

City of Fayetteville, Arkansas

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



City Council Final Agenda

Tuesday, November 15, 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

Proposed Agenda Additions

A. Consent

A.1 2021-1062

APPROVAL OF THE NOVEMBER 1, 2022 CITY COUNCIL MEETING MINUTES

A.2 2022-0989

**2022 COPS LAW ENFORCEMENT MENTAL HEALTH AND WELLNESS
GRANT AWARD:**

A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF A NON-MATCHING 2022
LAW ENFORCEMENT MENTAL HEALTH AND WELLNESS GRANT AWARD IN THE
AMOUNT OF \$94,810.73 FOR THE EXPANSION OF THE POLICE DEPARTMENT'S
WELLNESS AND RESILIENCY PROGRAM, AND TO APPROVE A BUDGET
ADJUSTMENT

A.3 2022-0988**2022 COPS HIRING PROGRAM GRANT AWARD:**

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE 2022 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM GRANT IN THE AMOUNT OF \$625,000.00 TO FUND FIVE (5) NEW POLICE OFFICER POSITIONS AND ESTABLISH A VIOLENT CRIME/COMMUNITY OUTREACH UNIT FOR A PERIOD OF THREE (3) YEARS WITH A REQUIRED LOCAL MATCH OF \$341,555.00 AND AN ADDITIONAL \$292,054.00 IN NON-GRANT RELATED PROJECT EXPENSES, AND TO APPROVE A BUDGET ADJUSTMENT

A.4 2022-0971**POLICE DEPARTMENT BODY ARMOR SOURCEWELL CONTRACT:**

A RESOLUTION TO APPROVE THE PURCHASE OF NEW AND REPLACEMENT BALLISTIC BULLETPROOF VESTS AND PLATES FROM GALL'S, LLC AND VARIOUS DEALERS PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, PLUS APPLICABLE TAXES AND SHIPPING CHARGES ON AN AS NEEDED BASIS BY THE FAYETTEVILLE POLICE DEPARTMENT THROUGH FEBRUARY 19, 2025

A.5 2022-0993**GALLS, LLC D/B/A CRUSE UNIFORMS AND EQUIPMENT AMENDMENT 1:**

A RESOLUTION TO APPROVE AMENDMENT 1 TO THE CONTRACT WITH GALLS, LLC D/B/A CRUSE UNIFORMS AND EQUIPMENT TO ALLOW FOR A FIVE PERCENT PRICE INCREASE DUE TO INFLATION

A.6 2022-0999**RFP 22-10 BROWN & BROWN OF ARKANSAS, INC.:**

A RESOLUTION TO AWARD RFP #22-10 AND AUTHORIZE A ONE YEAR CONTRACT WITH BROWN & BROWN OF ARKANSAS, INC. IN THE AMOUNT OF \$75,000.00, WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS, FOR THE PROVISION OF CITY EMPLOYEE BENEFITS BROKER AND CONSULTING SERVICES

A.7 2022-1007**JCI, INDUSTRIES, INC.:**

A RESOLUTION TO ACCEPT A QUOTE IN THE AMOUNT OF \$101,651.00 PLUS APPLICABLE TAXES AND FREIGHT CHARGES FROM JCI, INDUSTRIES, INC. FOR THE REBUILD OF AN AERATOR MIXER AT THE NOLAND WATER RESOURCE RECOVERY FACILITY

A.8 2022-0994**COMMUNITY ACCESS TELEVISION D/B/A YOUR MEDIA:**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$15,000.00 RECOGNIZING CONTRACT PRODUCTION REVENUE FROM COMMUNITY ACCESS TELEVISION D/B/A YOUR MEDIA AND TO INCREASE RELATED PROMOTIONAL ACTIVITIES BUDGET

A.9 2022-0990**BID 22-53 DEVORE EXCAVATING, LLC:**

A RESOLUTION TO AWARD BID #22-53 AND AUTHORIZE THE PURCHASE OF UNSCREENED TOPSOIL MATERIALS FROM DEVORE EXCAVATING, LLC AS NEEDED THROUGH THE END OF 2023

A.10 2022-0987**2022 ADEQ GRANT FOR PUBLIC SPACE RECYCLING CONTAINERS:**

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2022 ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT THROUGH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF \$10,000.00 FOR THE PURCHASE OF PUBLIC SPACE RECYCLING CONTAINERS, AND TO APPROVE A BUDGET ADJUSTMENT

