

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, December 19, 2023

5:30 PM

City Hall Room 219

City Council Members

Council Member Robert B. Stafford 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:

- 1. WEBINAR: 876 3681 3619**
PUBLIC REGISTRATION LINK:
[HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/
WN BELGTOIKR1IDL 88PHNTGW](https://us06web.zoom.us/join/joinMeeting?meetingid=88PHNTGW&meetingname=WN%20BELGTOIKR1IDL%2088PHNTGW)

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS

CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS

- 1. NOMINATING COMMITTEE REPORT - COMMITTEE CHAIR**

PROPOSED AGENDA ADDITIONS

A. CONSENT

- A.1. APPROVAL OF THE DECEMBER 5, 2023 CITY COUNCIL MEETING MINUTES**

- A.2. AREA AGENCY ON AGING OF NORTHWEST ARKANSAS (AMENDMENT):**

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CONTRACT WITH THE AREA AGENCY ON AGING OF NORTHWEST ARKANSAS IN THE AMOUNT OF \$153,104.00 TO PROVIDE PUBLIC RECREATION SERVICES FOR SENIOR RESIDENTS OF FAYETTEVILLE (2023-1439)

- A.3. PARKS, NATURAL RESOURCES AND CULTURAL AFFAIRS (DONATION REVENUE):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$12,354.00 REPRESENTING DONATION REVENUE TO THE PARKS, NATURAL RESOURCES, AND CULTURAL AFFAIRS DEPARTMENT (2023-1433)

- A.4. ECOSCONNECT, LLC (SOFTWARE SERVICE CONTRACT):**

A RESOLUTION TO APPROVE A ONE YEAR CONTRACT WITH ECOSCONNECT, LLC FOR BACKFLOW TRACKING SERVICES WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR

TERMS IN AN AMOUNT NOT TO EXCEED \$50,000.00 PER YEAR (2023-1460)

A.5. PRIME ELECTRIC GROUP, LLC (SERVICE AGREEMENT):

A RESOLUTION TO ACCEPT A QUOTE FROM PRIME ELECTRIC GROUP, INC. IN THE AMOUNT OF \$45,302.00 FOR ELECTRICAL UPGRADES TO THE GULLEY WATER PUMP STATION, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$9,060.40 (2023-1461)

A.6. PURCHASED WATER ACCOUNT (BUDGET ADJUSTMENT):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$550,000.00 FOR THE PURCHASED WATER ACCOUNT DUE TO INCREASED WATER USAGE (2023-1465)

A.7. FLINTCO, LLC (FIRE STATION 2 - CHANGE ORDER #2):

A RESOLUTION TO APPROVE CHANGE ORDER #2 WITH FLINTCO, LLC IN THE AMOUNT OF \$5,345,663.00 FOR WORK ASSOCIATED WITH THE CONSTRUCTION OF FIRE STATION 2, AND TO APPROVE A BUDGET ADJUSTMENT – FIREFIGHTING FACILITY IMPROVEMENTS BOND PROJECT (2023-1435)

A.8. GARVER, LLC (SERVICE AGREEMENT):

A RESOLUTION TO AUTHORIZE A CONTRACT WITH GARVER, LLC, PURSUANT TO RFQ 23-01, FOR THE DESIGN OF A TRAIL BRIDGE ACROSS HAMESTRING CREEK IN THE AMOUNT OF \$122,200.00, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1436)

A.9. VANCE BROTHERS, INC. (SERVICE AGREEMENT):

A RESOLUTION TO AWARD BID #23-40 AND AUTHORIZE A CONTRACT WITH VANCE BROTHERS, INC. IN THE AMOUNT OF \$745,175.90 FOR ASPHALT SURFACE TREATMENTS FOR CITY STREETS AND PARKING LOTS, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$75,000.00 (2023-1438)

A.10. TSW, INC. (SERVICE AGREEMENT):

A RESOLUTION TO AUTHORIZE A CONTRACT WITH TSW, INC., PURSUANT TO RFQ 22-01, FOR DESIGN SERVICES ASSOCIATED WITH PHASE ONE IMPROVEMENTS TO WALKER COMMUNITY PARK FOR AN AMOUNT NOT TO EXCEED \$203,075.00, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,000.00, AND TO APPROVE A BUDGET ADJUSTMENT – PARK IMPROVEMENT BOND PROJECT (2023-1441)

A.11. SEVEN HILLS HOMELESS CENTER (SUBRECIPIENT AGREEMENTS):

