

City of Fayetteville, Arkansas

113 West Mountain Street

Fayetteville, AR 72701

(479) 575-8323



City Council Final Agenda

Tuesday, September 3, 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: 858 7555 9524**

[PUBLIC REGISTRATION LINK: HTTPS://US06WEB.ZOOM.US/WEBINAR/REGISTER/WN_OS5WFIE6TQGCRFCLKSGQ7A](https://us06web.zoom.us/join/85875559524)

[AGENDA ITEM COMMENT - AGENDAITEMCOMMENT@FAYETTEVILLE-AR.GOV](mailto: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 AUGUST 20, 2024 CITY COUNCIL MEETING MINUTES****A.2. DISTRICT COURT TECHNOLOGY PURCHASE (BUDGET ADJUSTMENT):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$30,000.00 TO RECOGNIZE AND APPROPRIATE REVENUE FROM THE COURT AUTOMATION FUND FOR UPGRADES TO COURT SERVERS, SOFTWARE, COMPUTERS, AND RELATED TECHNOLOGY EQUIPMENT (2024-390)

A.3. PUBLIC NOTIFICATION - ORDINANCES (BUDGET ADJUSTMENT):

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$7,500.00 TO FUND THE PUBLIC NOTIFICATION ACCOUNT TO PUBLISH ORDINANCES PASSED BY THE CITY COUNCIL (2024-470)

A.4. RIGHT OF ENTRY AND TEMPORARY CONSTRUCTION (EASEMENT AGREEMENT):

A RESOLUTION TO APPROVE A RIGHT OF ENTRY AND TEMPORARY CONSTRUCTION EASEMENT AGREEMENT WITH CRP/WRDP HAZEN

OWNER, LLC TO ALLOW THE DEVELOPER TO ACCESS AND MAKE CERTAIN IMPROVEMENTS TO PARKLAND ALONG HAMESTRING CREEK EAST OF RUPPLE ROAD (2024-446)

A.5. PRIME SANITATION (SERVICE AGREEMENT):

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE AND PRIME SANITATION TO HAUL AND DISPOSE OF SOLID WASTE WITHIN THE CITY (2024-429)

A.6. OLSSON ENGINEERING (SERVICE CONTRACT):

A RESOLUTION TO APPROVE A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH OLSSON ENGINEERING IN THE AMOUNT OF \$90,720.00 FOR THE DESIGN OF GRADING AND REMEDIATION WORK ASSOCIATED WITH DECOMMISSIONING AND ENVIRONMENTAL CLEANUP OF THE OLD POLICE DEPARTMENT SHOOTING RANGE, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$9,072.00 (2024-428)

A.7. RIVER CITY HYDRAULICS (PURCHASE AGREEMENT):

A RESOLUTION TO AUTHORIZE THE PURCHASE OF A TYMCO MODEL 600 STREET SWEEPER FROM RIVER CITY HYDRAULICS IN THE AMOUNT OF \$365,665.00, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-425)

A.8. RUSH TRUCK CENTERS (PURCHASE AGREEMENT):

A RESOLUTION TO APPROVE THE PURCHASE OF A 2024 INTERNATIONAL CV515 UTILITY TRUCK FROM RUSH TRUCK CENTERS IN THE AMOUNT OF \$109,955.67, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-424)

A.9. KOHLER POWER SYSTEMS (SERVICE CONTRACT):

A RESOLUTION TO AUTHORIZE A GENERATOR MAINTENANCE CONTRACT WITH KOHLER POWER SYSTEMS THROUGH NOVEMBER 22, 2026 AND ANY FUTURE RENEWAL PERIODS, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING CONTRACT (2024-437)

A.10. 120 WATER AUDITS, INC. (AMENDMENT NO. 1):

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH 120 WATER AUDITS, INC. IN AN AMOUNT NOT TO EXCEED \$47,020.00 PER YEAR FOR ADDITIONAL SERVICES RELATED TO WATER SERVICE LINE INVENTORY COMPLIANCE (2024-440)

A.11. MCCLELLAND CONSULTING ENGINEERS, INC. (AMENDMENT NO. 4):

