

# **City of Fayetteville, Arkansas**

*113 West Mountain Street*

*Fayetteville, AR 72701*

*(479) 575-8323*



## **City Council Final Agenda**

**Tuesday, December 5, 2023**

**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***

**ZOOM INFORMATION:**

1. **WEBINAR: 815 8284 7774**  
**PUBLIC REGISTRATION LINK:**  
**HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/  
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**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 NOVEMBER 21, 2023 CITY COUNCIL MEETING MINUTES**

- A.2. ROTOCHOPPER INC. (PURCHASE AGREEMENT):**

A RESOLUTION TO APPROVE THE PURCHASE OF A GRINDER FROM ROTOCHOPPER INC. IN THE AMOUNT OF \$634,952.00, PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1203)

- A.3. TENNANT COMPANY (PURCHASE AGREEMENT):**

A RESOLUTION TO APPROVE THE PURCHASE OF A 2023 TENNANT SWEEPER FROM STAPLES IN THE AMOUNT OF \$78,004.37, PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1218)

- A.4. STRAIGHT'S LAWN AND GARDEN INC. (PURCHASE AGREEMENT):**

A RESOLUTION TO APPROVE THE PURCHASE OF THREE GRASSHOPPER MOWERS FROM STRAIGHT'S LAWN AND GARDEN, INC. IN THE TOTAL

AMOUNT OF \$49,653.00, PLUS ANY APPLICABLE SURCHARGES, FREIGHT CHARGES, AND DELIVERY FEES PURSUANT TO AN OMNIA COOPERATIVE PURCHASING CONTRACT (2023-1219)

**A.5. TERRA FIRMA RESTORATIONS, LLC (BID 23-35 - SERVICE AGREEMENT):**

A RESOLUTION TO AWARD BID #23-35 AND AUTHORIZE A CONTRACT WITH TERRA FIRMA RESTORATIONS, LLC IN THE AMOUNT OF \$275,900.00 FOR THE TOWN CENTER ROOF RESTORATION, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$27,590.00, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1283)

**A.6. TRUMBLE CONSTRUCTION, INC. (BID 23-41 - SERVICE AGREEMENT):**

A RESOLUTION TO AWARD BID #23-41 AND AUTHORIZE A CONTRACT WITH TRUMBLE CONSTRUCTION, INC. IN THE AMOUNT OF \$81,172.00 FOR THE RECYCLING & TRASH COLLECTION TRANSFER STATION AND WATER/SEWER ROOF REHABILITATION PROJECT, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$8,117.20 (2023-1288)

**A.7. MILESTONE CONSTRUCTION COMPANY, LLC (BID 23-42 - SERVICE AGREEMENT):**

A RESOLUTION TO AWARD BID #23-42 AND AUTHORIZE A CONTRACT WITH MILESTONE CONSTRUCTION COMPANY, LLC IN THE AMOUNT OF \$344,115.00 FOR THE REPLACEMENT OF THE CITY HALL ROOF AND SKYLIGHT, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$34,411.50, AND TO APPROVE A BUDGET ADJUSTMENT - CITY FACILITY IMPROVEMENTS BOND PROJECT (2023-1287)

**A.8. MVP SPORTS PHOTOGRAPHY (SERVICE AGREEMENT):**

A RESOLUTION TO AWARD RFP 23-11 AND APPROVE A ONE YEAR CONTRACT WITH MVP SPORTS PHOTOGRAPHY FOR PHOTOGRAPHY SERVICES FOR YOUTH SOCCER AND SOFTBALL PROGRAMS WITH AUTOMATED RENEWALS FOR UP TO FOUR ADDITIONAL YEARS (2023-1290)

**A.9. SOMETHING DIFFERENT, LLC (SERVICE AGREEMENT):**

A RESOLUTION TO AWARD RFP 23-18 AND APPROVE A TEN MONTH CONTRACT WITH SOMETHING DIFFERENT, LLC FOR THE OPERATION OF CONCESSIONS LOCATED AT KESSLER MOUNTAIN REGIONAL PARK SOCCER AND BASEBALL COMPLEX, GARY HAMPTON SOFTBALL COMPLEX, LAKE FAYETTEVILLE SOFTBALL COMPLEX AND THE WILSON PARK POOL WITH AUTOMATED RENEWALS FOR UP TO FOUR ADDITIONAL YEARS (2023-1292)

**A.10. CARBON REDUCTION PROGRAM (GRANT ACCEPTANCE):**

A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR A SAFE ROUTES TO SCHOOL PLAN FOR FAYETTEVILLE PUBLIC SCHOOLS, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1284)

**A.11. ARDOT DRAKE STREET TRAIL (AGREEMENT OF UNDERSTANDING):**

A RESOLUTION TO APPROVE AN AGREEMENT OF UNDERSTANDING WITH THE ARKANSAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE DRAKE STREET TRAIL, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1293)

**A.12. ENVIRONMENTAL CONSULTING OPERATIONS, INC. (SERVICE CONTRACT):**

A RESOLUTION TO APPROVE AMENDMENT NO. 10 TO THE CONTRACT WITH ENVIRONMENTAL CONSULTING OPERATIONS, INC. IN THE AMOUNT OF \$65,500.00 FOR WETLANDS MITIGATION SITE MONITORING AND MANAGEMENT IN 2024 (2023-1279)

