

# **City of Fayetteville, Arkansas**

*113 West Mountain Street*

*Fayetteville, AR 72701*

*(479) 575-8323*



## **City Council Final Agenda**

**Tuesday, February 20, 2024**

**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 ID: 891 5773 1255**  
**HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/  
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**CALL TO ORDER**

1. **FAYETTEVILLE YOUTH ADVISORY COUNCIL - OATHS OF OFFICE (JUDGE TERRA STEPHENSON)**  
  
ALYOSHA WOOD, COUNCIL MEMBER  
BLYTHE HEIMER, COUNCIL MEMBER  
BRENDAN KLAUS, COUNCIL MEMBER  
ELIZABETH ROBINSON, COUNCIL MEMBER  
ELLYETTE CEOLA, COUNCIL MEMBER  
GRAYSON BROWN, COUNCIL MEMBER  
KATHERINE HINTON, COUNCIL MEMBER  
MIA ALANSARI, COUNCIL MEMBER

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS**

1. **KALVIN LARSON RECOGNITION - MAYOR JORDAN**

**CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS**

**PROPOSED AGENDA ADDITIONS**

**A. CONSENT**

- A.1. **APPROVAL OF THE FEBRUARY 6, 2024 CITY COUNCIL MEETING MINUTES**

**A.2. OZARK NATURAL SCIENCE CENTER (LEASE AGREEMENT):**

A RESOLUTION TO APPROVE ONE-YEAR, NO COST LEASE AND OPERATIONS AGREEMENTS WITH THE OZARK NATURAL SCIENCE CENTER TO OPERATE IN THE LAKE FAYETTEVILLE ENVIRONMENTAL STUDY CENTER (2024-1713)

**A.3. 2024 FEDERAL AID TRANSPORTATION (GRANT APPLICATIONS):**

A RESOLUTION TO EXPRESS THE WILLINGNESS OF THE CITY OF

FAYETTEVILLE TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING PROJECTS: RUPPLE ROAD LIGHTING, DRAKE STREET TRAIL CONNECTION, MILLSAP RD. & COLLEGE AVENUE INTERSECTION, STEPHEN CARR MEMORIAL DRIVE/I-49 INTERCHANGE, AND MLK WALKABILITY IMPROVEMENTS (2024-1714)

**A.4. ARDOT (AGREEMENT OF UNDERSTANDING):**

A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH ARDOT TO FORMALIZE THE CITY'S PARTNERSHIP ON THE I-49 AND HIGHWAY 62 INTERCHANGE IMPROVEMENTS PROJECT (2024-1722)

**A.5. ASPHALT OVERLAY / SIDEWALKS PROJECTS (PLAN APPROVAL):**

A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION OVERLAY AND SIDEWALK PROJECTS LIST FOR 2024 AND 2025 (2024-1716)

**A.6. JBZ, INC. (SERVICE CONTRACT):**

A RESOLUTION TO AWARD BID #23-47 AND AUTHORIZE A CONTRACT WITH JBZ, INC. D/B/A ELLINGSON CONTRACTING IN THE AMOUNT OF \$733,746.00 FOR THE STABILIZATION OF THE PORTER WAREHOUSE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$35,000.00 (2024-1710)

**A.7. REVIVAL ARCHITECTURE, INC. (AMENDMENT):**

A RESOLUTION TO APPROVE AN AMENDMENT TO THE CONTRACT WITH REVIVAL ARCHITECTURE, INC. IN THE AMOUNT OF \$27,000.00 FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE PORTER WAREHOUSE STABILIZATION PROJECT (2024-1690)

**A.8. ENGINEERING ELEMENTS, PLLC. (SERVICE CONTRACT):**

A RESOLUTION TO APPROVE A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$108,000.00 WITH ENGINEERING ELEMENTS, PLLC, PURSUANT TO RFQ #23-01, SELECTION 11, FOR CITY HALL HVAC UPGRADES, TO APPROVE A PROJECT CONTINGENCY OF \$6,307.00, AND TO APPROVE A BUDGET ADJUSTMENT (2024-1712)

**A.9. BID 23-49 JACK TYLER ENGINEERING, INC. (PUMP REPLACEMENT):**

A RESOLUTION TO AWARD BID #23-49 AND AUTHORIZE THE PURCHASE OF A SUBMERSIBLE PUMP FROM JACK TYLER ENGINEERING, INC. IN THE AMOUNT OF \$103,352.77 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES FOR USE AT THE GREGG AVENUE SEWER LIFT STATION (2024-1718)

**A.10. BID 23-50 JACK TYLER ENGINEERING, INC. (PUMP REPLACEMENT):**

A RESOLUTION TO AWARD BID #23-50 AND AUTHORIZE THE PURCHASE OF A SUBMERSIBLE PUMP FROM JACK TYLER ENGINEERING, INC. IN THE AMOUNT OF \$70,807.87 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES FOR USE IN THE EFFLUENT POND AT THE NOLAND WATER RESOURCE RECOVERY FACILITY (2024-1719)

