

# City of Fayetteville, Arkansas

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



## City Council Meeting

June 7, 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:** City Council Meeting 6-7-22 at 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

### Proposed Agenda Additions

1. 2022-0516 RAINBOW PRIDE FLAG AND JUNETEENTH FLAG: A RESOLUTION TO PURCHASE AND DISPLAY A RAINBOW PRIDE FLAG AND A JUNETEENTH CELEBRATION FLAG ON THE FLAGPOLE USED FOR THE CITY FLAG FROM JUNE 14TH THROUGH JUNE 21ST OF 2022

[Legislation Text](#)

[RAINBOW PRIDE FLAG AND JUNETEENTH FLAG](#)

### A. Consent

- A.1 2021-1051 APPROVAL OF THE MAY 17, 2022 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

- A.2 2022-0399 ECOVERSE INDUSTRIES, LTD.: A RESOLUTION TO APPROVE THE PURCHASE OF A SCREENER FROM ECOVERSE INDUSTRIES, LTD. IN THE AMOUNT OF \$398,937.64 PLUS ANY APPLICABLE TAXES AND SHIPPING CHARGES, PURSUANT TO A HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING CONTRACT, FOR USE BY THE RECYCLING AND TRASH COLLECTION DIVISION

[Legislation Text](#)

[ECOVERSE INDUSTRIES, LTD.](#)

- A.3 2022-0468 POLICY AOP-202 WELLNESS PROGRAM, FIRE DEPARTMENT: A RESOLUTION TO APPROVE POLICY AOP-202, WELLNESS PROGRAM, AS PART OF THE FAYETTEVILLE FIRE DEPARTMENT ADMINISTRATIVE OPERATING PROCEDURES

[Legislation Text](#)

[POLICY AOP-202 WELLNESS PROGRAM, FIRE DEPARTMENT](#)

[053122 ADDITIONAL AOP ORIGINAL POLICY AOP-202 WELLNESS PROGRAM, FIRE DEPARTMENT](#)

- A.4 2022-0423 2022 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM: A RESOLUTION AUTHORIZING AN APPLICATION FOR A 2022 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM MATCHING GRANT IN THE AMOUNT OF \$625,000.00 TO ESTABLISH A VIOLENT CRIME RESPONSE UNIT FOR A PERIOD OF THREE (3) YEARS, WITH MATCHING FUNDS IN THE AMOUNT OF \$341,555.00 AND \$292,054.00 IN NON-GRANT RELATED PROJECT EXPENSES TO BE PAID BY THE CITY

[Legislation Text](#)

[2022 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM:](#)

- A.5 2022-0438 FAYETTEVILLE AREA COMMUNITY FOUNDATION GIVING TREE GRANT: A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A GRANT FROM THE FAYETTEVILLE AREA COMMUNITY FOUNDATION IN THE AMOUNT OF \$1,224.00 TO FUND AN AFTERSCHOOL PROGRAM FOR JUNIOR HIGH STUDENTS AT THE YVONNE RICHARDSON COMMUNITY CENTER, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[FAYETTEVILLE AREA COMMUNITY FOUNDATION GIVING TREE GRANT](#)

[BUDGET ADJUSTMENT](#)

- A.6 2022-0430 WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO 9: A RESOLUTION TO APPROVE TASK ORDER NO. 9 WITH THE WATERSHED CONSERVATION RESOURCE CENTER IN THE AMOUNT OF \$73,000.00 FOR CONTINUED NATIVE VEGETATION ESTABLISHMENT EFFORTS AND MINOR ADJUSTMENTS WITHIN COMPLETED RESTORATION PROJECT AREAS

[Legislation Text](#)

[WATERSHED CONSERVATION RESOURCE CENTER TASK ORDER NO.9](#)

- A.7 2022-0458 APPLY FOR FEDERAL-AID FUNDS FOR ROAD AND BRIDGE IMPROVEMENTS: A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF FAYETTEVILLE TO APPLY FOR AND UTILIZE FEDERAL-AID FUNDS FOR ROAD IMPROVEMENT PROJECTS AT NORTH HEMLOCK AVENUE AND THE MILLSAP ROAD/COLLEGE AVENUE INTERSECTION; AND FOR A BRIDGE IMPROVEMENT PROJECT FOR BRIDGE #19976 ON ARMSTRONG AVENUE OVER TOWN BRANCH

[Legislation Text](#)

[APPLY FOR FEDERAL-AID FUNDS FOR ROAD AND BRIDGE IMPROVEMENTS](#)

- A.8 2022-0435 BID #22-33 DFI TECHNOLOGIES, INC.: A RESOLUTION TO AWARD BID NO. 22-33 AND APPROVE A ONE YEAR CONTRACT WITH DFI TECHNOLOGIES, INC. FOR MAILING SERVICES AT AN APPROXIMATE COST OF \$368,115.60 WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS

[Legislation Text](#)

[BID #22-33 DFI TECHNOLOGIES, INC.](#)

