

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Tentative Agenda

Tuesday, February 14, 2023

4:30 PM

City Hall Room 219

City Council Members

Council Member Sonia Harvey Ward 1

Council Member D'Andre Jones Ward 1

Council Member Sarah Moore Ward 2

Council Member Mike Wiederkehr Ward 2

Council Member Scott Berna Ward 3

Council Member Sarah Bunch Ward 3

Council Member Teresa Turk Ward 4

Council Member Holly Hertzberg Ward 4

Mayor Lioneld Jordan

City Attorney Kit Williams

City Clerk Treasurer Kara Paxton

Zoom Information:

https://us06web.zoom.us/webinar/register/WN_nYce7Gf_QsShuQpWjON57Q
Webinar ID: 823 4780 2707

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS

CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS

A. CONSENT

A.1. APPROVAL OF THE FEBRUARY 7, 2023 CITY COUNCIL MEETING MINUTES
(2023-406)

A.2. MEMORANDUM OF UNDERSTANDING SOUTHEAST FAYETTEVILLE COMMUNITY CENTER, INC. D/B/A FRIENDS OF YVONNE RICHARDSON COMMUNITY CENTER:

A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE SOUTHEAST FAYETTEVILLE COMMUNITY CENTER, INC. D/B/A FRIENDS OF YVONNE RICHARDSON COMMUNITY CENTER TO CLARIFY THE RESPONSIBILITIES OF EACH ENTITY (2023-404)

A.3. ACCEPTANCE OF AN ASSISTANCE TO FIREFIGHTERS GRANT:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF \$84,081.81, AND TO APPROVE A BUDGET ADJUSTMENT (2023-412)

A.4. RFP 22-06 MGT OF AMERICA CONSULTING, LLC.:

A RESOLUTION TO AUTHORIZE A CONTRACT WITH MGT OF AMERICA CONSULTING, LLC, PURSUANT TO RFP 22-06, IN THE AMOUNT OF \$48,312.50, FOR THE DEVELOPMENT OF AN UPDATED COST ALLOCATION PLAN & USER FEE STUDY, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$4,832.00 (2023-413)

A.5. 10 YEAR WATER PURCHASE AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE AND THE CITY OF ELKINS:

A RESOLUTION TO APPROVE A 10 YEAR WATER PURCHASE AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE AND THE CITY OF ELKINS TO ALLOW THE CITY OF FAYETTEVILLE TO FURNISH WHOLESALE POTABLE WATER TO THE CITY OF ELKINS AND ITS RESIDENTS (2023-359)

A.6. KIM PETRONE 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 \$50,000.00 TO KIM PETRONE, PRIVACY FENCE, INC., AND JDE FOUNDATIONS, INC. FOR A WATER DAMAGE CLAIM ARISING AT 3263 NORTH MAKEIG COURT (2023-411)

A.7. CARDS HOLDINGS, INC. - WEST END APARTMENTS:

A RESOLUTION TO APPROVE ADDITIONAL FUNDING IN THE AMOUNT OF \$3,078.08 ASSOCIATED WITH THE DEMOLITION OF THE STRUCTURES LOCATED AT THE FORMER WEST END APARTMENTS, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 DRAINAGE IMPROVEMENT BOND PROJECT (2023-372)

B. UNFINISHED BUSINESS

B.1. AMEND 130.39 GRAFFITI:

AN ORDINANCE TO AMEND §130.39 **GRAFFITI** IN THE *FAYETTEVILLE CODE* TO CREATE A GRAFFITI ABATEMENT PROGRAM (2022-279)

AT THE DECEMBER 6, 2022 CITY COUNCIL MEETING, THIS ORDINANCE WAS AMENDED TO ADD EXHIBIT A AND OMIT LEASEHOLD TENANT. THIS ORDINANCE WAS LEFT ON THE SECOND READING AND TABLED TO THE JANUARY 3, 2023 CITY COUNCIL MEETING.

AT THE JANUARY 3, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS LEFT ON THE SECOND READING AND TABLED TO THE FEBRUARY 7, 2023 CITY COUNCIL MEETING.

AT THE FEBRUARY 7, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS TABLED TO THE FEBRUARY 21, 2023 CITY COUNCIL MEETING.

