

City of Fayetteville, Arkansas

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



City Council Final Agenda

Tuesday, November 1, 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:

Webinar ID: 818 4889 5709

Public Registration Link:

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

Call To Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions

City Council Meeting Presentations, Reports and Discussion Items

1. 2021-1091

MONTHLY FINANCIAL REPORT

Proposed Agenda Additions

A. Consent

A.1 2021-1061

APPROVAL OF THE OCTOBER 4, 2022 CITY COUNCIL MEETING MINUTES AND THE OCTOBER 18, 2022 CITY COUNCIL MEETING MINUTES

A.2 2022-0916

SAMSARA, INC.:

A RESOLUTION TO APPROVE A MASTER LICENSE, SERVICE AGREEMENT, AND QUOTE FROM SAMSARA, INC. FOR THE PURCHASE OF VEHICLE MONITORING EQUIPMENT AND SERVICES PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT ON AN AS NEEDED BASIS

A.3 2022-0934**POLICE DEPARTMENT AMMUNITION STATE CONTRACT:**

A RESOLUTION TO APPROVE THE PURCHASE OF AMMUNITION AS NEEDED BY THE FAYETTEVILLE POLICE DEPARTMENT FROM VARIOUS MANUFACTURERS, PURSUANT TO THE STATE OF ARKANSAS AMMUNITION CONTRACT, FOR AN INITIAL TERM THROUGH JANUARY 23, 2023 AND AS RENEWED BY THE STATE EACH YEAR THROUGH JANUARY 23, 2029

A.4 2022-0974**HAZMAT REVENUE FROM WASHINGTON COUNTY:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$4,169.00 RECOGNIZING HAZMAT SERVICES REVENUE RECEIVED FROM WASHINGTON COUNTY AND INCREASING THE RELATED EXPENSE BUDGET

A.5 2022-0965**BIG BEAR SHREDDING:**

A RESOLUTION TO AUTHORIZE THE DESTRUCTION OF CERTAIN RECORDS SHOWN ON THE ATTACHED AFFIDAVIT PURSUANT TO RELEVANT SECTIONS OF THE ARKANSAS CODE RELATED TO MAINTENANCE AND DESTRUCTION OF ACCOUNTING AND OTHER CITY RECORDS

A.6 2022-0935**TSW, INC., WALKER PARK MASTER PLAN:**

A RESOLUTION TO AUTHORIZE A CONTRACT WITH TSW, INC., PURSUANT TO RFQ 22-01, SELECTION 10, IN THE AMOUNT OF \$94,500.00, TO PROVIDE MASTER PLAN DESIGN SERVICES FOR WALKER COMMUNITY PARK, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$5,000.00, AND TO APPROVE A BUDGET ADJUSTMENT - PARK IMPROVEMENT BOND PROJECT

A.7 2022-0968**RODNEY RYAN PARK SIDEWALK:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$16,615.00 RECOGNIZING PARK LAND DEDICATION FEES FROM THE SOUTHWEST PARK QUADRANT TO BE USED FOR IMPROVEMENTS TO RODNEY RYAN PARK

A.8 2022-0972**GRAYBAR ELECTRIC COMPANY, INC.:**

A RESOLUTION TO APPROVE THE PURCHASE OF ELECTRICAL CONDUIT, WIRE AND FITTINGS FROM GRAYBAR ELECTRIC COMPANY, INC. IN THE AMOUNT OF \$42,911.15 PLUS APPLICABLE TAXES AND FREIGHT CHARGES, PURSUANT TO AN OMNIA PARTNERS COOPERATIVE PURCHASING CONTRACT

B. Unfinished Business**B.1 2022-0878****AMEND §118.01 APPLICABILITY, §151.01 DEFINITIONS AND §163.18 SHORT-TERM RENTALS:**

AN ORDINANCE TO AMEND §118.01 **APPLICABILITY** OF THE *FAYETTEVILLE CITY CODE*, AND § 151.01 **DEFINITIONS** AND §163.18 **SHORT-TERM RENTALS** OF THE *UNIFIED DEVELOPMENT CODE* TO REMOVE THE CONDITIONAL USE PERMIT REQUIREMENT FOR TYPE 2 SHORT-TERM RENTALS, AND TO REPEAL THE SUNSET PROVISION

At the October 4, 2022 City Council meeting, this ordinance was left on the first reading.

At the October 18, 2022 City Council meeting, this ordinance was left on the second reading.

B.2 [2022-0919](#)**REINDL PROPERTIES, INC.:**

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A LETTER OF INTENT DEFINING DEVELOPMENT AGREEMENT TERMS WITH REINDL PROPERTIES, INC. FOR A PUBLIC PRIVATE PARTNERSHIP FOR CONSTRUCTION OF THE MIXED-USE BUILDING PLANNED TO PROVIDE GROUND FLOOR ACTIVE USES FOR THE RAMBLE CIVIC PLAZA ON THE SOUTHERN END OF THE SITE

At the October 18, 2022 City Council meeting, this resolution was tabled to the November 1, 2022 City Council meeting.

B.3 **2022-0938****VAC 22-022 (3615 N STEELE BLVD/JJ'S LIVE):**

AN ORDINANCE TO APPROVE VAC 22-022 FOR PROPERTY LOCATED AT 3615 NORTH STEELE BOULEVARD IN WARD 3 TO VACATE A PORTION OF A UTILITY EASEMENT

At the October 18, 2022 City Council meeting, this ordinance was left on the first reading.

C. New Business**C.1** **2022-1000****SUBRECIPIENT AGREEMENT WCRC DEAD HORSE MOUNTAIN RD. LAND PURCHASE:**

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A SUBRECIPIENT AGREEMENT WITH THE WATERSHED CONSERVATION RESOURCE CENTER FOR THE PURCHASE OF ABOUT 223 ACRES OF LAND NEAR DEAD HORSE MOUNTAIN ROAD UTILIZING AMERICAN RESCUE PLAN ACT FUNDS IN THE AMOUNT OF \$1,445,400.00, AND TO APPROVE A BUDGET ADJUSTMENT

C.2 2022-0976

AMEND §162.01 (Z) UNIT 25 OFFICES, STUDIOS AND RELATED SERVICES:

AN ORDINANCE TO AMEND §162.01 (Z) *OFFICES, STUDIOS, AND RELATED SERVICES* OF THE *FAYETTEVILLE UNIFIED DEVELOPMENT CODE* TO ADD PERSONAL SERVICES

D. City Council Agenda Session Presentations

D.1 2021-1092

AGENDA SESSION PRESENTATION - SALES TAX REPORT, PAUL BECKER AND ENERGY REPORT, PETER NIERENGARTEN

D.2 2022-0790

AGENDA SESSION PRESENTATION: ANNUAL ENERGY ACTION PLAN UPDATE - PETER NIERENGARTEN

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.