

# **City of Fayetteville, Arkansas**

*113 West Mountain Street  
Fayetteville, AR 72701  
(479) 575-8323*



## **City Council Final Agenda**

**Tuesday, April 1, 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: 858 3189 2797**  
[PUBLIC REGISTRATION LINK: HTTPS://US06WEB.ZOOM.US/WEBINAR/  
REGISTER/WN\\_Y5NRV3QXS7MVUMXREXH7CW](https://us06web.zoom.us/join/85831892797)  
  
[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. **SALES TAX & MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER**

**PROPOSED AGENDA ADDITIONS**

**A. CONSENT**

**A.1. APPROVAL OF THE MARCH 18, 2025 CITY COUNCIL MEETING MINUTES**

**A.2. NATURAL STATE STREAMS (SERVICE AGREEMENT):**

A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND APPROVE A ONE-YEAR MAINTENANCE CONTRACT WITH NATURAL STATE STREAMS, LLC IN THE AMOUNT OF \$55,000.00 TO AID IN THE ESTABLISHMENT OF NATIVE VEGETATION AND PERFORM MINOR ADJUSTMENTS WITHIN THE STREAM (2025-234)

**A.3. YVONNE RICHARDSON COMMUNITY CENTER (CHANGE ORDER #1):**

A RESOLUTION TO APPROVE CHANGE ORDER NO. 1 TO THE CONTRACT WITH MOSER CONSTRUCTION, LLC IN THE AMOUNT OF \$677,954.55 FOR THE CONSTRUCTION OF BUDDY HAYES PARK AND EXISTING BUILDING RENOVATIONS, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$34,394.00, AND TO APPROVE A BUDGET ADJUSTMENT (2025-263)

**A.4. FRIENDS OF YRCC (ANNUAL PROGRAM DONATION):**

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT

OF \$33,160.00 REPRESENTING DONATION REVENUE FROM FRIENDS OF YRCC TO FUND THE 2025 PROGRAMS OFFERED AT THE YVONNE RICHARDSON COMMUNITY CENTER (2025-365)

**A.5. SSI OF NORTHWEST ARKANSAS (SERVICE AGREEMENT):**

A RESOLUTION TO AWARD BID 25-24 AND APPROVE A CONTRACT WITH STRUCTURAL SYSTEMS, INC. OF NORTHWEST ARKANSAS D/B/A SSI OF NORTHWEST ARKANSAS IN THE AMOUNT OF \$902,670.13 FOR PHASE 1 CONSTRUCTION IMPROVEMENTS TO BRYCE DAVIS COMMUNITY PARK, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$90,267.00, AND TO APPROVE A BUDGET ADJUSTMENT (2025-368)

**A.6. SPECIALIZED REAL ESTATE GROUP, INC. (COST SHARE AGREEMENT):**

A RESOLUTION TO APPROVE A COST SHARE AGREEMENT WITH SPECIALIZED REAL ESTATE GROUP, INC. IN AN AMOUNT NOT TO EXCEED \$64,000.00 FOR PARK IMPROVEMENTS NEAR THE SOUTHYARD DEVELOPMENT, AND TO APPROVE A BUDGET ADJUSTMENT (2025-306)

**A.7. HENARD UTILITY PRODUCTS, INC. (PURCHASE AGREEMENT):**

A RESOLUTION TO APPROVE THE PURCHASE OF 1,300 BADGER CELLULAR WATER METERS IN THE AMOUNT OF \$642,250.00 FROM HENARD UTILITY PRODUCTS, INC. PLUS ANY APPLICABLE TAXES AND FREIGHT CHARGES, AND TO APPROVE A BUDGET ADJUSTMENT (2025-374)

**A.8. UTILITY SERVICE CO., INC. (CONSTRUCTION CONTRACT):**

A RESOLUTION TO AWARD BID 25-23 AND AUTHORIZE A CONTRACT WITH USC, INC. IN THE AMOUNT OF \$734,900.00 FOR PAINTING AND REHABILITATION OF THE ONE MILLION GALLON BAXTER GROUND WATER STORAGE TANK, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$73,490.00 (2025-375)