**A.11. BID 23-51 JACK TYLER ENGINEERING, INC. (PUMP REPLACEMENT):**

A RESOLUTION TO AWARD BID #23-51 AND AUTHORIZE THE PURCHASE OF A SUBMERSIBLE PUMP FROM JACK TYLER ENGINEERING, INC. IN THE AMOUNT OF \$61,644.18 PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES FOR USE IN THE AERATION BASIN AT THE NOLAND WATER RESOURCE RECOVERY FACILITY (2024-1720)

**A.12. THERMO SCIENTIFIC PORTABLE ANALYTICAL INSTRUMENTS, INC. (PURCHASE AGREEMENT):**

A RESOLUTION TO APPROVE THE GRANT FUNDED PURCHASE OF A TRUENARC HANDHELD NARCOTICS ANALYZER IN THE AMOUNT OF \$36,779.57 PLUS ANY APPLICABLE TAXES FROM THERMO SCIENTIFIC PORTABLE ANALYTICAL INSTRUMENTS, INC. (2024-1686)

**B. UNFINISHED BUSINESS**

**B.1. STEARNS STREET EXTENSION (BUDGET ADJUSTMENT):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT TO CREATE A PROJECT BUDGET FOR AN EXTENSION OF STEARNS STREET BETWEEN VANTAGE DRIVE AND OLD MISSOURI ROAD (2023-1593)

AT THE JANUARY 18, 2024 CITY COUNCIL MEETING, THIS RESOLUTION WAS TABLED TO THE FEBRUARY 6, 2024 CITY COUNCIL MEETING.

AT THE FEBRUARY 6, 2024 CITY COUNCIL MEETING, THIS RESOLUTION WAS TABLED TO THE FEBRUARY 20, 2024 CITY COUNCIL MEETING.

**B.2. SPOUT SPRINGS HISTORIC DISTRICT (PETITION SIGNATURE):**

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN THE PROPOSED SPOUT SPRING HISTORIC DISTRICT PETITION AGREEING THAT THE CITY OWNED PROPERTY OF THE YVONNE RICHARDSON COMMUNITY CENTER SHALL BE INCLUDED WITHIN THE SPOUT SPRING HISTORIC DISTRICT (2024-1665)

AT THE FEBRUARY 6, 2024 CITY COUNCIL MEETING, THIS RESOLUTION WAS TABLED TO THE FEBRUARY 20, 2024 CITY COUNCIL MEETING.

**C. NEW BUSINESS**

**C.1. SECTION 50.04 - DEPOSITING ON VACANT LOTS (AMENDMENT):**

AN ORDINANCE TO AMEND §50.04 DEPOSITING ON VACANT LOTS OF THE FAYETTEVILLE CODE TO INCLUDE A PROHIBITION ON DUMPING MULCH, COMPOST, FILL DIRT, AND BRUSH ON VACANT LOTS IN THE CITY (2024-1721)

**C.2. FAYETTEVILLE PUBLIC SCHOOL DISTRICT (LEASE AMENDMENT):**

AN ORDINANCE TO AMEND A JOINT LEASE AGREEMENT WITH THE FAYETTEVILLE SCHOOL DISTRICT FOR PORTIONS OF JEFFERSON ELEMENTARY SCHOOL, HOLCOMB ELEMENTARY SCHOOL, AND LAKE FAYETTEVILLE (2024-1715)

**C.3. ADMINISTRATIVE-2024-0002: (AMENDMENT):**

AN ORDINANCE TO AMEND §166.20 EXPIRATION OF APPROVED PLANS AND PERMITS OF THE UNIFIED DEVELOPMENT CODE TO EXTEND THE TIME FOR DEVELOPERS TO REQUEST ADMINISTRATIVE PROJECT EXTENSIONS FROM 12 MONTHS TO 18 MONTHS (2024-1692)

**C.4. REZONING-2023-0035: (NW OF N. SHILOH DR. AND W. CHICORY PL./SPRINGWOODS INVESTMENTS LLC, 248):**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-0035 FOR APPROXIMATELY 2.44 ACRES LOCATED NORTHWEST OF NORTH SHILOH DRIVE AND WEST CHICORY PLACE IN WARD 2 FROM CPZD, COMMERCIAL PLANNED ZONING DISTRICT TO UT, URBAN THOROUGHFARE (2024-1635)

**C.5. REZONING-2023-0036: (NORTH OF W. TECHNOLOGY WAY/WATKINS, BOYER, GRAY & CURRY PLLC, 479):**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-036 FOR APPROXIMATELY 15.66 ACRES LOCATED NORTH OF WEST TECHNOLOGY WAY IN WARD 4 FROM C-2, THOROUGHFARE COMMERCIAL TO CS, COMMUNITY SERVICES AND R-A, RESIDENTIAL AGRICULTURAL (2024-1691)

**D. CITY COUNCIL AGENDA SESSION PRESENTATIONS****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](http://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.