- A.9 2022-0462 N79TW, LLC GROUND LEASE AGREEMENT AT 4240 SOUTH SCHOOL AVENUE: A RESOLUTION TO APPROVE A THIRTY (30) YEAR GROUND LEASE AGREEMENT WITH N79TW, LLC FOR AIRPORT PROPERTY LOCATED IMMEDIATELY NORTH OF THE DRAKE FIELD TERMINAL BUILDING AT 4240 SOUTH SCHOOL AVENUE FOR THE CONSTRUCTION OF A 75' X 100' HANGAR, WITH AN OPTION TO EXTEND THE GROUND LEASE FOR AN ADDITIONAL TEN (10) YEAR TERM

[Legislation Text](#)

[N79TW, LLC GROUND LEASE AGREEMENT AT 4240 SOUTH SCHOOL AVENUE](#)

- A.10 2022-0464 N79TW, LLC GROUND LEASE EAST SIDE OF DRAKE FIELD, HANGAR ONE: A RESOLUTION TO APPROVE A THIRTY (30) YEAR GROUND LEASE AGREEMENT WITH N79TW, LLC FOR AIRPORT PROPERTY LOCATED ON THE EAST SIDE OF DRAKE FIELD OFF OF TAXIWAY G FOR THE CONSTRUCTION OF A 130' X 90' HANGAR, KNOWN AS HANGAR ONE, WITH AN OPTION TO EXTEND THE GROUND LEASE FOR AN ADDITIONAL TEN (10) YEAR TERM

[Legislation Text](#)

[N79TW, LLC GROUND LEASE EAST SIDE OF DRAKE FIELD, HANGAR ONE](#)

- A.11 2022-0465 N79TW, LLC GROUND LEASE EAST SIDE OF DRAKE FIELD, HANGAR TWO: A RESOLUTION TO APPROVE A THIRTY (30) YEAR GROUND LEASE AGREEMENT WITH N79TW, LLC FOR AIRPORT PROPERTY LOCATED ON THE EAST SIDE OF DRAKE FIELD OFF OF TAXIWAY G FOR THE CONSTRUCTION OF A 130' X 90' HANGAR, KNOWN AS HANGAR TWO, WITH AN OPTION TO EXTEND THE GROUND LEASE FOR AN ADDITIONAL TEN (10) YEAR TERM

[Legislation Text](#)

[N79TW, LLC GROUND LEASE EAST SIDE OF DRAKE FIELD, HANGAR TWO](#)

- A.12 2022-0466 FAA GRANT FOR AIRCRAFT RESCUE & FIRE FIGHTING CART: A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF A FEDERAL AVIATION ADMINISTRATION GRANT IN THE AMOUNT OF \$33,333.00 TO FUND AN AIRCRAFT RESCUE & FIRE FIGHTING CART FOR DRAKE FIELD AIRPORT, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[FAA GRANT FOR AIRCRAFT RESCUE & FIRE FIGHTING CART](#)

[BUDGET ADJUSTMENT](#)

### B. Unfinished Business: None

### C. New Business

- C.1 2022-0504 THEATRESQUARED, INC. AMEND 100 HUNDRED YEAR LEASE: A RESOLUTION TO AMEND THE ONE HUNDRED YEAR LEASE OF THE SPRING AND WEST PARKING LOT TO THEATRESQUARED, INC. IN ORDER TO SHIFT THE RESPONSIBILITY OF THEATRESQUARED, INC. TO PAY ITS UTILITY BILLS, BUILDING INSURANCE PREMIUMS, BUILDING AND ALL ITS MECHANICAL SYSTEMS MAINTENANCE AND REPAIRS TO THE CITY OF FAYETTEVILLE

[Legislation Text](#)

[THEATRESQUARED, INC. AMEND 100 HUNDRED YEAR LEASE](#)

[THEATRESQUARED, INC. - CITY ATTORNEY KIT WILLIAMS MEMO](#)

- C.2 2022-0469 PATRICIA KNEPP WATER DAMAGE CLAIM: A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$40,000.00 TO PATRICIA KNEPP FOR WATER DAMAGE REMEDIATION AT 3252 NORTH MAKEIG COURT

[Legislation Text](#)

[PATRICIA KNEPP WATER DAMAGE CLAIM](#)

- C.3 2022-0481 SASH DEVELOPMENT, LLC: A RESOLUTION TO APPROVE A COST SHARE AGREEMENT WITH SASH DEVELOPMENT, LLC FOR THE INSTALLATION OF A FIRE HYDRANT AND FITTINGS FOR FIRE FLOW PROTECTION NEAR EAST SPRING STREET AND NORTH OLIVE AVENUE WITH A REFUND IN AN ESTIMATED AMOUNT OF \$9,900.00 TO BE PAID BY THE CITY OF FAYETTEVILLE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$1,980.00

[Legislation Text](#)

[SASH DEVELOPMENT, LLC](#)

- C.4 2022-0471 RZN-2022-019 (811 N. OLIVE AVE./PATTON): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-019 LOCATED AT 811 NORTH OLIVE AVENUE IN WARD 2 FOR APPROXIMATELY 0.11 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE FAMILY, 8 UNITS PER ACRE