**A.9. CITY OF ELKINS SEWER SERVICE AGREEMENT (AMENDMENT NO. 1):**

A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE 15 YEAR CONTRACT FOR SANITARY SEWER SERVICE BETWEEN THE CITIES OF ELKINS AND FAYETTEVILLE (2025-376)

**A.10. PROJECT SAFE NEIGHBORHOODS (GRANT AWARD):**

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A PROJECT SAFE NEIGHBORHOOD GRANT AWARD IN THE AMOUNT OF \$30,121.00 FOR THE FAYETTEVILLE POLICE DEPARTMENT, AND TO APPROVE A BUDGET ADJUSTMENT (2025-307)

**B. UNFINISHED BUSINESS****B.1. DISCLOSURE OF RENTAL FEES AND COSTS (ORDINANCE):**

AN ORDINANCE TO ENACT § 120.03 DISCLOSURE OF RENTAL FEES AND COSTS FOR LEASED RESIDENTIAL PROPERTIES IN THE CITY OF FAYETTEVILLE (2025-231)

AT THE MARCH 4, 2025 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE FIRST READING

AT THE MARCH 18, 2025 CITY COUNCIL MEETING THIS ORDINANCE WAS LEFT ON THE SECOND READING

**C. NEW BUSINESS****C.1. APPEAL: CONDITIONAL USE PERMIT-2024-0054: (611 N. OLIVER AVE,/JD RIGGINS FAMILY HOLDINGS, 443):**

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS SARAH BUNCH, D'ANDRE JONES, AND MIKE WIEDERKEHR AND DENY CONDITIONAL USE PERMIT CUP 2024-054 FOR A TYPE 2 SHORT-TERM RENTAL AT 611 NORTH OLIVER AVENUE (2025-362)

**C.2. REPEAL ORDINANCE 6315/6329 & APPROVE 3.5% FEE ASSESSMENT (ORDINANCE):**

AN ORDINANCE TO REPEAL ORDINANCE 6315 AND ORDINANCE 6329 AND APPROVE THE ASSESSMENT OF A 3.5% FEE FOR CERTAIN CREDIT CARD AND DEBIT CARD TRANSACTIONS (2025-379)

**C.3. STORMWATER UTILITY (PERSONNEL AND EQUIPMENT PLAN):**

A RESOLUTION TO APPROVE THE ADDITION OF NINE FULL TIME EQUIVALENT POSITIONS TO SUPPORT THE NEW STORMWATER UTILITY, TO ESTABLISH A NEW STORMWATER MANAGEMENT ENTERPRISE FUND, TO AUTHORIZE A LOAN FROM THE GENERAL FUND TO PROVIDE TEMPORARY FUNDING FOR THE STORMWATER UTILITY, AND TO APPROVE A BUDGET ADJUSTMENT (2025-196)

**C.4. REZONING-2025-0005: (1791 N. GARLAND AVE/JMAX PROPERTIES LLC, 365):**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-05 FOR APPROXIMATELY 0.40 ACRES LOCATED AT 1791 NORTH GARLAND AVENUE IN WARD 2 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2025-363)

**C.5. REZONING-2025-0004: (809 W. KELLEY ST./ PARK AVENUE,366):**

AN ORDINANCE TO REZONE THE PROPERTY DESCRIBED IN REZONING PETITION RZN 2024-04 FOR APPROXIMATELY 0.26 ACRES LOCATED AT 809 WEST KELLEY STREET STREET IN WARD 2 FROM RSF-4, RESIDENTIAL SINGLE-FAMILY, FOUR UNITS PER ACRE TO RI-U, RESIDENTIAL INTERMEDIATE-URBAN (2025-364)

**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](http://www.fayetteville-ar.gov) or in the Office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas (479) 575-8323.