

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, February 4, 2025

5:30 PM

City Hall Room 219

City Council Members

Council Member Robert B. Stafford Ward 1

Council Member Dr. 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 Min. Monique Jones Ward 4

Mayor Molly Rawn

City Attorney Kit Williams

City Clerk Treasurer Kara Paxton

MEETING INFORMATION:

- 1. **WEBINAR ID: 819 8067 3495**
[PUBLIC REGISTRATION LINK: HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_CSRGRDSDRPO9BPZWQZNWGW](https://us06web.zoom.us/webinar/register/?jira=csrgrdsdrp09bpzqwqznwgw)

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**

PROPOSED AGENDA ADDITIONS

A. CONSENT

- A.1. **APPROVAL OF THE JANUARY 21, 2025 CITY COUNCIL MEETING MINUTES**

- A.2. **OZARK NATURAL SCIENCE CENTER (LEASE AGREEMENT):**

A RESOLUTION TO APPROVE ONE-YEAR LEASE AND OPERATIONS AGREEMENTS WITH THE OZARK NATURAL SCIENCE CENTER TO OPERATE IN THE LAKE FAYETTEVILLE ENVIRONMENTAL STUDY CENTER WITH AUTOMATIC RENEWALS FOR FOUR ADDITIONAL YEARS (2025-65)

- A.3. **GRANT WRITING & DRAINAGE DESIGN SERVICES (SERVICE CONTRACT):**

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH OLSSON, INC., PURSUANT TO RFQ 25-01, IN THE AMOUNT OF \$70,900.00 TO PERFORM A DRAINAGE ANALYSIS OF THE HAMESTRING CREEK WATERSHED, AND TO AUTHORIZE THE DEVELOPMENT AND SUBMISSION OF APPLICATIONS FOR STATE AND FEDERAL GRANTS TO ADDRESS FLOODING (2025-68)

- A.4. **FORVIS MAZARS, LLP. (SERVICE CONTRACT):**

A RESOLUTION TO APPROVE THE THIRD ONE YEAR CONTRACT WITH FORVIS, LLP. FOR AUDITING SERVICES FOR THE 2024 AUDIT IN AN

AMOUNT NOT TO EXCEED \$165,000.00, WITH AN OPTION TO RENEW FOR UP TO TWO ADDITIONAL ONE YEAR TERMS (2025-103)

A.5. 2025 ADOPTED BUDGET (RE-APPROPRIATION REQUEST):

A RESOLUTION TO AMEND THE 2025 ADOPTED BUDGET BY RE-APPROPRIATING \$218,930,000.00 IN BONDED OR ONGOING CAPITAL PROJECTS, OUTSTANDING OBLIGATIONS AND GRANT FUNDED ITEMS (2025-89)

A.6. QUALITY COLLISION & BRUCKNER'S TRUCK AND EQUIPMENT (SERVICE CONTRACTS):

A RESOLUTION TO AWARD RFP 24-13 AND AUTHORIZE ONE YEAR CONTRACTS WITH ROY LOVELL DBA QUALITY COLLISION OF FAYETTEVILLE AND BRUCKNER'S TRUCK AND EQUIPMENT OF LOWELL FOR COLLISION REPAIR SERVICES, WITH AUTOMATIC RENEWALS FOR FOUR ADDITIONAL ONE YEAR TERMS (2025-61)

A.7. NIXON POWER, INC. (SERVICE CONTRACT):

A RESOLUTION TO AUTHORIZE A GENERATOR MAINTENANCE CONTRACT WITH NIXON POWER INC. IN THE ANNUAL AMOUNT OF \$47,952.00, PLUS THE COST OF NON-SCHEDULED SERVICE CALLS WITHIN THE APPROVED BUDGET, THROUGH NOVEMBER 22, 2026 AND ANY FUTURE RENEWAL PERIODS, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2025-63)

A.8. NATIONAL AUTO FLEET GROUP (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF A MACK ROLL OFF TRUCK FROM NATIONAL AUTO FLEET GROUP IN THE AMOUNT OF \$251,400.00, PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES UP TO 10% OF THE ORIGINAL PURCHASE PRICE, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2025-90)

A.9. LPS MATERIAL HANDLING (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF A HYUNDAI FORKLIFT FROM LPS MATERIAL HANDLING IN THE AMOUNT OF \$50,052.00, PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES UP TO 10% OF THE ORIGINAL PURCHASE PRICE, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2025-95)

A.10. PREMIER TRAILER SALES, LLC. (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF A TANDEM AXLE TRAILER FROM PREMIER TRAILER SALES, LLC. IN THE AMOUNT OF