B. Unfinished Business**B.1 [2022-0880](#)****APPEAL CUP 22-039 (2992 N. OAK BAILEY DR./OAK BAILEY CLUSTER DEVELOPMENT):**

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS SARAH BUNCH, TERESA TURK, AND SLOAN SCROGGIN TO DENY CONDITIONAL USE PERMIT CUP 2022-039 FOR A CLUSTER HOUSING DEVELOPMENT FOR PROPERTY LOCATED AT 2992 NORTH OAK BAILEY DRIVE IN WARD 3, AND TO DENY A VARIANCE TO § 164.22(D) OF THE UNIFIED DEVELOPMENT CODE TO EXCEED THE MAXIMUM NUMBER OF DWELLING UNITS PERMITTED

At the October 4, 2022 City Council meeting, this Resolution was tabled to the November 15, 2022 City Council meeting.

C. New Business**C.1 2022-0992****2023 ANNUAL BUDGET AND WORK PROGRAM:**

A RESOLUTION TO ADOPT THE 2023 ANNUAL BUDGET AND WORK PROGRAM

C.2 2022-1005**APPEAL CUP 2022-0077 (1616 S. PRICE AVE/OADE):**

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS MARK KINION, SLOAN SCROGGIN, AND SONIA HARVEY AND APPROVE CONDITIONAL USE PERMIT CUP 2022-0077 FOR A SHORT-TERM RENTAL AT 1616 SOUTH PRICE AVENUE

C.3 2022-1003**APPEAL CUP 2022-0071 (2352 W. HOUSTON ST./WALNOFER):**

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS HOLLY HERTZBERG, MARK KINION, SONIA HARVEY, AND SLOAN SCROGGIN AND APPROVE CONDITIONAL USE PERMIT CUP 2022-0071 FOR A SHORT-TERM RENTAL AT 2352 WEST HOUSTON STREET

C.4 2022-0997**WCRAA SUBRECIPIENT AGREEMENT:**

A RESOLUTION TO APPROVE A SUBRECIPIENT AGREEMENT WITH THE WASHINGTON COUNTY REGIONAL AMBULANCE AUTHORITY TO PROVIDE FUNDING FROM THE AMERICAN RESCUE PLAN ACT IN THE AMOUNT OF \$757,917.00 FOR PREMIUM PAY FOR ESSENTIAL WORKERS AND THE PURCHASE OF POWER LOAD STRETCHER SYSTEMS, FOUR NEW AMBULANCES, AND AN AMBULANCE REMOUNT, AND TO APPROVE A BUDGET ADJUSTMENT

C.5 2022-1009**PEACE AT HOME FAMILY SHELTER SUBRECIPIENT AGREEMENT:**

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN A SUBRECIPIENT AGREEMENT WITH PEACE AT HOME FAMILY SHELTER FOR THE EXPANSION OF THE EMERGENCY SHELTER FOR SURVIVORS OF DOMESTIC VIOLENCE UTILIZING AMERICAN RESCUE PLAN ACT FUNDS IN THE AMOUNT OF \$686,500.00, AND TO APPROVE A BUDGET ADJUSTMENT

D. City Council Agenda Session Presentations

D.1 2022-1006

AGENDA SESSION PRESENTATION: PICK ME UP - LITTER ABATEMENT AND BRIDGE TO WORK PROGRAM PRESENTED BY HEATHER ELLZEY, FAYETTEVILLE ENVIRONMENTAL EDUCATOR

D.2 2022-1033

AGENDA SESSION PRESENTATION: AMERICAN RESCUE PLAN ACT (ARPA) UPDATE BY PAUL BECKER

E. City Council Tour:

Oade and Walnofer Short-Term Rental Appeals (Agenda Items 2022-1005 & -1003)

Date: November 14, 2022.

Time: 4:30 PM (beginning at Oade property).

Address: 1st: 1616 S. Price Ave. (Oade) and 2nd: 2352 W. Houston St. (Walnofer).

Parking: Parking varies by location, with limited on-site, driveway parking available.

Request: Appeals of Short-Term Rental permit denial by the Planning Commission.

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.