

City of Fayetteville, Arkansas

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



City Council Final Agenda

Tuesday, August 2, 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 2021-1085

MONTHLY FINANCIAL REPORT/SALES TAX UPDATE

Proposed Agenda Additions

A. Consent

A.1 2021-1055

APPROVAL OF THE JULY 19, 2022 CITY COUNCIL MEETING MINUTES

A.2 2022-0507

ARKANSAS MUNICIPAL LEAGUE VEHICLE PROGRAM:

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$16,466.00 RECOGNIZING REIMBURSEMENTS FROM THE ARKANSAS MUNICIPAL LEAGUE VEHICLE PROGRAM FOR DAMAGE TO CITY VEHICLES

A.3 2022-0621**NABHOLZ CONSTRUCTION CORPORATION CHANGE ORDER NO. 10:**

A RESOLUTION TO APPROVE CHANGE ORDER NO. 10 TO THE CONTRACT WITH NABHOLZ CONSTRUCTION CORPORATION IN THE AMOUNT OF \$505,652.42 FOR PAVING ON GREGG AVENUE AND WEST AVENUE, STREET WORK ON WEST AVENUE AND RECONCILIATION OF CONTINGENCY FOR ADDITIONAL ITEMS RELATED TO THE CULTURAL ARTS CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 CULTURAL ARTS CORRIDOR BOND PROJECT

A.4 2022-0624**FLINTCO, LLC CHANGE ORDER NO. 2:**

A RESOLUTION TO APPROVE CHANGE ORDER NO. 2 TO THE CONTRACT WITH FLINTCO, LLC FOR THE CONSTRUCTION OF FIRE STATION NO. 8 IN THE AMOUNT OF \$233,625.22, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 FIREFIGHTING FACILITIES IMPROVEMENTS BOND PROJECT

A.5 2022-0630**SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS:**

A RESOLUTION TO APPROVE THE RENEWAL OF THREE SPECIAL NEEDS ASSISTANCE PROGRAM GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE TOTAL AMOUNT OF \$270,193.00 FOR THE CITY TO ADMINISTER PROGRAMS TO ASSIST HOMELESS FAYETTEVILLE RESIDENTS

A.6 2022-0639**RFQ 22-04, STANTEC CONSULTING SERVICES, INC.:**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH STANTEC CONSULTING SERVICES, INC., PURSUANT TO RFQ 22-04, IN THE AMOUNT OF \$69,610.00, TO DEVELOP A CITYWIDE HERITAGE AND HISTORIC PRESERVATION MASTER PLAN

A.7 2022-0643**RFQ 22-01, SELECTION 9, ECOLOGICAL DESIGN GROUP, INC.:**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH ECOLOGICAL DESIGN GROUP, INC., PURSUANT TO RFQ 22-01, SELECTION 9, IN THE AMOUNT OF \$65,000.00, FOR SERVICES RELATED TO THE DEVELOPMENT OF A MASTER PLAN FOR UNDERWOOD COMMUNITY PARK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00

A.8 2022-0640**BID 22-38 HAMPTON EQUIPMENT, LLC:**

A RESOLUTION TO AWARD BID 22-38 AND AUTHORIZE THE PURCHASE OF A DRYER FEED CONVEYOR FOR THE BIOSOLIDS MANAGEMENT SITE FROM HAMPTON EQUIPMENT, LLC IN THE AMOUNT OF \$42,340.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES

A.9 2022-0611**BID 22-40, JACK TYLER ENGINEERING, INC.:**

A RESOLUTION TO AWARD BID 22-40 AND AUTHORIZE THE PURCHASE OF A SUBMERSIBLE PUMP FOR THE FARMINGTON SEWER LIFT STATION FROM JACK TYLER ENGINEERING, INC. IN THE AMOUNT OF \$108,621.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES

A.10 2022-0664**CHRISTOPHER ALDERSON SEWER OVERFLOW DAMAGE AT 727 N. ROCKCLIFF ROAD:**

A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF \$23,749.14 TO CHRISTOPHER ALDERSON FOR SEWER OVERFLOW DAMAGE AT 727 NORTH ROCKCLIFF ROAD

B. Unfinished Business

B.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

This agenda item was tabled to the August 2, 2022 City Council Meeting.