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN SUBRECIPIENT AGREEMENTS WITH SEVEN HILLS HOMELESS CENTER AND ITS PARTNER AGENCIES, PURSUANT TO RESOLUTION NO. 233-23 AND RFP 23-12, IN THE AMOUNT OF \$1,630,000.00 FOR A PROJECT TO ADDRESS HOUSING INSTABILITY IN FAYETTEVILLE (2023-1443)

A.12. 2023 BOSTON MOUNTAIN COMPOST BIN (GRANT AWARD):

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2023 BOSTON MOUNTAIN RECYCLING GRANT IN THE AMOUNT OF \$9,000.00 FOR A PILOT CURBSIDE FOOD WASTE COLLECTION PROGRAM, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1444)

A.13. ANIMAL SERVICES (DONATION REVENUE):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$40,957.00 REPRESENTING DONATION REVENUE TO THE ANIMAL SERVICES DIVISION (2023-1445)

A.14. COMMUNITY RESOURCES (DONATION REVENUE):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$9,352.00 REPRESENTING DONATION REVENUE TO THE COMMUNITY RESOURCES DEPARTMENT (2023-1446)

A.15. GALLS, LLC (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF UNIFORMS AND RELATED PRODUCTS, SERVICES, AND SOLUTIONS FROM GALLS, INC. ON AN AS-NEEDED BASIS THROUGH MAY 31, 2025, AND ANY FUTURE RENEWAL PERIODS (2023-1298)

A.16. LION MANUFACTURING (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF BUNKER GEAR AND RELATED PRODUCTS, SERVICES, AND SOLUTIONS FROM LION MANUFACTURING THROUGH NAFECO ON AN AS-NEEDED BASIS, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, THROUGH MAY 7, 2024 AND ANY FUTURE RENEWAL PERIODS (2023-1297)

A.17. FAYETTEVILLE POLICE DEPARTMENT (DONATION REVENUE):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,028.00 REPRESENTING DONATION REVENUE TO THE FAYETTEVILLE POLICE DEPARTMENT (2023-1440)

A.18. FAYETTEVILLE POLICE DEPARTMENT (FORFEITURE REVENUE):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$41,340.00 RECOGNIZING REVENUE ASSOCIATED WITH FEDERAL AND

STATE LAW ENFORCEMENT FORFEITURES (2023-1442)

B. UNFINISHED BUSINESS**C. NEW BUSINESS****C.1. U.S. POSTAL SERVICE (PROCESSING OPERATIONS):**

A RESOLUTION TO REQUEST THAT THE UNITED STATES POSTAL SERVICE MAINTAIN ALL CURRENT MAIL PROCESSING OPERATIONS IN FAYETTEVILLE (2023-1473)

C.2. LISA VALENTINE GRADING PERMIT (APPEAL FEES WAIVER):

A RESOLUTION TO WAIVE APPEAL FEES FOR LISA VALENTINE'S APPEAL OF GRADING PERMIT GRD-2023-0031 TO THE PLANNING COMMISSION (2023-1513)

C.3. 2024 DTF PUBLIC SAFETY EQUIPMENT (GRANT AWARD):

A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF A NON-MATCHING PUBLIC SAFETY EQUIPMENT GRANT FROM THE ARKANSAS DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$40,365.58 FOR THE FOURTH JUDICIAL DISTRICT DRUG TASK FORCE TO PURCHASE A HANDHELD NARCOTICS ANALYZER, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1437)

C.4. ENTEGRITY ENERGY PARTNERS (SOLAR SERVICES AGREEMENT):

A RESOLUTION TO APPROVE A 25 YEAR SOLAR SERVICES AGREEMENT WITH ENTEGRITY ENERGY PARTNERS, LLC THAT IS ANTICIPATED TO OFFSET 6,538,454 KWH OF THE CITY'S ANNUAL ELECTRICITY CONSUMPTION FROM SOUTHWESTERN ELECTRIC POWER COMPANY AND PRODUCE AN ESTIMATED \$7 MILLION IN SAVINGS OVER THE LIFE OF THE CONTRACT (2023-1458)

C.5. REZONING-2023-0027: (1272 N. 59TH AVE./DICKSON STREET CAPITAL, LLC., 397):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-027 FOR APPROXIMATELY 0.80 ACRES LOCATED AT 1272 NORTH 59TH AVENUE IN WARD 4 FROM R-A, RESIDENTIAL-AGRICULTURAL TO RMF-6, RESIDENTIAL MULTI-FAMILY, SIX UNITS PER ACRE (2023-1434)

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS**D.1. ECONOMIC VITALITY UPDATE - DEVIN HOWLAND**

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: 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.