**A.13. CH2M HILL ENGINEERS, INC. AMENDMENT NO. 15 (SERVICE AGREEMENT):**

A RESOLUTION TO APPROVE AMENDMENT NO. 15 TO THE AGREEMENT FOR OPERATIONS, MAINTENANCE, AND MANAGEMENT SERVICES WITH CH2M HILL ENGINEERS, INC. IN THE AMOUNT OF \$8,476,468.00 FOR SERVICES IN 2024, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$423,823.40 (2023-1316)

**A.14. CERTIFIED LOCAL GOVERNMENT GRANT (GRANT APPLICATION):**

A RESOLUTION TO AUTHORIZE APPLICATIONS FOR TWO CERTIFIED LOCAL GOVERNMENT GRANTS IN THE TOTAL AMOUNT OF \$40,000.00 THROUGH THE ARKANSAS HISTORIC PRESERVATION PROGRAM FOR THE PREPARATION OF A MULTIPLE PROPERTY DOCUMENTATION FORM FOR THE UNIVERSITY HEIGHTS AND HASKELL HEIGHTS NEIGHBORHOODS AND A HISTORIC CONTEXT STATEMENT FOR THE SPOUT SPRING NEIGHBORHOOD, AND TO APPROVE A BUDGET ADJUSTMENT FOR THE CITY'S GRANT MATCH IN THE AMOUNT OF \$15,000.00 (2023-1272)

**A.15. NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (PURCHASE AGREEMENT):**

A RESOLUTION TO APPROVE AN INTERLOCAL PURCHASING AGREEMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS; TO AUTHORIZE A CONTRACT WITH IMS INFRASTRUCTURE MANAGEMENT SERVICES, L.P. FOR PAVEMENT ANALYSIS AND RELATED SERVICES

PURSUANT TO THAT INTERLOCAL AGREEMENT THROUGH THE TERM OF THE CONTRACT AND ANY RENEWAL PERIODS, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1299)

**A.16. 2023 COPS CRISIS INTERVENTION TEAM (GRANT AWARD):**

A RESOLUTION AUTHORIZE ACCEPTANCE OF A 2023 COMMUNITY POLICING DEVELOPMENT CRISIS INTERVENTION TEAM GRANT FROM THE U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$400,000.00, TO APPROVE THE ADDITION OF 2.0 FULL TIME EQUIVALENT NON-UNIFORMED POSITIONS TO THE POLICE DEPARTMENT TO HIRE ADDITIONAL SOCIAL WORKERS FOR THE CRISIS INTERVENTION TEAM, AND TO APPROVE A BUDGET ADJUSTMENT (2023-1282)

**B. UNFINISHED BUSINESS**

**C. NEW BUSINESS**

**C.1. FUTRALL DRIVE RAILROAD CROSSING (2019 TRANSPORTATION BOND PROJECT):**

A RESOLUTION TO EXPRESS THE INTENT OF THE CITY COUNCIL TO COMMIT \$730,000.00 TO COMPLETE THE SIGNALIZATION AND ROAD WORK FOR THE FUTRALL DRIVE RAILROAD CROSSING (2023-1271)

**C.2. NATIONAL FLOOD INSURANCE PROGRAM DOCUMENTS (ADOPTION - JANUARY 25, 2024):**

AN ORDINANCE TO ADOPT THE LATEST FEMA FLOOD INSURANCE RATE MAPS, WASHINGTON COUNTY FLOOD INSURANCE STUDY, AND ANY FEMA CERTIFIED LETTERS OF MAP CHANGE AS REGULATORY FOR THE CITY OF FAYETTEVILLE (2023-1278)

**C.3. 71B CORRIDOR REGULATING PLAN (SUPPORT AFFIRMATION):**

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE 71B CORRIDOR REGULATING PLAN AND WORK PROGRAM (2023-1318)

**C.4. VACATION-2023-0013: (3034 W. MICA ST./BLAGG AND BRIGGS, 401):**

AN ORDINANCE TO APPROVE VAC 23-13 FOR PROPERTY LOCATED AT 3034 WEST MICA STREET IN WARD 4 TO VACATE A 153-SQUARE FOOT PORTION OF UTILITY EASEMENT (2023-1285)

**C.5. REZONING-2023-0029: (533 W. CENTER ST./BRICENO, 523):**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2023-0029 FOR APPROXIMATELY 0.09 ACRES LOCATED AT 533 WEST CENTER STREET IN WARD 2 FROM NC, NEIGHBORHOOD

## CONSERVATION TO MSC, MAIN STREET CENTER (2023-1296)

**D. CITY COUNCIL AGENDA SESSION PRESENTATIONS****D.1. SALES TAX REPORT - PAUL BECKER AND ENERGY REPORT - PETER NIERENGARTEN****D.2. 71B CORRIDOR IMPLEMENTATION UPDATE - JONATHAN CURTH & CHRIS BROWN****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: Speakers shall be limited to a maximum of five (5) 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 five (5) 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](http://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.