B.2. FAYETTEVILLE ACTIVE TRANSPORTATION PLAN UPDATE:

A RESOLUTION TO APPROVE AN UPDATE TO THE FAYETTEVILLE ACTIVE TRANSPORTATION PLAN (2023-323)

AT THE FEBRUARY 7, 2023 CITY COUNCIL MEETING, THIS ITEM WAS TABLED UNTIL THE FEBRUARY 21, 2023 MEETING.

C. NEW BUSINESS**C.1. AFRICAN AMERICAN TRAIL BLAZERS:**

A RESOLUTION TO HONOR AFRICAN AMERICAN TRAIL BLAZERS OF FAYETTEVILLE (2023-421)

C.2. APPEAL LSD 2022-039 (788 S. SHERMAN AVE./E. HUNTSVILLE RD. MULTI-FAMILY WEST):

A RESOLUTION TO GRANT THE APPEAL OF DCI AND TO APPROVE LARGE SCALE DEVELOPMENT 2022-039 LOCATED AT 788 SOUTH SHERMAN AVENUE IN WARD 1 (2023-374)

C.3. APPEAL CUP 2022-0129: CONDITIONAL USE PERMIT (215 W. LAFAYETTE ST/BAXTER):

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS D'ANDRE JONES, HOLLY HERTZBERG, AND SCOTT BERNA AND APPROVE CONDITIONAL USE PERMIT CUP 2022-0129 FOR A SHORT-TERM RENTAL AT 215 WEST LAFAYETTE STREET (2023-401)

C.4. RZN 22-053 (3017 W. OLD FARMINGTON RD./ARNOLD):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-053 LOCATED AT 3017 WEST OLD FARMINGTON ROAD IN WARD 1 FOR APPROXIMATELY 0.50 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-18, RESIDENTIAL SINGLE-FAMILY, 18 UNITS PER ACRE (2023-400)

C.5. RZN 22-055 (N. BOB YOUNKIN DR. & W. BISHOP DR./LEGACY VENTURES NWA):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-055 LOCATED AT NORTH BOB YOUNKIN DRIVE AND WEST BISHOP DRIVE IN WARD 3 FOR APPROXIMATELY 7.76 ACRES FROM R-O, RESIDENTIAL-OFFICE TO CS, COMMUNITY SERVICES AND RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE (2023-371)

C.6. VAC 22-019 (2231 W. MARKHAM RD/MARKHAM HOSPITALITY):

AN ORDINANCE TO APPROVE VAC 22-019 FOR PROPERTY LOCATED AT 2231 WEST MARKHAM ROAD IN WARD 4 TO VACATE A PORTION OF A UTILITY EASEMENT (2023-399)

C.7. VAC 22-028 (EAST SAIN STREET./TRAILS AT THE CREEK):

AN ORDINANCE TO APPROVE VAC 22-028 FOR PROPERTY LOCATED AT 1074 EAST SAIN STREET IN WARD 3 TO VACATE A PORTION OF UTILITY EASEMENT AND A PORTION OF A GRADING EASEMENT (2023-405)

C.8. VAC 22-029 (1074 E. SAIN ST/THE TRAILS ON THE CREEK):

AN ORDINANCE TO APPROVE VAC 22-029 FOR PROPERTY LOCATED AT 1074 EAST SAIN STREET IN WARD 3 TO VACATE A PORTION OF STREET RIGHT-OF-WAY (2023-403)

C.9. STUDY, POSSIBLY AMEND, AND AFFIRM SUPPORT OF THE AMENDED CITY PLAN 2040:

A RESOLUTION TO STUDY, POSSIBLY AMEND, AND AFFIRM SUPPORT OF THE AMENDED CITY PLAN 2040 (2023-420)

PROPOSED AGENDA ADDITIONS

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

D.1. 71B CORRIDOR STUDY IMPLEMENTATION UPDATE

(2023-366)

D.2. UPDATE ON ARPA CHILDCARE ASSISTANCE, PAUL BECKER AND YOLANDA FIELDS

(2023-425)

E. CITY COUNCIL TOUR

F. ANNOUNCEMENTS

G. ADJOURNMENT