[Legislation Text](#)

[RZN-2022-019 \(811 N. OLIVE AVE./PATTON\)](#)

- C.5 2022-0432 ANX 2022-001, ANNEXATION (SOUTHEAST OF N. HUGHMOUNT RD./CULLERS): AN ORDINANCE TO ANNEX THAT PROPERTY DESCRIBED IN ANNEXATION PETITION ANX 22-001 SUBMITTED BY WINDELL CULLERS FOR PROPERTY LOCATED SOUTHEAST OF NORTH HUGHMOUNT ROAD AND NORTHWEST OF WARD 4 CONTAINING APPROXIMATELY 41.53 ACRES

[Legislation Text](#)

[ANX 2022-001, ANNEXATION \(SOUTHEAST OF N. HUGHMOUNT RD./CULLERS\):](#)

- C.6 2022-0470 VAC-2022-013 (4180 N. COLLEGE AVE./CHICK-FIL-A): AN ORDINANCE TO APPROVE VAC 22-013 FOR PROPERTY LOCATED AT 4180 NORTH COLLEGE AVENUE IN WARD 3 TO VACATE A PORTION OF A WATER/SEWER EASEMENT

[Legislation Text](#)

[VAC-2022-013 \(4180 N. COLLEGE AVE./CHICK-FIL-A\)](#)

- C.7 2022-0459 VAC-2022-011 (1148 & 1156 N. THOREAU LN./HASH): AN ORDINANCE TO APPROVE VAC 22-011 FOR PROPERTY LOCATED AT 1148 AND 1156 NORTH THOREAU LANE IN WARD 3 TO VACATE A PORTION OF A GENERAL UTILITY EASEMENT

[Legislation Text](#)

[VAC-2022-011 \(1148 & 1156 N. THOREAU LN./HASH\)](#)

- C.8 2022-0478 VAC-2022-012 (4391 N. WATERSIDE CT./WHEATLEY DANCE STUDIO): AN ORDINANCE TO APPROVE VAC 22-012 FOR PROPERTY LOCATED AT 4391 NORTH WATERSIDE COURT IN WARD 3 TO VACATE A PORTION OF A UTILITY EASEMENT

[Legislation Text](#)

[VAC-2022-012 \(4391 N. WATERSIDE CT./WHEATLEY DANCE STUDIO\)](#)

- C.9 2022-0480 VAC-2022-014 (5102 W. WEDINGTON DRIVE/ROCZEN DUPLEXES): AN ORDINANCE TO APPROVE VAC 22-014 FOR PROPERTY LOCATED AT 5102 WEST WEDINGTON DRIVE IN WARD 4 TO VACATE A PORTION OF A WATER/SEWER EASEMENT

[Legislation Text](#)

[VAC-2022-014 \(5102 W. WEDINGTON DRIVE/ROCZEN DUPLEXES\)](#)

- C.10 2022-0434 AMEND §174.02 PERMIT APPLICATION/ISSUANCE: AN ORDINANCE TO AMEND § 174.02 PERMIT APPLICATION/ISSUANCE OF THE UNIFIED DEVELOPMENT CODE BY DELETING SUBSECTION 8 FROM SUBSECTION (A) APPLICATION

[Legislation Text](#)

[AMEND §174.02 PERMIT APPLICATION/ISSUANCE](#)

- C.11 2022-0244 AMEND §159.01 FEES/SCHEDULE: AN ORDINANCE TO AMEND §159.01 FEES/SCHEDULE OF THE UNIFIED DEVELOPMENT CODE TO ADOPT INCREASED VARIANCE REQUEST FEES, ELIMINATE AN OBSOLETE ACCESSORY DWELLING UNIT FEE, AND CREATE FEES FOR SERVICES THAT ARE CURRENTLY PROVIDED WITHOUT ANY COST RECOVERY

[Legislation Text](#)

[AMEND §159.01 FEES/SCHEDULE](#)

[EXHIBIT A](#)

### D. City Council Agenda Session Presentations

- D.1 2022-0340 AGENDA SESSION PRESENTATION - WILL DOCKERY, CHAIRMAN OF THE PARKS AND RECREATION ADVISORY BOARD, TO PRESENT THE PARKS AND RECREATION'S 2021 END OF YEAR REPORT.

[Legislation Text](#)

- D.2 2021-1082 AGENDA SESSION PRESENTATION - SALES TAX REPORT, PAUL BECKER AND ENERGY REPORT, PETER NIERENGARTEN

[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, 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 discuss the agenda item being considered by the City Council. 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. As part of a person's public comments all members above, the speaker may use electronic visual aids during their five (5) minutes presentation period concerning the agenda item being considered by the City Council. 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 comments that are harassing or amount to a personal attack against any identifiable individual including abusive comments and derogatory remarks about integrity or offer any other comments that are also not limited to the discussion of the specific agenda item being considered by the City Council. 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 Device 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.