

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, June 18, 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

MEETING INFORMATION:

1. **WEBINAR ID:
PUBLIC REGISTRATION LINK:
AGENDA ITEM COMMENT - AGENDAITEMCOMMENT@FAYETTEVILLE-
AR.GOV**

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**
2. **NOMINATING COMMITTEE REPORT - COMMITTEE CHAIR**

PROPOSED AGENDA ADDITIONS

A. CONSENT

A.1. APPROVAL OF THE JUNE 4, 2024 CITY COUNCIL MEETING MINUTES

A.2. EPIC GLASS RECYCLING (SERVICE AGREEMENT):

A RESOLUTION TO APPROVE AN AGREEMENT WITH EPIC GLASS RECYCLING FOR THE HAULING AND DISPOSAL OF SOLID WASTE AND RECYCLABLES IN THE CITY OF FAYETTEVILLE (2024-111)

A.3. WASTE MANAGEMENT OF ARKANSAS (CONTRACT AMENDMENT):

A RESOLUTION TO APPROVE AN AMENDMENT TO THE CONTRACT WITH WASTE MANAGEMENT IN THE AMOUNT OF \$25,000.00 FOR THE COST INCREASE OF SOLID WASTE TRANSFER AND DISPOSAL CONTRACT SERVICES (2024-187)

A.4. TSW, INC. (CONTRACT AMENDMENT #1):

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE CONTRACT WITH TSW, INC. IN AN AMOUNT NOT TO EXCEED \$101,500.00 FOR ADDITIONAL DESIGN AND CONSTRUCTION DOCUMENTS FOR WALKER COMMUNITY PARK, AND TO APPROVE A BUDGET ADJUSTMENT (2024-164)

A.5. APAC-CENTRAL, INC. (CHANGE ORDER #1):

A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH APAC-CENTRAL, INC. IN THE AMOUNT OF \$371,992.50 FOR THE CONSTRUCTION OF THE 15TH AND RAZORBACK ROAD INTERSECTION IMPROVEMENTS PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-171)

A.6. NASPO VALUEPOINT (PURCHASING CONTRACT):

A RESOLUTION TO APPROVE THE PURCHASE OF TIRES, TUBES, AND SERVICES FROM APPROVED MANUFACTURERS ON AN AS NEEDED BASIS PURSUANT TO A NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS VALUEPOINT COOPERATIVE PURCHASING AGREEMENT, THROUGH JUNE 30, 2027 AND ANY FUTURE RENEWAL PERIODS (2024-186)

A.7. ILLINOIS RIVER WATERSHED PARTNERSHIP (LANDOWNER AGREEMENT):

A RESOLUTION TO APPROVE A LANDOWNER AGREEMENT WITH THE ILLINOIS RIVER WATERSHED PARTNERSHIP FOR NATURAL STREAM RESTORATION OF AN UNNAMED TRIBUTARY OF FLYNN CREEK WITHIN ROCKY BRANCH PARK (2024-146)

B. UNFINISHED BUSINESS**B.1. REZONING-2024-0018: (SOUTHWEST OF W. TREADWELL ST. AND S. HILL AVE./SUBTEXT ACQUISITIONS, LLC. AND MODUS STUDIO, 522):**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-18 FOR APPROXIMATELY 2.9 ACRES LOCATED SOUTHWEST OF WEST TREADWELL STREET AND SOUTH HILL AVENUE IN WARD 2 FROM RMF-40, RESIDENTIAL MULTIFAMILY, 40 UNITS PER ACRE TO MSC, MAIN STREET CENTER, SUBJECT TO A BILL OF ASSURANCE (2024-57)

AT THE MAY 21, 2024 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE FIRST READING.

AT THE JUNE 4, 2024 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE FIRST READING AND TABLED TO THE JUNE 18, 2024 CITY COUNCIL MEETING.

B.2. REZONING-2024-0011: (SPRINGWOODS PZD IN WARD 2):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-0011 FOR 23.14 ACRES IN THE SPRINGWOODS PZD IN

WARD 2 FROM PLANNED ZONING DISTRICT TO UT, URBAN THOROUGHFARE AND CS, COMMUNITY SERVICES (2024-149)

AT THE JUNE 4, 2024 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE SECOND READING.

B.3. REZONING-2024-0011: (PARK WEST PZD IN WARD 2):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-0011 FOR 39.41 ACRES IN THE PARK WEST PZD ON NORTH HIGHWAY 112 IN WARD 2 FROM PLANNED ZONING DISTRICT TO UT, URBAN THOROUGHFARE AND CS, COMMUNITY SERVICES (2024-147)

AT THE JUNE 4, 2024 CITY COUNCIL MEETING THIS ITEM WAS LEFT ON THE FIRST READING.

C. NEW BUSINESS

C.1. ARPA CHILDCARE ASSISTANCE PROGRAM (ADDITIONAL FUNDING):

A RESOLUTION TO COMMIT THE REMAINING ARPA FUNDS TO THE CHILDCARE ASSISTANCE PROGRAM AND TO APPROVE A BUDGET ADJUSTMENT (2024-109)

C.2. VACATION-2024-0010: (3337 N. MANA CT./HALF MOON ORAL SURGERY, 212):

AN ORDINANCE TO APPROVE VAC-24-10 FOR PROPERTY LOCATED AT 3334 NORTH MANA COURT IN WARD 3 TO VACATE A 0.03 ACRE PORTION OF GENERAL UTILITY EASEMENT (2024-156)

C.3. REZONING-2024-0021: (3390 W. MARTIN LUTHER KING JR BLVD/CATHCART RENTALS LLC, 557):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-21 FOR APPROXIMATELY 1.54 ACRES LOCATED AT 3390 WEST MARTIN LUTHER KING JR. BOULEVARD IN WARD 1 FROM R-O, RESIDENTIAL-OFFICE, C-2, THOROUGHFARE COMMERCIAL, AND RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO UT, URBAN THOROUGHFARE (2024-162)

C.4. REZONING-2024-0022: (951 N. DOUBLE SPRINGS RD/R&D PROPERTY HOLDINGS LLC, 435):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-22 FOR APPROXIMATELY 0.56 ACRES LOCATED AT 951 NORTH DOUBLE SPRINGS ROAD IN WARD 4 FROM R-A, RESIDENTIAL AGRICULTURAL TO NS-G, NEIGHBORHOOD SERVICES-GENERAL (2024-163)

C.5. REZONING-2024-0023: (1000 S. FUTRALL DR./ADROIS HOSPITALITY LLC, 559):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-23 FOR APPROXIMATELY 1.75 ACRES LOCATED AT 1000 SOUTH FUTRALL DRIVE IN WARD 1 FROM C-2, THOROUGHFARE COMMERCIAL TO CS, COMMUNITY SERVICES (2024-161)

C.6. APPEAL: CONDITIONAL USE PERMIT-2024-0017: (10 S. PALMER AVE/BEYKIRCH, 521):

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS SARAH BUNCH, SARAH MOORE, AND MIKE WIEDERKEHR AND DENY CONDITIONAL USE PERMIT CUP 2024-017 FOR A GROUP HOME FACILITY FOR GRADUATE STUDENTS AND ADDITIONAL SUPPORTIVE SERVICES THROUGH THE INTERNATIONAL STUDENT CHRISTIAN ASSOCIATION (2024-166)

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. 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.