

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, April 15, 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: 899 0389 3872**

[PUBLIC REGISTRATION LINK:HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_LB65ZXU0TOGJQGZ3CLD5DA](https://us06web.zoom.us/join/89903893872)

AGENDAITEMCOMMENT@FAYETTEVILLE-AR.GOV

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS**

1. **RECOGNITION OF THE FAYETTEVILLE FIRE DEPARTMENT'S ACCREDITATION FROM THE COMMISSION ON FIRE ACCREDITATION INTERNATIONAL (CFAI) - PRESENTED BY MAYOR MOLLY RAWN**

CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS

1. **FAYETTEVILLE YOUTH ADVISORY COUNCIL - OATHS OF OFFICE ADMINISTERED BY: JUDGE TERRA STEPHENSON**
2. **NOMINATING COMMITTEE REPORT - COMMITTEE CHAIR**

PROPOSED AGENDA ADDITIONS**A. CONSENT****A.1. APPROVAL OF THE APRIL 1, 2025 CITY COUNCIL MEETING MINUTES****A.2. FIRST STAR CONSTRUCTION (SERVICE CONTRACT):**

A RESOLUTION TO AWARD BID #25-30 AND AUTHORIZE A CONTRACT WITH FIRST STAR CONSTRUCTION, LLC IN THE AMOUNT OF \$398,496.00 FOR WATER LINE IMPROVEMENTS AT DRAKE FIELD AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$17,165.00 (2025-438)

A.3. 2024 REAPPROPRIATION AMENDMENT (BUDGET ADJUSTMENT):

A RESOLUTION TO AMEND RESOLUTION 46-25 BY REDUCING THE AMOUNT OF REAPPROPRIATIONS TO THE 2025 BUDGET BY \$10,759,026.00, AND TO APPROVE A BUDGET ADJUSTMENT (2025-437)

A.4. CRAFTON TULL & ASSOCIATES, INC. (SERVICE CONTRACT):

A RESOLUTION TO AWARD RFQ #25-01, SELECTION #4 AND AUTHORIZE A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CRAFTON, TULL & ASSOCIATES, INC. IN THE AMOUNT OF \$227,315.00 FOR THE DESIGN OF THE WHITE RIVER TRAIL AT RIVER COMMONS, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$30,000.00, AND TO APPROVE A BUDGET ADJUSTMENT (2025-369)

A.5. BOX GANG MANUFACTURING, LLC. / WASTEQUIP, LLC. / TOTER, LLC. / REHRIG, CO. (PURCHASE AGREEMENTS):

A RESOLUTION TO AUTHORIZE THE PURCHASE OF RECYCLING AND TRASH COLLECTION EQUIPMENT AND SERVICES FROM VARIOUS VENDORS WITHIN THE APPROVED BUDGET, PURSUANT TO SOURCEWELL COOPERATIVE PURCHASING CONTRACTS (2025-458)

A.6. ASPHALT OVERLAY AND SIDEWALK PROJECTS (RESOLUTION):

A RESOLUTION TO APPROVE THE TRANSPORTATION DIVISION 2025 ASPHALT OVERLAY AND SIDEWALK CONSTRUCTION WORK PLANS (2025-385)

A.7. FROUD FARMS (LEASE AGREEMENT):

A RESOLUTION TO AWARD BID # 25-28 AND AUTHORIZE A FIVE-YEAR HAY FIELD LEASE WITH FROUD FARMS FOR ABOUT 63.8 ACRES AT LAKE FAYETTEVILLE, MADISON NATURAL AREA, KESSLER PARK, AND COMBS PARK FOR THE AMOUNT OF \$102.00 PER YEAR, AND TO AUTHORIZE MOWING AT OTHER PARK PROPERTIES AS NEEDED FOR THE AMOUNT OF \$1.00 PER BALE (2025-387)

A.8. ARKANSAS HISTORIC PRESERVATION PROGRAM (GRANT AWARD):

A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF A CERTIFIED LOCAL GOVERNMENT GRANT FROM THE ARKANSAS HISTORIC PRESERVATION PROGRAM IN THE AMOUNT OF \$72,000.00 FOR PHASE 1 OF A CITY-WIDE WINDSHIELD SURVEY OF HISTORIC PROPERTIES AND HISTORIC DISTRICT COMMISSION TRAINING, AND TO APPROVE A BUDGET ADJUSTMENT (2025-427)

A.9. NABHOLZ CONSTRUCTION CORP. (SERVICE CONTRACT):

A RESOLUTION TO AWARD BID #25-29 AND AUTHORIZE A CONTRACT WITH NABHOLZ CONSTRUCTION CORP. IN THE AMOUNT OF \$13,967,679.50 FOR THE CONSTRUCTION OF WATER AND SEWER UTILITY RELOCATIONS ASSOCIATED WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION'S I-49 & MLK INTERCHANGE IMPROVEMENTS PROJECT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT

