

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, March 5, 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: 868 6944 4620**
PUBLIC REGISTRATION LINK: [HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_SOUZ4EZBSGAPML8CWRNMUA](https://us06web.zoom.us/join/86869444620)

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS

CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS

1. **MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER**

PROPOSED AGENDA ADDITIONS

A. CONSENT

- A.1. **APPROVAL OF THE FEBRUARY 20, 2024 CITY COUNCIL MEETING MINUTES**

- A.2. **J.A. RIGGS TRACTOR COMPANY (BUDGET ADJUSTMENT):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT ASSOCIATED WITH RESOLUTION 53-24 (2024-1731)

- A.3. **SSI OF NORTHWEST ARKANSAS (SERVICE CONTRACT):**

A RESOLUTION TO AWARD BID #23-46 AND AUTHORIZE A CONTRACT WITH SSI OF NORTHWEST ARKANSAS IN THE AMOUNT OF \$541,241.00 FOR THE CONSTRUCTION OF LIGHTED PICKLEBALL COURTS, TENNIS COURT IMPROVEMENTS, AND BASKETBALL COURT LIGHTING, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$50,000.00, AND TO APPROVE A BUDGET ADJUSTMENT RECOGNIZING PARK LAND DEDICATION FUNDS FROM THE SOUTHWEST QUADRANT (2024-1744)

- A.4. **KAJACS CONTRACTORS, INC. (UTILITY RELOCATIONS):**

A RESOLUTION TO AWARD BID #24-22 AND AUTHORIZE A CONTRACT WITH KAJACS CONTRACTORS, INC. IN THE AMOUNT OF \$4,349,500.00 FOR CONSTRUCTION OF WATER AND SEWER UTILITY RELOCATIONS ALONG HIGHWAY 16, TO APPROVE A PROJECT CONTINGENCY IN THE

AMOUNT OF \$435,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2024-1750)

A.5. MCCLELLAND CONSULTING ENGINEERS, INC. (AMENDMENT NO. 1):

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$218,974.41 FOR ADDITIONAL SERVICES ASSOCIATED WITH UTILITY RELOCATIONS ALONG HIGHWAY 16, AND TO APPROVE A BUDGET ADJUSTMENT (2024-1753)

A.6. DRAKE FIELD T-HANGAR (LEASE AGREEMENT):

A RESOLUTION TO APPROVE T-HANGAR LEASE AGREEMENTS IN 2024 AT THE CURRENT RENTAL RATE FOR ALL T-HANGARS RENTED AT THE FAYETTEVILLE AIRPORT (2024-1746)

A.7. ALPINE AVIATION OF FAYETTEVILLE (LEASE AGREEMENT):

A RESOLUTION TO APPROVE A THREE-YEAR LEASE AGREEMENT WITH ALPINE AVIATION OF FAYETTEVILLE, INC. FOR THE HANGAR AT 4166 SOUTH SCHOOL AVENUE FOR RENT IN THE AMOUNT OF \$750.00 PER MONTH (2024-1749)

A.8. FIRST STAR EXTERIORS, LLC. (SERVICE CONTRACT):

A RESOLUTION TO AWARD BID #23-48 AND AUTHORIZE A CONTRACT WITH FIRST STAR EXTERIORS, LLC IN THE AMOUNT OF \$193,975.00 FOR ROOF REPLACEMENT OF THE ROCK STREET ANNEX ROOF, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$19,397.50, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 CITY FACILITIES IMPROVEMENT BOND PROJECT (2024-1747)

A.9. SEVEN HILLS HOMELESS CENTER (FUNDING ASSISTANCE):

A RESOLUTION TO APPROVE A CONTRACT WITH SEVEN HILLS HOMELESS CENTER TO PROVIDE FUNDING ASSISTANCE IN THE AMOUNT OF \$40,000.00 FOR MAINTENANCE AND REPAIRS AT THE WALKER FAMILY RESIDENTIAL COMMUNITY COMPLEX IN 2024 (2024-1738)

A.10. BENCHMARK CONSTRUCTION COMPANY OF NWA, INC. (SERVICE CONTRACT):

A RESOLUTION TO APPROVE A CONTRACT WITH BENCHMARK CONSTRUCTION COMPANY OF NWA, INC. IN THE AMOUNT OF \$789,747.50 FOR THE CONSTRUCTION OF THE NORTH STREET CORRIDOR IMPROVEMENTS PROJECT PHASE 1, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$80,000.00, AND TO APPROVE A

BUDGET ADJUSTMENT – 2019 STREET IMPROVEMENT BOND PROJECT
(2024-1737)

**A.11. ARKANSAS DEPARTMENT OF TRANSPORTATION (FUNDING
RECOGNITION):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,948,635.00 RECOGNIZING FEDERAL-AID AND STATE FUNDING FROM ARDOT FOR RIGHT OF WAY ACQUISITION ASSOCIATED WITH IMPROVEMENTS TO HIGHWAY 112 (2024-1751)

