

City of Fayetteville, Arkansas

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



City Council Final Agenda

Tuesday, July 19, 2022

5:30 PM

City Hall Room 219

City Council Members

Council Member Sonia Harvey Ward 1

Council Member D'Andre Jones Ward 1

Council Member Mark Kinion Ward 2

Council Member Mike Wiederkehr Ward 2

Council Member Sloan Scroggin 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:**Public Registration Link:**

https://us06web.zoom.us/webinar/register/WN_w9xNGhaiRZqR9bxCPNXaIA

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. 2022-0616**

ANNOUNCEMENT OF THE COMPLETION OF THE AUDITED 2021 ANNUAL
COMPREHENSIVE FINANCIAL REPORT - PAUL BECKER

Proposed Agenda Additions**A. Consent****A.1 2021-1054**

APPROVAL OF THE JULY 5, 2022 CITY COUNCIL MEETING MINUTES

A.2 2022-0510**WILSON BAUHAUS INTERIORS:**

A RESOLUTION TO APPROVE THE PURCHASE OF EQUIPMENT AND FURNISHINGS
FOR THE NEW POLICE HEADQUARTERS BUILDING FROM WILSON BAUHAUS
INTERIORS AND OTHER DEALERS, AS AUTHORIZED BY RESOLUTION 97-21, IN THE
AMOUNT OF \$965,009.91 PLUS ANY APPLICABLE TAXES AND SHIPPING CHARGES,
AND TO APPROVE A BUDGET ADJUSTMENT

A.3 2022-0579**ON POINT DUMPSTER RENTAL NWA, LLC:**

A RESOLUTION TO APPROVE AN AGREEMENT WITH ON POINT DUMPSTER RENTAL NWA, LLC FOR THE HAULING AND DISPOSAL OF SOLID WASTE IN THE CITY OF FAYETTEVILLE

A.4 2022-0580**SPO NETWORKS, INC.:**

A RESOLUTION TO APPROVE AN AGREEMENT WITH SPO NETWORKS, INC. FOR THE HAULING AND DISPOSAL OF SOLID WASTE IN THE CITY OF FAYETTEVILLE

A.5 2022-0581**SWEETSER CONSTRUCTION, INC.:**

A RESOLUTION TO AWARD BID #22-34 AND AUTHORIZE A CONTRACT WITH SWEETSER CONSTRUCTION, INC. IN THE AMOUNT OF \$362,283.00 FOR CONSTRUCTION OF THE WILSON PARK TRAIL BRIDGE REPLACEMENT AND PROMENADE IMPROVEMENTS, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$25,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

A.6 2022-0594**2022 CITY SALES AND USE TAX BONDS:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$75,513,868.00 TO APPROPRIATE PROCEEDS FROM THE 2022 CITY SALES AND USE TAX BONDS

A.7 2022-0597**LANDSCAPE STRUCTURES, INC.:**

A RESOLUTION TO AUTHORIZE THE PURCHASE OF PLAYGROUND SAFETY SURFACING FROM LANDSCAPE STRUCTURES, INC. FOR INSTALLATION AT DAVID LASHLEY AND HOTZ PARKS IN THE AMOUNT OF \$101,039.75 PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,000.00

A.8 2022-0598**ARKANSAS AIR AND MILITARY MUSEUM, INC.:**

A RESOLUTION TO APPROVE A THREE YEAR LEASE AGREEMENT WITH THE ARKANSAS AIR AND MILITARY MUSEUM, INC. FOR PROPERTY LOCATED AT DRAKE FIELD, WITH OPTIONS TO RENEW FOR ADDITIONAL THREE YEAR TERMS

B. Public Hearing**B.1 2022-0556****PUBLIC HEARING ON THE PROPOSED ORDINANCE TO CHANGE OR ESTABLISH WATER AND SEWER RATES:**

A RESOLUTION TO CONDUCT A PUBLIC HEARING ON THE PROPOSED ORDINANCE TO CHANGE OR ESTABLISH WATER AND SEWER RATES

C. Unfinished Business

C.1 [2022-0517](#)**AN ORDINANCE TO AMEND §51.136 MONTHLY WATER RATES AND §51.137 MONTHLY SEWER RATES TO CHANGE WATER AND SEWER RATES:**

AN ORDINANCE TO AMEND §51.136 **MONTHLY WATER RATES** AND §51.137 **MONTHLY SEWER RATES** TO CHANGE WATER AND SEWER RATES AS RECOMMENDED BY THE COST OF SERVICE STUDY CONDUCTED BY BLACK & VEATCH

This agenda item was tabled to the July 19, 2022 City Council Meeting.

C.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

This agenda item was left on a first reading at the June 21, 2022 City Council Meeting.
This agenda item was left on a second reading at the July 5, 2022 City Council Meeting.

C.3 **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

This agenda item was left on a first reading at the July 5, 2022 City Council Meeting.

C.4 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

This agenda item was left on a first reading at the July 5, 2022 City Council Meeting.

D. New Business**D.1 2022-0592****RZN 22-024 (502 S. COLLEGE AVE./DAVIS):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-024 LOCATED AT 502 SOUTH COLLEGE AVENUE IN WARD 1 FOR APPROXIMATELY 0.28 ACRES FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

D.2 2022-0593**RZN 22-026 (2015 S. VALE AVE./TITAN VALE, LLC.):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-026 LOCATED AT 2015 SOUTH VALE AVENUE IN WARD 1 FOR APPROXIMATELY 3.50 ACRES FROM NS-G, NEIGHBORHOOD SERVICES-GENERAL TO CS, COMMUNITY SERVICES

D.3 2022-0595**RZN 22-025 (507 S. CHURCH AVE.):**

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-025 LOCATED AT 507 SOUTH CHURCH AVENUE IN WARD 1 FOR APPROXIMATELY 0.17 ACRES FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN

D.4 2022-0618**AMEND §92.04 SALE OF DISEASED ANIMALS; KENNEL AND PET SHOP
REGULATION:**

AN ORDINANCE TO AMEND § 92.04 **SALE OF DISEASED ANIMALS; KENNEL
AND PET SHOP REGULATION** TO PROHIBIT THE RETAIL SALE OF DOGS, CATS,
PUPPIES, AND KITTENS UNLESS OBTAINED FROM AND IN COOPERATION WITH
THE FAYETTEVILLE ANIMAL SHELTER OR ANOTHER ANIMAL RESCUE
ORGANIZATION, AND TO DECLARE AN EMERGENCY

E. City Council Agenda Session Presentations**E.1 2022-0509**

AGENDA SESSION PRESENTATION - ECONOMIC VITALITY CONTRACT SERVICES
SEMI-ANNUAL UPDATE, DEVIN HOWLAND

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, 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 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.