

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, October 15, 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

MAINTENANCE AND DESTRUCTION OF ACCOUNTING AND OTHER CITY RECORDS (2024-518)

A.4. TOOLE DESIGN GROUP (SERVICE CONTRACT):

A RESOLUTION TO AWARD RFQ #24-03 AND APPROVE A CONTRACT WITH TOOLE DESIGN GROUP IN THE AMOUNT OF \$124,932.00 FOR DEVELOPMENT OF A SAFE ROUTES TO SCHOOL PLAN IN COORDINATION WITH FAYETTEVILLE PUBLIC SCHOOLS (2024-555)

A.5. WASHINGTON REGIONAL MEDICAL CENTER (AMENDMENT NO.1):

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE COST SHARE AGREEMENT WITH WASHINGTON REGIONAL MEDICAL CENTER IN THE AMOUNT OF \$50,000.00 FOR THE FUTRALL RAILROAD CROSSING SIGNALIZATION PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT – 2019 ECONOMIC DEVELOPMENT BOND PROJECT (2024-576)

A.6. 2024 BOSTON MOUNTAIN RECYCLING GRANT (GRANT ACCEPTANCE):

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A 2024 BOSTON MOUNTAIN RECYCLING GRANT IN THE AMOUNT OF \$10,000.00 FOR THE PURCHASE OF COMPOST COLLECTION CONTAINERS FOR RESIDENTIAL FOOD WASTE COLLECTION, AND TO APPROVE A BUDGET ADJUSTMENT (2024-588)

A.7. OLSSON, INC. (RAILROAD CROSSING ELIMINATION STUDY AGREEMENT):

A RESOLUTION TO APPROVE AN ENGINEERING SERVICES AGREEMENT IN THE AMOUNT OF \$720,000.00 WITH OLSSON, INC. PURSUANT TO RFQ 24-10 FOR THE RAILROAD CROSSING ELIMINATION STUDY, AND TO APPROVE A BUDGET ADJUSTMENT (2024-548)

A.8. ARKANSAS DEPARTMENT OF AERONAUTICS (GRANT APPLICATION):

A RESOLUTION TO AUTHORIZE AN APPLICATION FOR AN ARKANSAS DEPARTMENT OF AERONAUTICS (ADA) GRANT APPLICATION IN THE AMOUNT OF \$50,812.00 TO FUND 90% OF THE COSTS FOR THE DESIGN AND CONSTRUCTION OF THE FYV WILDLIFE FENCE REHABILITATION PROJECT AT DRAKE FIELD AIRPORT, TO ACCEPT THE GRANT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-512)

A.9. SPECIAL EVENT FEE (BUDGET ADJUSTMENT):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT RECOGNIZING REVENUE FROM THE SPECIAL EVENT FEE COLLECTED BY THE AIRPORT DURING HIGH TRAFFIC SPORTING EVENTS, A PORTION OF WHICH WILL BE USED TO OFFSET INCREASED OPERATIONAL COSTS AND EXPENSES (2024-578)

A.10. ARKANSAS MUNICIPAL LEAGUE MUNICIPAL DEFENSE PROGRAM (ENROLLMENT):

A RESOLUTION TO AUTHORIZE PAYMENT TO THE ARKANSAS MUNICIPAL LEAGUE MUNICIPAL DEFENSE PROGRAM IN THE AMOUNT OF \$95,123.36 FOR PRIOR LOSS COVERAGE, TO AUTHORIZE ENROLLMENT INTO THE DEFENSE PROGRAM, AND TO APPROVE A BUDGET ADJUSTMENT (2024-600)

B. UNFINISHED BUSINESS**B.1. REZONING-2024-0038: (71B CORRIDOR REZONING REQUEST):**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-38 FOR APPROXIMATELY 586 ACRES FOR VARIOUS PROPERTIES WITHIN THE CITY LIMITS ALONG THE 71B CORRIDOR LOCATED PRIMARILY ON NORTH COLLEGE AVENUE AND SCHOOL AVENUE IN WARDS 1, 2, AND 3 FROM VARIOUS ZONING DISTRICTS TO URBAN CORRIDOR AND RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE (2024-527)

AT THE OCTOBER 1, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE FIRST READING.