**A.12. MCCLELLAND CONSULTING ENGINEERS, INC., OLSSON, INC. AND GTS,
INC. (SERVICE CONTRACT):**

A RESOLUTION TO AWARD RFQ #24-01 SELECTION #1 AND AUTHORIZE THE PURCHASE OF ON-CALL MATERIALS TESTING SERVICES FROM MCCLELLAND CONSULTING ENGINEERS, INC., OLSSON ASSOCIATES, INC., AND GTS, INC. AS NEEDED THROUGH APRIL 30, 2025 (2024-1739)

**A.13. MCCLELLAND CONSULTING ENGINEERS, INC., HAWKINS-WEIR
ENGINEERS, INC., AND OLSSON ASSOCIATES, INC. (SERVICE
CONTRACT):**

A RESOLUTION TO AWARD RFQ #24-01 SELECTION #2 AND AUTHORIZE THE PURCHASE OF ON-CALL SURVEYING SERVICES FROM MCCLELLAND CONSULTING ENGINEERS, INC., HAWKINS-WEIR ENGINEERS, INC., AND OLSSON ASSOCIATES, INC. AS NEEDED THROUGH APRIL 30, 2025 (2024-1740)

A.14. RUSH TRUCK CENTER OF AR (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF A INTERNATIONAL HV DUMP TRUCK FROM RUSH TRUCK CENTER IN THE AMOUNT OF \$209,706.12 PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES UP TO 10% OF THE ORIGINAL PRICE, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2024-1730)

A.15. LEWIS FORD OF FAYETTEVILLE (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF A FORD F150 LIGHTNING FROM LEWIS FORD IN THE AMOUNT OF \$61,974.00 PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES UP TO 10% OF THE ORIGINAL PRICE, AND TO APPROVE A BUDGET ADJUSTMENT. (2024-1733)

A.16. HENARD UTILITY PRODUCTS, INC. (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF A BRUSH CHIPPER FROM HENARD UTILITY PRODUCTS, INC IN THE AMOUNT OF \$54,251.60

PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES UP TO 10% OF THE ORIGINAL PRICE, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2024-1734)

A.17. POLARIS SALES, INC. (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF A POLARIS RANGER FROM POLARIS SALES, INC. IN THE AMOUNT OF \$36,499.46 PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES UP TO 10% OF THE ORIGINAL PRICE, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2024-1735)

A.18. PREMIER TRAILERS (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF TWO TRAILERS FROM PREMIER TRAILERS IN THE AMOUNT OF \$29,600.00 PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES UP TO 10% OF THE ORIGINAL PRICE, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-1736)

B. UNFINISHED BUSINESS

B.1. 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)

AT THE FEBRUARY 20, 2024 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE SECOND READING.

C. NEW BUSINESS

C.1. ECOLOGICAL DESIGN GROUP, INC. (SERVICE CONTRACT):

A RESOLUTION TO APPROVE A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH ECOLOGICAL DESIGN GROUP, INC. IN AN AMOUNT NOT TO EXCEED \$262,000.00 FOR DESIGN SERVICES ASSOCIATED WITH PHASE ONE IMPROVEMENTS TO UNDERWOOD COMMUNITY PARK, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$15,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2024-1745)

C.2. PERMIT-READY BUILDING DESIGN PROGRAM (AMENDMENT):

AN ORDINANCE TO ENACT §166.28 PERMIT-READY BUILDING DESIGN PROGRAM TO PROVIDE FOR THE ESTABLISHMENT OF A PERMIT-READY BUILDING DESIGN PROGRAM AND ASSOCIATED DEVELOPMENT REQUIREMENTS SPECIFIC TO THE PROGRAM'S RESIDENTIAL BUILDINGS, AND TO ESTABLISH AN INITIAL PROGRAM AREA (2024-1741)

C.3. VACATION-2024-0001: (N. BOB YOUNKIN DR. & W. DRAKE ST./LEGACY VENTURES NWA, 251):

AN ORDINANCE TO APPROVE VAC 24-01 FOR PROPERTY LOCATED AT NORTH BOB YOUNKIN DRIVE AND WEST DRAKE STREET IN WARD 3 TO VACATE FIVE GENERAL UTILITY EASEMENTS TOTALING 0.108 ACRES (2024-1727)

C.4. NON-UNIFORMED STAFF (PAY AND BENEFITS STUDY):

A RESOLUTION TO APPROVE THE JER HR GROUP, LLC'S NON-UNIFORM STAFF PAY AND BENEFITS STUDY, TO APPROVE THE 2024 NON-UNIFORMED STAFF PAY PLAN STRUCTURE, AND TO APPROVE THE 6.34% BUDGET FOR THE PAY PLAN (2024-1725)

C.5. 2024 CITY-WIDE EMPLOYEE COMPENSATION (COMPENSATION PACKAGE):

A RESOLUTION TO OBLIGATE FUNDS IN THE AMOUNT OF \$2,326,000.00 TO FACILITATE THE CITY-WIDE 2024 EMPLOYEE COMPENSATION ADJUSTMENT (2024-1726)

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

D.1. SALES TAX REPORT - CHIEF FINANCIAL OFFICER AND ENERGY REPORT - ENVIRONMENTAL DIRECTOR

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.