

City of Fayetteville, Arkansas

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



City Council Meeting

July 5, 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: Public Registration link: <https://us06web.zoom.us/join/9xN9GhaiRZqR9bxCPNXaIA> Webinar ID: 818 4889 5709

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items

1 2021-1083 MONTHLY FINANCIAL REPORT

[Legislation Text](#)

Proposed Agenda Additions

A. Consent

A.1 2021-1053 APPROVAL OF THE JUNE 21, 2022 CITY COUNCIL MEETING MINUTES

[Legislation Text](#)

A.2 2022-0505 BID #22-36 DAVID'S ROOFING COMPANY, INC.: A RESOLUTION TO AWARD BID #22-36 AND AUTHORIZE A CONTRACT WITH DAVID'S ROOFING COMPANY, INC. IN THE AMOUNT OF \$95,710.50 FOR THE REPAIR OF T-HANGAR ROOFS AT DRAKE FIELD, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$9,571.05

[Legislation Text](#)

[BID #22-36 DAVID'S ROOFING COMPANY, INC.](#)

A.3 2022-0530 ARKANSAS FULL-TIME LAW ENFORCEMENT OFFICER SALARY STIPEND ACT OF 2022 GRANT (ACT 224): A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A GRANT FROM THE ARKANSAS FULL-TIME LAW ENFORCEMENT OFFICER SALARY STIPEND ACT OF 2022 IN THE AMOUNT OF \$771,020.00, AND TO APPROVE A BUDGET ADJUSTMENT

[Legislation Text](#)

[ARKANSAS FULL-TIME LAW ENFORCEMENT OFFICER SALARY STIPEND ACT OF 2022 GRANT \(ACT 224\)](#)

[BUDGET ADJUSTMENT](#)

A.4 2022-0540 WASHINGTON COUNTY MEMORANDUM OF AGREEMENT: A RESOLUTION TO APPROVE A MEMORANDUM OF AGREEMENT WITH WASHINGTON COUNTY TO ACCEPT FUNDING FROM THE GULF COAST HIGH INTENSITY DRUG TRAFFICKING AREA IN THE AMOUNT OF \$47,292.00 FOR THE POLICE DEPARTMENT

[Legislation Text](#)

[WASHINGTON COUNTY MEMORANDUM OF AGREEMENT](#)

A.5 2022-0548 YVONNE RICHARDSON COMMUNITY CENTER GRANT APPLICATION: A RESOLUTION TO AUTHORIZE AN APPLICATION FOR A 50/50 MATCHING GRANT FOR THE CONSTRUCTION OF THE YVONNE RICHARDSON COMMUNITY CENTER EXPANSION

[Legislation Text](#)

[YVONNE RICHARDSON COMMUNITY CENTER GRANT APPLICATION](#)

A.6 2022-0542 ELECTRIC MOTOR CENTER: A RESOLUTION TO ACCEPT A QUOTE IN THE AMOUNT OF \$38,845.40 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM ELECTRIC MOTOR CENTER FOR THE REPAIR OF A PUMP USED AT THE GREGG AVENUE SEWER LIFT STATION

[Legislation Text](#)

[ELECTRIC MOTOR CENTER](#)

A.7 2022-0550 RFQ #22-01 FREESE AND NICHOLS, INC.: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC., PURSUANT TO RFQ #22-01 SELECTION #6, IN AN AMOUNT NOT TO EXCEED \$131,900.00 FOR SERVICES ASSOCIATED WITH THE REHABILITATION OF THE GULLEY ELEVATED WATER STORAGE TANK

[Legislation Text](#)

[RFQ #22-01 FREESE AND NICHOLS, INC.](#)

A.8 2022-0551 RFQ # 21-01 GARVER, LLC: A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GARVER, LLC IN THE AMOUNT OF \$255,000.00, PURSUANT TO RFQ # 21-01, SELECTION 6, FOR DESIGN SERVICES ASSOCIATED WITH THE REPLACEMENT OF A 24-INCH WATERLINE FROM SOUTH SCHOOL AVENUE TO MARTIN LUTHER KING JUNIOR BOULEVARD

[Legislation Text](#)

[RFQ # 21-01 GARVER, LLC](#)

A.9 2022-0552 RFQ 22-01 TREKK DESIGN GROUP, LLC: A RESOLUTION TO AUTHORIZE A CONTRACT WITH TREKK DESIGN GROUP, LLC, PURSUANT TO RFQ 22-01 SELECTION #5, FOR A SANITARY SEWER EVALUATION SURVEY IN AN AMOUNT NOT TO EXCEED \$428,290.25

[Legislation Text](#)

[RFQ 22-01 TREKK DESIGN GROUP, LLC](#)

A.10 2022-0554 BID # 22-39 HUTCHINSON SALT COMPANY: A RESOLUTION TO AWARD BID # 22-39 AND AUTHORIZE THE PURCHASE OF BULK CRUSHED ROCK SALT FROM HUTCHINSON SALT COMPANY FOR \$33.00 PER TON FOR MATERIALS PICKED UP AND \$88.40 PER TON FOR MATERIALS DELIVERED, AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH JULY 31, 2023

[Legislation Text](#)

[BID # 22-39 HUTCHINSON SALT COMPANY](#)