B.2. ORDINANCE TO AMEND § 161.36 URBAN CORRIDOR:

AN ORDINANCE TO AMEND § 161.36 URBAN CORRIDOR BY ENACTING A NEW (H) PROTECTIONS FOR SINGLE-FAMILY ZONED DISTRICTS TO PROVIDE THE SAME PROTECTIONS FOR ADJOINING SINGLE FAMILY RESIDENTIAL DISTRICTS AS CURRENTLY REQUIRED FOR URBAN THOROUGHFARE AND ALL MULTI-FAMILY DISTRICTS (2024-585)

AT THE OCTOBER 1, 2024 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE FIRST READING.

C. NEW BUSINESS**C.1. ORDINANCE TO AMEND § 161.36 URBAN CORRIDOR (ENACTING USE UNIT 38 MINI-STORAGE UNITS AS A CONDITIONAL USE):**

AN ORDINANCE TO AMEND § 161.36 URBAN CORRIDOR BY ENACTING USE UNIT 38 MINI-STORAGE UNITS AS A CONDITIONAL USE FOR URBAN CORRIDOR IN SECTION (B) (2) (2024-614)

C.2. T-HANGAR (REVISED LEASE & RATE INCREASE):

A RESOLUTION TO APPROVE A REVISED T-HANGAR LEASE FORMAT UPDATING TERMS AND CONDITIONS, INCREASING RENT FOR 2025 BY 15%, AND ADOPTING A YEARLY 3% INFLATION ADJUSTMENT BEGINNING

IN 2026, AND TO AUTHORIZE MAYOR JORDAN TO SIGN THE T-HANGAR LEASES (2024-579)

C.3. ECONOMIC VITALITY MASTER PLAN (ADOPTION):

A RESOLUTION TO APPROVE AND ADOPT THE 2024 ECONOMIC VITALITY MASTER PLAN (2024-582)

C.4. REZONING-2024-0040: (2400 E. TOWNSHIP ST. /TOWNSHIP BAPTIST CHURCH, 292):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-40 FOR APPROXIMATELY 1.17 ACRES LOCATED AT 2400 EAST TOWNSHIP STREET IN WARD 3 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE, TO NS-G, NEIGHBORHOOD SERVICES-GENERAL (2024-577)

C.5. FIRST REPAIR, INC. (SERVICE CONTRACT):

RESOLUTION APPROVING A CONTRACT WITH FIRST REPAIR, INC. OF EVANSTON, ILLINOIS TO TRAIN FAYETTEVILLE LEADERS TO REPAIR HARM DONE TO AFRICAN AMERICANS IN FAYETTEVILLE (2024-589)

C.6. ENACT CHAPTER 120.03 (ORDINANCE):

AN ORDINANCE TO ENACT § 120.03 LIMITATIONS ON RENTAL APPLICATION AND BACKGROUND CHECK FEES (2024-587)

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, appellant from a final decision of the Planning Commission or City Staff, 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 on all items of unfinished and new business and subjects of public hearings. Amendments may receive public comments only if approved by the City Council by unanimous consent or majority vote. Speakers present in the City Council Chambers shall be recognized before speakers participating by electronic means. Speakers shall be limited to a maximum of three (3) minutes to discuss the agenda item or amendment being considered by the City Council. The City Council may allow a speaker additional time 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.

Cell Phones and Pagers: Cell phones must be turned off or put in silent mode and not used within the City Council Chambers during City Council meetings. Pagers must be turned off or put in silent mode within the City Council Chambers during City Council meetings. These restrictions also apply during Agenda Sessions.

Smoking Prohibited: There will be no smoking allowed in the City Council Chambers during City Council meetings.

Virtual City Council Meetings Authorized: After proper notice has been provided to the public, City

Council Members are authorized to assemble, gather, meet, and conduct open public meetings (including speaking, voting and passing ordinances and resolutions) through appropriate electronic means which ensure the public's right to attend by being able to listen to the proceedings and discussions. These open public meetings include City Council meetings and agenda sessions as well as City Council Member Committee meetings.

Interpreters or Telecommunications Devices 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.