OF \$500,000.00 (2025-377)

A.10. ARKANSAS DEPARTMENT OF TRANSPORTATION (CHANGE ORDER 5):

A RESOLUTION TO APPROVE CHANGE ORDER NO. 5 TO THE AGREEMENT WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$2,247,123.36 FOR INTERSTATE 49 - MLK INTERCHANGE IMPROVEMENTS AND UTILITY RELOCATIONS, AND TO APPROVE A BUDGET ADJUSTMENT (2025-432)

B. UNFINISHED BUSINESS

B.1. § 172.05 PARKING REQUIREMENTS (A)(2) (AMENDMENT):

AN ORDINANCE TO AMEND § 172.05 (A)(2) FOR THE REQUIRED PARKING FOR RESIDENTIAL DEVELOPMENTS TO EMPOWER THE PLANNING COMMISSION TO LOWER THE MINIMUM PARKING REQUIREMENTS IN APPROPRIATE SITUATIONS (2024-01107)

AT THE JANUARY 7, 2025 CITY COUNCIL MEETING, THIS ITEM WAS TABLED INDEFINITELY.

THE ORDINANCE REVIEW COMMITTEE PLANS TO REQUEST TO HAVE THIS ITEM REMOVED FROM THE TABLE AND PRESENT AN AMENDMENT THAT INCLUDES AN EMERGENCY CLAUSE TO BE VOTED ON DURING THE APRIL 15, 2025 CITY COUNCIL MEETING.

C. NEW BUSINESS

C.1. STREET RENAMING (N. PLANTATION AVE TO N. GARDEN AVE & W. CHATTEL ST TO W. REFLECTION ST):

A RESOLUTION TO RENAME NORTH PLANTATION AVENUE TO NORTH GARDEN AVENUE AND WEST CHATTEL STREET TO WEST REFLECTION STREET (2025-381)

C.2. VACATION-2025-0002: (EAST OF 1775 W. MITCHELL ST./MITCHELL STREET TOWNHOMES, 520):

AN ORDINANCE TO APPROVE THE VACATION OF A 6,061 SQUARE FOOT PORTION OF A TREE PRESERVATION EASEMENT LOCATED ALONG WEST MITCHELL STREET CONTINGENT ON THE DEDICATION OF TWO REPLACEMENT TREE PRESERVATION EASEMENTS TOTALING APPROXIMATELY 0.8 ACRES AND OTHER CONDITIONS (2025-431)

C.3. REZONING-2025-0006: (91 S. DUNCAN AVE./ECOLOGICAL DESIGN GROUP, 522):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING

PETITION RZN 2025-06 FOR APPROXIMATELY 0.23 ACRES LOCATED AT 91 SOUTH DUNCAN AVENUE IN WARD 2 FROM RMF-40, RESIDENTIAL MULTIFAMILY, 40 UNITS PER ACRE TO MSC, MAIN STREET CENTER (2025-397)

C.4. REZONING-2025-0008: (352 E. 7TH ST./BRICENO, 524):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2025-08 FOR APPROXIMATELY 0.23 ACRES LOCATED AT 352 EAST 7TH STREET IN WARD 1 FROM NC, NEIGHBORHOOD CONSERVATION TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2025-398)

C.5. REZONING-2025-0007: (588 S. WILLOW AVE/BWB WILLOW LLC, 524):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2025-07 FOR APPROXIMATELY 0.22 ACRES LOCATED AT 588 SOUTH WILLOW AVENUE IN WARD 1 FROM DG, DOWNTOWN GENERAL TO UN, URBAN NEIGHBORHOOD (2025-428)

C.6. REZONING-2025-0009: (S. RAZORBACK RD & S. ASHWOOD AVE/CUNNINGS ARKANSAS, 638):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2025-09 FOR APPROXIMATELY 5.9 ACRES LOCATED AT SOUTH RAZORBACK ROAD AND SOUTH ASHWOOD AVENUE IN WARD 1 FROM NS-L, NEIGHBORHOOD SERVICES-LIMITED TO R-A, RESIDENTIAL-AGRICULTURAL, AND CS, COMMUNITY SERVICES (2025-429)

C.7. REZONING-2025-0010: (W. VAN ASCHE DR/RHOADS, 210):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2025-10 FOR APPROXIMATELY 17.23 ACRES LOCATED ON WEST VAN ASCHE DRIVE IN WARD 2 FROM C-2, THOROUGHFARE COMMERCIAL TO CS, COMMUNITY SERVICES (2025-430)

D. CITY COUNCIL TOUR

E. ANNOUNCEMENTS

F. 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.