

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, August 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

MEETING INFORMATION:

1. WEBINAR ID: 820 3738 4736

[PUBLIC REGISTRATION LINK: HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_HCWWIMVYQJY_LYF79K3JGG](https://us06web.zoom.us/join/82037384736)

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

PROPOSED AGENDA ADDITIONS

A. CONSENT

A.1. APPROVAL OF AUGUST 6, 2024 THE AUGUST CITY COUNCIL MEETING MINUTES

A.2. GARVER, LLC. (TASK ORDER 09):

A RESOLUTION TO APPROVE TASK ORDER NO. 9 WITH GARVER, LLC. IN THE AMOUNT OF \$48,000.00 FOR DESIGN, BIDDING AND CONSTRUCTION PHASE SERVICES ASSOCIATED WITH THE HANGAR INFRASTRUCTURE IMPROVEMENTS PROJECT AT DRAKE FIELD, TO AUTHORIZE THE ACCEPTANCE OF A \$300,000.00 GRANT FROM THE ARKANSAS DEPARTMENT OF AERONAUTICS TO FUND THE PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-374)

A.3. OSPREY INITIATIVE, LLC. (SERVICE CONTRACT):

A RESOLUTION TO AWARD RFP 24-04 AND AUTHORIZE A ONE YEAR CONTRACT WITH OSPREY INITIATIVE, LLC. IN AN AMOUNT OF UP TO \$275,000 FOR WATERWAY CLEANUP SERVICES, WITH AUTOMATIC RENEWALS FOR UP TO FOUR ADDITIONAL ONE YEAR TERMS (2024-391)

A.4. CENTRALSQUARE TECHNOLOGIES, LLC. (SOFTWARE AGREEMENT):

A RESOLUTION TO AUTHORIZE A ONE YEAR SOLUTIONS AND SUPPORT AGREEMENT WITH CENTRALSQUARE TECHNOLOGIES, LLC. IN THE

AMOUNT OF \$27,595.33 TO PROVIDE SOFTWARE MAINTENANCE AND SUPPORT FOR THE CITY'S WORK ORDER AND ASSET MANAGEMENT SOFTWARE WITH AUTOMATIC RENEWALS SUBJECT TO A 5% PRICE INCREASE EACH YEAR (2024-411)

A.5. RAFTELIS FINANCIAL CONSULTANTS, LLC. (SERVICE CONTRACT):

A RESOLUTION TO AUTHORIZE A CONTRACT WITH RAFTELIS FINANCIAL CONSULTANTS, LLC. PURSUANT TO RFP 24-08, IN THE AMOUNT OF \$111,858.00 FOR THE DEVELOPMENT OF A COMPREHENSIVE RATE STUDY FOR THE RECYCLING AND TRASH COLLECTION DIVISION, TO APPROVE A 10% PROJECT CONTINGENCY, AND TO APPROVE A BUDGET ADJUSTMENT (2024-416)

B. UNFINISHED BUSINESS

B.1. UNIFIED DEVELOPMENT CODE - CHAPTERS 166.02, 167.04 (AMENDMENT):

AN ORDINANCE TO AMEND § 166.02 DEVELOPMENT REVIEW PROCESS AND § 167.04 TREE PRESERVATION AND PROTECTION OF THE UNIFIED DEVELOPMENT CODE TO MODIFY DEVELOPMENT REQUIREMENTS ASSOCIATED WITH TREE PRESERVATION REQUIREMENTS (2024-328)

AT THE JULY 16, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE FIRST READING.

AT THE AUGUST 6, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE SECOND READING.

B.2. REZONING-2024-0026: (WEST OF 2910 N. OLD WIRE RD/LIVINGSTON SUBDIVISION, 254):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-26 FOR APPROXIMATELY 1.87 ACRES LOCATED WEST OF 2910 NORTH OLD WIRE ROAD IN WARD 3 FROM NC, NEIGHBORHOOD CONSERVATION TO RSF-18, RESIDENTIAL SINGLE FAMILY, EIGHTEEN UNITS PER ACRE (2024-297)

AT THE JULY 16, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE FIRST READING.