A RESOLUTION TO APPROVE AMENDMENT NO. 4 TO THE ENGINEERING

SERVICES AGREEMENT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$3,281,300.00 FOR THE WEST CORRIDOR WATER TRANSMISSION MAIN PROJECT, AND TO APPROVE A BUDGET ADJUSTMENT (2024-439)

A.12. JACK TYLER ENGINEERING, INC. (PURCHASE AGREEMENT):

A RESOLUTION TO AWARD BID #24-35 AND AUTHORIZE THE PURCHASE OF TWO SUBMERSIBLE JET AERATORS FROM JACK TYLER ENGINEERING, INC. IN THE TOTAL AMOUNT OF \$298,526.00, PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES (2024-431)

A.13. PRECISION RESCUE (PURCHASE AGREEMENT):

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE PURCHASE OF AMKUS FIREFIGHTING RESCUE EQUIPMENT FROM PRECISION RESCUE IN THE AMOUNT OF \$42,598.50 FOR USE BY THE FAYETTEVILLE FIRE DEPARTMENT (2024-422)

A.14. 4TH JUDICIAL DISTRICT DRUG TASK FORCE (GRANT AWARD):

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FOR STATE FUNDING OF THE FOURTH JUDICIAL DISTRICT DRUG TASK FORCE IN THE AMOUNT OF \$272,301.00, AND TO AUTHORIZE MAYOR JORDAN TO SIGN ALL NECESSARY DOCUMENTS TO RECEIVE THE GRANT FUNDS (2024-419)

A.15. ENTREPRENEURSHIP AND INNOVATION (SERVICE CONTRACTS):

A RESOLUTION TO AWARD RFP 24-06 AND AUTHORIZE A TWO-YEAR ECONOMIC DEVELOPMENT SERVICES CONTRACT WITH STARTUP JUNKIE CONSULTING TO PROVIDE ENTREPRENEURSHIP AND INNOVATION CONSULTING SERVICES IN THE AMOUNT OF \$250,000.00 ANNUALLY (2024-438)

B. UNFINISHED BUSINESS

B.1. 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 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, SUBJECT TO A BILL OF ASSURANCE (2024-385)

AT THE 08/20/2024 CITY COUNCIL MEETING THIS ITEM WAS AMENDED TO ADD A BILL OF ASSURANCE AND LEFT ON THE SECOND READING.

C. NEW BUSINESS**C.1. COMMUNITY ART WALL (RESOLUTION):**

A RESOLUTION TO FORMALLY ESTABLISH THE COMMUNITY ART WALL PROJECT LOCATED AT THE DECOMMISSIONED PUMP HOUSE AT POPLAR STREET AND THE RAZORBACK GREENWAY (2024-433)

C.2. VACATION-2024-0014: (1215 N. KINGS DR/WILLIAMS, 408):

AN ORDINANCE TO APPROVE VAC-24-14 FOR PROPERTY LOCATED AT 1215 NORTH KINGS DRIVE IN WARD 3 TO VACATE A 0.07 ACRE PORTION OF STREET RIGHT-OF-WAY (2024-434)

C.3. VACATION-2024-0015: (210 W. RAVENSWOOD LN/STARR, 640):

AN ORDINANCE TO APPROVE VAC-24-15 FOR PROPERTY LOCATED AT 210 WEST RAVENSWOOD LANE IN WARD 1 TO VACATE A 0.26 ACRE PORTION OF STREET RIGHT-OF-WAY (2024-435)

C.4. REZONING-2024-0037: (402 W. ILA ST/HEAD, 445):

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-37 FOR APPROXIMATELY 0.32 ACRES LOCATED AT 402 WEST ILA STREET IN WARD 2 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO NC, NEIGHBORHOOD CONSERVATION (2024-436)

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS**D.1. SALES TAX REPORT - CHIEF FINANCIAL OFFICER
ENERGY REPORT - ENVIRONMENTAL DIRECTOR****D.2. BEAVER WATER DISTRICT - UPCOMING CAPITAL PROJECTS AND RATE
ADJUSTMENTS - LANE CRIDER****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 Devise 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.