A.11 2022-0555 BID #22-41 TRULOVE DIRT WORKS, LLC: A RESOLUTION TO AWARD BID #22-41 AND AUTHORIZE THE PURCHASE OF TRUCK HAULING SERVICES FROM TRULOVE DIRT WORKS, LLC AS A PRIMARY SUPPLIER AND TO AUTHORIZE THE USE OF OTHER BIDDERS BASED ON PRICE AND AVAILABILITY AS NEEDED THROUGH DECEMBER 31, 2022

[Legislation Text](#)

[BID #22-41 TRULOVE DIRT WORKS, LLC](#)

[BID #22-41 TRULOVE DIRT WORKS, LLC BID TAB](#)

B. Unfinished Business

B.1 2022-0209 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.2 2022-0496 RZN-2022-021 (S. HAPPY HOLLOW ROAD/BLACK PINE CONSTRUCTION AND DEVELOPMENT): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-021 LOCATED AT 248 SOUTH HAPPY HOLLOW ROAD IN WARD 1 FOR APPROXIMATELY 3.1 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION

[Legislation Text](#)

[RZN-2022-021\(S. HAPPY HOLLOW ROAD/BLACK PINE CONSTRUCTION AND DEVELOPMENT\)](#)

C. Public Hearing

C.1 2022-0557 RAZE AND REMOVAL OF STRUCTURE AT 2860 E. WYMAN RD.: A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY LEROY H. SCHARFENBERG LOCATED AT 2860 EAST WYMAN ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$17,800.00

[Legislation Text](#)

[RAZE AND REMOVAL OF STRUCTURE AT 2860 E. WYMAN RD.](#)

[BUDGET ADJUSTMENT](#)

D. New Business

D.1 2022-0549 STORMWATER AND FLOOD MANAGEMENT WATER QUALITY PROJECTS: A RESOLUTION OF INTENT TO ESTABLISH A STORMWATER UTILITY FOR THE PURPOSES OF FUNDING NEEDED STORMWATER AND FLOOD MANAGEMENT WATER QUALITY PROJECTS THROUGH A MONTHLY STORMWATER FEE TO BE PAID BY MOST PROPERTY OWNERS IN FAYETTEVILLE, TO REQUEST CITY STAFF TO CONTINUE WITH ANALYSIS AND SUPPORTING ACTIVITIES, AND TO APPROVE THE ATTACHED \$199,660.00 BUDGET ADJUSTMENT

[Legislation Text](#)

[STORMWATER AND FLOOD MANAGEMENT WATER QUALITY PROJECTS](#)

[BUDGET ADJUSTMENT](#)

D.2 2022-0541 OVIVO USA, LLC: AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$55,334.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM OVIVO USA, LLC FOR THE PURCHASE OF TWO MACERATOR PUMPS FOR THE NOLAND WATER RESOURCE RECOVERY FACILITY

[Legislation Text](#)

[OVIVO USA, LLC](#)

D.3 2022-0547 RZN 22-023 (1140 N. COLLEGE AVE./PARTI INVESTMENTS): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-023 LOCATED AT 1140 NORTH COLLEGE AVENUE IN WARD 2 FOR APPROXIMATELY 0.60 ACRES FROM CS, COMMUNITY SERVICES TO UT, URBAN THOROUGHFARE

[Legislation Text](#)

[RZN 22-023 \(1140 N. COLLEGE AVE./PARTI INVESTMENTS\)](#)

D.4 2022-0553 RZN 22-022 (3061 EAST SKILLERN RD./BEARDEN): AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-022 LOCATED AT 3061 EAST SKILLERN ROAD IN WARD 3 FOR APPROXIMATELY 2.99 ACRES FROM R-A, RESIDENTIAL-AGRICULTURAL TO RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE

[Legislation Text](#)

[RZN 22-022 \(3061 EAST SKILLERN RD./BEARDEN\)](#)

D.5 2022-0387 VAC 22-007 (2978 N. OLD MISSOURI RD./OLD MISSOURI LAND DEVELOPMENT LLC): AN ORDINANCE TO APPROVE VAC 22-007 FOR PROPERTY LOCATED AT 2978 NORTH OLD MISSOURI ROAD IN WARD 3 TO VACATE A PORTION OF A UTILITY EASEMENT

[Legislation Text](#)

[VAC 22-007 \(2978 N. OLD MISSOURI RD./OLD MISSOURI LAND DEVELOPMENT LLC\)](#)

D.6 2022-0512 VAC 22-015 (2584 N. CANDLEWOOD DR./HARBAUGH): AN ORDINANCE TO APPROVE VAC 22-015 FOR PROPERTY LOCATED AT 2584 NORTH CANDLEWOOD DRIVE IN WARD 3 TO VACATE A PORTION OF A DRAINAGE EASEMENT

[Legislation Text](#)

[VAC 22-015 \(2584 N. CANDLEWOOD DR./HARBAUGH\)](#)

E. City Council Agenda Session Presentations

E.1 2021-1084 AGENDA SESSION PRESENTATION - SALES TAX REPORT, PAUL BECKER AND ENERGY REPORT, PETER NIERENGARTEN

[Legislation Text](#)

E.2 2022-0404 AGENDA SESSION PRESENTATION - STORMWATER FUNDING UPDATE

[Legislation Text](#)

F. City Council Tour

G. Announcements

H. 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 allowed 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, may immediately cease speaking and shall leave the podium. Interpreters or Telecommunications Devises 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-argov.com 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.