHICH THE SERIES 2022 BONDS WILL BE OFFERED; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE SERIES 2022 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; AND PRESCRIBING OTHER MATTERS RELATING THERETO

[Legislation Text](#)

[SALES AND USE TAX CAPITAL IMPROVEMENT BONDS, SERIES 2022](#)

[FAYETTEVILLE SALES TAX 2022 - First Supplemental Trust Indenture](#)

[FAYETTEVILLE SALES TAX 2022 - Bond Purchase Agreement](#)

[FAYETTEVILLE SALES TAX 2022 - Preliminary Official Statement](#)

[FAYETTEVILLE SALES TAX 2022 - Continuing Disclosure Agreement](#)

- C.22022-0353 RZN-2022-0017 (3352 N. HWY 112/112 DRIVE IN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-017 LOCATED AT 3352 NORTH HIGHWAY 112 IN WARD 2 FOR APPROXIMATELY 22.32 ACRES FROM C-2, THOROUGHFARE COMMERCIAL TO UT, URBAN THOROUGHFARE

[Legislation Text](#)

[RZN-2022-0017 \(3352 N. HWY 112/112 DRIVE IN\)](#)

- C.32022-0356 AMEND RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL: A RESOLUTION TO AMEND A.7.c. COURTESY AND RESPECT AND A.d.(2) PUBLIC COMMENTS OF THE RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL TO BETTER CONFORM WITH RECENT FIRST AMENDMENT COURT DECISIONS

[Legislation Text](#)

[AMEND RULES OF ORDER AND PROCEDURE OF THE FAYETTEVILLE CITY COUNCIL](#)

- C.42022-0333 AMEND THE 2040 MASTER STREET PLAN: A RESOLUTION TO AMEND THE MASTER STREET PLAN BY ADDING NORTH HEMLOCK AVENUE, MILLSAP ROAD AND FUTRALL DRIVE AS NEIGHBORHOOD LINK STREETS

[Legislation Text](#)

[AMEND THE 2040 MASTER STREET PLAN](#)

- C.52022-0296 REPEAL §163.12 TANDEM LOT DEVELOPMENT AND ENACT §164.25 TANDEM LOT DEVELOPMENT: AN ORDINANCE TO REPEAL §163.12 TANDEM LOT DEVELOPMENT AND ENACT §164.25 TANDEM LOT DEVELOPMENT IN THE UNIFIED DEVELOPMENT CODE TO PROVIDE AN ADMINISTRATIVE APPROVAL PROCESS FOR TANDEM LOT DEVELOPMENT

[Legislation Text](#)

[REPEAL §163.12 TANDEM LOT DEVELOPMENT AND ENACT §164.25 TANDEM LOT DEVELOPMENT](#)

D. City Council Agenda Session Presentations

- D.12022-0303 AGENDA SESSION PRESENTATION - AIRPORT UPDATE PRESENTATION

[Legislation Text](#)

- D.22021-1080 AGENDA SESSION PRESENTATION - SALES TAX REPORT, PAUL BECKER AND ENERGY REPORT, PETER NIERENGARTEN

[Legislation Text](#)

- E. **City Council Tour: CL Partners/112 Drive-In Rezoning Tour (Agenda Item 2022-0353) Date: Monday, May 2, 2022, Time: 4:00 PM, Address: 3352 N. Highway 112, Parking: Parking is available on-site along the Drive-Ins north-south entrance drive. Request: Rezone 22.32 acres of the approximately 35 acre overall property from C-2, Thoroughfare Commercial to UT, Urban Thoroughfare**

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 the 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 meeting of the City Council shall 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 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 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.