\$15,840.00, PLUS ANY APPLICABLE FREIGHT CHARGES AND TAXES UP TO 10% OF THE ORIGINAL PURCHASE PRICE, AND TO APPROVE A BUDGET ADJUSTMENT (2025-96)

B. PUBLIC HEARING

B.1. SIDECAR COCKTAIL LOUNGE (PRIVATE CLUB APPLICATION):

AN ORDINANCE TO APPROVE THE APPLICATION OF COREY MCCAIN, ON BEHALF OF EPIZUDIX INC., FOR A PERMIT TO OPERATE SIDECAR COCKTAIL LOUNGE AS A PRIVATE CLUB IN THE CITY OF FAYETTEVILLE AT 1150 NORTH COLLEGE AVENUE, SUITE #100 (2025-67)

C. UNFINISHED BUSINESS

D. NEW BUSINESS

D.1. ADMINISTRATIVE-2024-0048: (SOUTH OF 2861 N. RAVEN LN./RAVEN LANE EXTENSION, 285):

A RESOLUTION TO AMEND THE MASTER STREET PLAN BY REMOVING A 0.20-MILE SECTION OF A PLANNED RESIDENTIAL LINK STREET, EXTENDING FROM RAVEN LANE TO JUST SOUTH OF CLABBER CREEK (2025-86)

D.2. REZONING-2024-0059: (2015 E HUNTSVILLE RD./ SEXTON, LLC, 565):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-59 FOR APPROXIMATELY 0.54 ACRES LOCATED AT 2015 EAST HUNTSVILLE ROAD IN WARD 1 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO CS, COMMUNITY SERVICES (2025-85)

D.3. REZONING-2024-0060: (818 S. WOOD AVE./BELASCO, 563):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-60 FOR APPROXIMATELY 0.37 ACRES LOCATED AT 818 SOUTH WOOD AVENUE IN WARD 1 FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2025-88)

D.4. REZONING-2024-0061: (114 W. 5TH ST./ MORRIS, 565):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-61 FOR APPROXIMATELY 0.20 ACRES LOCATED AT 114 WEST 5TH STREET IN WARD 1 FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2025-91)

D.5. REZONING-2024-0062: (2691 E. HUNTSVILLE RD./ NWA PROPERTY

HOLDINGS, LLC, 566):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-62 FOR APPROXIMATELY 0.90 ACRES LOCATED AT 2691 EAST HUNTSVILLE ROAD IN WARD 1 FROM R-A, RESIDENTIAL-AGRICULTURAL TO NS-G, NEIGHBORHOOD SERVICES-GENERAL (2025-92)

D.6. REZONING-2024-0063: (245 S. HAPPY HOLLOW RD./CRIST, 526):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-63 FOR APPROXIMATELY 2.47 ACRES LOCATED AT 245 SOUTH HAPPY HOLLOW ROAD IN WARD 1 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO RSF-8, RESIDENTIAL SINGLE-FAMILY, EIGHT UNITS PER ACRE (2025-87)

D.7. APPEAL: LARGE SCALE DEVELOPMENT-2024-0029:(SOUTHWEST OF W. TREADWELL ST. AND S. HILL AVE./VERVE, 522):

A RESOLUTION TO GRANT THE APPEAL OF SUBTEXT ACQUISITIONS, LLC AND APPROVE LARGE SCALE DEVELOPMENT LSD-2024-0029 LOCATED AT 191 SOUTH HILL AVENUE IN WARD 2 (2025-93)

D.8. ORDINANCE § 155.03 & 155.06 (CHAPTER 155 - APPEALS AMENDMENTS):

AN ORDINANCE TO AMEND § 155.06 APPEALS FROM STAFF INTERPRETATIONS AND ACTIONS (A) APPEALS TO CITY COUNCIL TO ADD (3) STORMWATER MANAGEMENT UTILITY FEE DECISION AND TO AMEND § 155.03 STAY OF THE UNIFIED DEVELOPMENT CODE (2025-62)

D.9. REPEAL ORDINANCE 6800 (ORDINANCE):

AN ORDINANCE TO REPEAL ORDINANCE 6800 AS AMENDED (2025-136)

D.10. AFFIRMING FAYETTEVILLE AS A WELCOMING AND INCLUSIVE COMMUNITY (RESOLUTION):

A RESOLUTION AFFIRMING FAYETTEVILLE AS A WELCOMING AND INCLUSIVE COMMUNITY FOR ALL RESIDENTS (2025-155)

E. CITY COUNCIL AGENDA SESSION PRESENTATIONS**E.1. SALES TAX REPORT - CHIEF FINANCIAL OFFICER
ENERGY REPORT - ENVIRONMENTAL DIRECTOR****F. CITY COUNCIL TOUR****G. ANNOUNCEMENTS**

H. 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.