AT THE AUGUST 6, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE SECOND READING.

B.3. REZONING-2024-0028: (EAST OF HARMON FIELD ON S. DUNCAN AVE./MODUS STUDIO, 522):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-28 FOR APPROXIMATELY 3.7 ACRES LOCATED EAST OF HARMON FIELD ON SOUTH DUNCAN AVENUE IN WARD 2 FROM RMF-40, RESIDENTIAL MULTIFAMILY, 40 UNITS PER ACRE TO MSC, MAIN STREET CENTER, SUBJECT TO A BILL OF ASSURANCE (2024-306)

AT THE JULY 16, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS AMENDED TO INCLUDE A REVISED BILL OF ASSURANCE AND LEFT ON THE FIRST READING.

AT THE AUGUST 6, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE SECOND READING.

C. NEW BUSINESS

C.1. SALES AND USE TAX BONDS (ISSUANCE AUTHORIZATION):

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF THE CITY'S NOT TO EXCEED \$15,000,000 SALES AND USE TAX CAPITAL IMPROVEMENT BONDS, SERIES 2024, FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF CERTAIN STREET AND PARK FACILITIES AND IMPROVEMENTS; AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL TRUST INDENTURE PURSUANT TO WHICH THE SERIES 2024 BONDS WILL BE ISSUED AND SECURED; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT PURSUANT TO WHICH THE SERIES 2024 BONDS WILL BE OFFERED; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE SERIES 2024 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; AND PRESCRIBING OTHER MATTERS RELATING THERETO. (2024-365)

C.2. ADMINISTRATIVE-2024-0036: (AMEND UDC CHAPTERS 166.01, 166.02, 169.03):

AN ORDINANCE TO AMEND § 166.01 DEVELOPMENT CATEGORIES, § 166.02 DEVELOPMENT REVIEW PROCESS AND § 169.03 REVIEW AND/OR PERMITS REQUIRED; EXCEPTIONS OF THE FAYETTEVILLE CITY CODE TO ADDRESS DEVELOPMENT CLASSIFICATIONS, CONCEPT PLAN REQUIREMENTS, AND GRADING PERMIT REQUIREMENTS (2024-388)

C.3. VACATION-2024-0016: (1001 W. BULLDOG BLVD./FAYETTEVILLE PUBLIC SCHOOLS, 522):

AN ORDINANCE TO APPROVE THE VACATION OF 0.61 ACRES OF A TREE PRESERVATION EASEMENT LOCATED AT 1001 WEST BULLDOG BOULEVARD IN WARD 1 IN EXCHANGE FOR THE FAYETTEVILLE SCHOOL

DISTRICT'S OFFER TO DEDICATE AN ADDITIONAL 2.25 ACRES OF TREE PRESERVATION EASEMENT (2024-417)

AT THE 08/20/2024 CITY COUNCIL MEETING THE APPLICANT HAS REQUESTED THAT COUNCIL TABLE THIS ITEM UNTIL THE 09/03/2024 CITY COUNCIL MEETING.

C.4. APPEAL: REZONING-2024-0030: (N. FUTRALL DR BETWEEN WEDINGTON DR & MLK BLVD./WATSON, 480):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-30 FOR APPROXIMATELY 6.62 ACRES LOCATED AT ON NORTH FUTRALL DRIVE BETWEEN WEDINGTON DRIVE AND MLK BOULEVARD IN WARD 4 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO NS-G, NEIGHBORHOOD SERVICES - GENERAL (2024-385)

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

D.1. WEST FORK OF THE WHITE RIVER STREAM AND PUMP STATION RESTORATION UPDATE - ALISON JUMPER & SANDI FORMICA

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.