

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, April 16, 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: 893 1278 9243**
PUBLIC REGISTRATION LINK: [HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_QR0_3QCITC2TNLU1QVKG4Q](https://us06web.zoom.us/j/89312789243)

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. GIVING TREE GRANT (GRANT ACCEPTANCE):

A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF A GRANT FROM THE FAYETTEVILLE AREA COMMUNITY FOUNDATION IN THE AMOUNT OF \$1,500.00 TO DEVELOP A TUTORING COMPONENT OF THE AFTERSCHOOL PROGRAM AT THE YVONNE RICHARDSON COMMUNITY CENTER, AND TO APPROVE A BUDGET ADJUSTMENT (2024-1881)

A.2. RESOLUTION 62-24 (AMENDMENT / BUDGET ADJUSTMENT):

A RESOLUTION TO AMEND RESOLUTION NO. 62-24 AND REDUCE THE AMOUNT OF RE-APPROPRIATIONS TO THE 2024 BUDGET BY THE AMOUNT OF \$4,571,983.00, AND TO APPROVE A BUDGET ADJUSTMENT (2024-1876)

A.3. MCCLELLAND CONSULTING ENGINEERS, INC. (CONTRACT AMENDMENT #2):

A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF \$20,475.00 TO PROVIDE ADDITIONAL SERVICES ASSOCIATED WITH THE NORTH STREET CORRIDOR PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT – 2019 STREET IMPROVEMENTS BOND PROJECT (2024-1877)

A.4. MUSCO SPORTS LIGHTING, LLC. (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF LIGHTS, POLES, AND CONTROLLERS FROM MUSCO SPORTS LIGHTING, LLC. IN THE TOTAL AMOUNT OF \$95,051.18, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2024-1824)

A.5. FAYETTEVILLE FIRE DEPARTMENT STRATEGIC PLAN (ADOPTION):

A RESOLUTION TO APPROVE AND ADOPT THE FAYETTEVILLE FIRE DEPARTMENT STRATEGIC PLAN (2024-1904)

A.6. FAYETTEVILLE FIRE DEPARTMENT ADMINISTRATIVE POLICIES (ADOPTION):

A RESOLUTION TO APPROVE UPDATES TO FAYETTEVILLE FIRE DEPARTMENT ADMINISTRATIVE POLICIES (2024-1903)

A.7. FAYETTEVILLE FIRE DEPARTMENT ANNUAL PROGRAM APPRAISAL (ACKNOWLEDGEMENT):

A RESOLUTION TO ACKNOWLEDGE THAT THE FAYETTEVILLE FIRE DEPARTMENT HAS COMPLETED ITS ANNUAL PROGRAM APPRAISAL AND PRESENTED IT TO THE FAYETTEVILLE CITY COUNCIL (2024-1905)

B. UNFINISHED BUSINESS

B.1. WEST TRANSMISSION WATERLINE (ORDINANCE APPROVAL):

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF A NOT TO EXCEED \$85,000,000 WATER AND SEWER SYSTEM REVENUE BOND, SERIES 2024, BY THE CITY OF FAYETTEVILLE, ARKANSAS FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF PLANNING, DESIGNING, ACQUIRING, CONSTRUCTING AND EQUIPPING CERTAIN WATER TRANSMISSION LINE IMPROVEMENTS; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND SERVICING FEE ON THE BOND; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE BOND; AND PRESCRIBING OTHER MATTERS RELATING THERETO. (2024-1728)

AT THE MARCH 19, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS TABLED TO THE APRIL 2, 2024 CITY COUNCIL MEETING.

AT THE APRIL 2, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS TABLED TO THE APRIL 16, 2024 CITY COUNCIL MEETING.

B.2. REZONING-2024-0005: (1510 W. MARKHAM RD./L&F CONSTRUCTION, 482):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-0005 FOR APPROXIMATELY 0.30 ACRES LOCATED AT 1510 W. MARKHAM ROAD IN WARD 4 FROM RSF-4, RESIDENTIAL SINGLE-

FAMILY, FOUR UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2024-1826)

AT THE APRIL 2, 2024 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE SECOND READING.

C. NEW BUSINESS

C.1. ALCOHOLIC BEVERAGE PERMIT (FEE CAP REMOVAL):

AN ORDINANCE TO AMEND §111.30 RETAIL IN CHAPTER 111 ALCOHOLIC BEVERAGES OF THE CITY CODE TO REMOVE THE PERMIT FEE CAP OF \$500.00 FOR CERTAIN RETAIL ALCOHOL PERMITS (2024-1879)

C.2. VACATION-2024-0003: (1722 N. STARR DR./ST. JOSEPH'S CATHOLIC CHURCH, 373):

AN ORDINANCE TO APPROVE VAC-24-03 FOR PROPERTY LOCATED AT 1722 NORTH STARR DRIVE IN WARD 3 TO VACATE A 0.18 ACRE PORTION OF GENERAL UTILITY EASEMENT (2024-1874)

C.3. REZONING-2024-0006: (5916 W. WEDINGTON DR./LEGACY VENTURES NWA, INC., 397):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-0006 FOR APPROXIMATELY 1.28 ACRES LOCATED AT 5916 WEST WEDINGTON DRIVE IN WARD 4 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES GENERAL (2024-1878)

C.4. PLANNED ZONING DISTRICT-2024-0001: (3568 W. MOUNT COMFORT ROAD/HOLT VILLAGE, 323):

AN ORDINANCE TO APPROVE A RESIDENTIAL PLANNED ZONING DISTRICT ENTITLED PZD-2024-001 FOR APPROXIMATELY 16.72 ACRES LOCATED AT 3568 WEST MOUNT COMFORT ROAD IN WARD 4 (2024-1875)

C.5. APPEAL: REZONING-2024-0002: (740 W. STONE ST./APEX PROPERTY VENTURES, LLC, 522):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN-2024-0002 FOR APPROXIMATELY 0.24 ACRES LOCATED AT 740 WEST STONE STREET IN WARD 2 FROM RI-U, RESIDENTIAL INTERMEDIATE-URBAN TO DG, DOWNTOWN GENERAL (2024-1880)

C.6. HOUSING COORDINATOR (FTE POSITION):

A RESOLUTION TO ESTABLISH A NEW FTE FOR A HOUSING COORDINATOR TO FOCUS EFFORTS TOWARDS THE HOUSING CRISIS

DECLARATION OF APRIL 2, 2024 (2024-18)

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 three (3) 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 three (3) 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.