B.2 **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. This agenda item was left on a second reading at the July 19, 2022 City Council Meeting.

C. New Business**C.1** **2022-0638****DEDICATION OF REDUCED RIGHT OF WAY OF EAST SPARROW CIRCLE:**

A RESOLUTION PURSUANT TO § 166.04(B)(2) OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO APPROVE THE DEDICATION OF A REDUCED AMOUNT OF RIGHT OF WAY ON EAST SPARROW CIRCLE OF THE CREEKSIDE MEADOWS SUBDIVISION IN WARD 1 TO 44 FEET FROM THE CENTERLINE OF EAST SPARROW CIRCLE, AND TO REDUCE THE MASTER STREET PLAN RIGHT OF WAY DEDICATION REQUIREMENT TO 44 FEET FROM THE CENTERLINE OF THIS PORTION OF EAST SPARROW CIRCLE

C.2 2022-0629**2023 EMPLOYEE BENEFITS PACKAGE:**

A RESOLUTION TO APPROVE THE 2023 EMPLOYEE BENEFITS PACKAGE

C.3 2022-0622**AMEND §72.15 PARKING RESTRICTIONS ON CITY STREET IN GENERAL AND FOR LARGE TRUCKS, TRACTORS AND TRAILERS AND NON-EMERGENCY REPAIRS:**

AN ORDINANCE TO AMEND §72.15 PARKING RESTRICTIONS ON CITY STREET IN GENERAL AND FOR LARGE TRUCKS, TRACTORS AND TRAILERS AND NON-EMERGENCY REPAIRS TO ALSO PROHIBIT OVERNIGHT PARKING OF MOTORHOMES, RECREATIONAL VEHICLES (RV'S), FIFTH WHEEL TRAILERS AND CAMPER TRAILERS

C.4 2022-0642**AMEND §51.170 STANDARD SPECIFICATIONS FOR WATER AND SEWER LINES:**

AN ORDINANCE TO AMEND § 51.170 STANDARD SPECIFICATIONS FOR WATER AND SEWER LINES AND ADOPT THE *STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF WATER LINES AND SEWER LINES, 2022 EDITION*

C.5 2022-0666**J.A. RIGGS TRACTOR COMPANY D/B/A RIGGS RENTAL SERVICES:**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$150,671.03 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM J.A. RIGGS TRACTOR COMPANY D/B/A RIGGS RENTAL SERVICES FOR THE EMERGENCY RENTAL OF A 2,000 KILOWATT GENERATOR FOR THE NOLAND WATER RESOURCE RECOVERY FACILITY, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$30,134.21

C.6 2022-0667**J.A. RIGGS TRACTOR COMPANY D/B/A RIGGS CAT:**

AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND ACCEPT A QUOTE IN THE AMOUNT OF \$251,509.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES, FROM J.A. RIGGS TRACTOR COMPANY D/B/A RIGGS CAT FOR THE REBUILD OF A GENERATOR FOR THE NOLAND WATER RESOURCE RECOVERY FACILITY, TO APPROVE THE PURCHASE OF A 5-YEAR WARRANTY IN THE AMOUNT OF \$15,181.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$50,301.80

C.7 2022-0634**VAC 22-017: (9 S. BLOCK AVE./HOLCOMB):**

AN ORDINANCE TO APPROVE VAC 22-017 FOR PROPERTY LOCATED AT 9 SOUTH BLOCK AVENUE IN WARD 2 TO VACATE A 30 SQUARE FOOT PORTION OF AN ALLEY RIGHT-OF-WAY

D. City Council Agenda Session Presentations**D.1 2022-0663**

AGENDA SESSION PRESENTATION: FLOOD MITIGATION OPPORTUNITIES

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 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.