



**City Council  
Meeting Agenda  
August 22, 2023  
6:00 PM  
Bentonville City Hall**

Note – The public, members of the City Council, and City staff, may have the option to attend this meeting by remote means. For public health reasons, those who attend in person should keep in mind hygiene, the use of facial coverings, and social distancing.

Public comments can be submitted by email submitted to [cc.comments@bentonvillear.com](mailto:cc.comments@bentonvillear.com) by at least 4:00 p.m. on the day of the meeting. Those comments will be communicated to the members of the Council and the Mayor. Accommodation has also been made to allow Bentonville citizens to make “live” public comments orally in the event they cannot attend the meeting in person. To do so, please send an email indicating a desire to make public comments remotely to [cc.comments@bentonvillear.com](mailto:cc.comments@bentonvillear.com) by at least 1:00 p.m. on the day of the meeting and a reply email will be sent with instructions about how your comments can be made. Making comments will require you to register with your name, address, phone number and email address. The pre-existing limitations (3 minutes) and procedures with respect to oral public comments will still apply.

\*If you would like to attend virtually, please register at the following link by 4:00 p.m. on August 22, 2023:

[https://us02web.zoom.us/webinar/register/WN\\_sOxX7RPFRzyRGuePOLta8A](https://us02web.zoom.us/webinar/register/WN_sOxX7RPFRzyRGuePOLta8A)

**Call to Order**

**Pledge of Allegiance**

**Moment of Silence**

**Roll Call**

**Approval of Minutes: August 8, 2023**

**I. New Business**

1. **Public Hearing and Ordinance Vacating a Drainage Easement** **Ordinance**  
Public hearing and approval of Ordinance vacating a Drainage Easement requested for Lot 18 of Rainbow Junction-Bentonville Subdivision (VAC23-0013).
2. **Resolution adjusting the budget to accept 3 state Arkansas Aeronautical Grants** **Resolution**

- Resolution authorizing the Mayor and City Clerk to accept 3 Arkansas Aeronautical state grants totaling Seven Hundred Thousand Dollars and adjusting the 2023 Budget for receipt of funds.
3. **Resolution Approving Work Order No. 4 with Garver for Construction Phase Services** **Resolution**  
Resolution authorizing the Mayor and City Clerk to enter into Work Order No. 4 with Garver, LLC, in the amount of \$74,725.00, for construction phase services for hangar development at the Bentonville Municipal Airport. No budget adjustment is needed.
  4. **Ordinance Entering into an Agreement with Sy-Con for Airport Hangar Development** **Ordinance**  
Ordinance waiving competitive bidding and authorizing an agreement with Sy-Con Excavation & Utilities, LLC, for infrastructure construction for hangar development at the Bentonville Municipal Airport, in an amount not to exceed \$935,478.000. No budget adjustment is needed.
  5. **Amend Resolution 9-13-22D to include Reimbursable Expenses for the Station 3 Project** **Resolution**  
Approval of an amendment to Resolution 9-13-22D, approved at the September 13, 2022 Council Meeting, to include reimbursable expenses in the total Contract amount with Jackson, Brown, Palculict Architects. No Budget Adjustment is needed.
  6. **Use of a Co-Op Contract to purchase a budgeted speciality vehicle from LDV, INC.** **Resolution**  
Approve a Resolution to purchase a Mobile Command Center (vehicle) from LDV, INC through the HGAC cooperative purchasing agreement and a Budget Adjustment for the difference between budgeted funds and final cost. A Budget Adjustment is needed to cover the overage.
  7. **Award Bid IFB-23-44 to Milestone Construction for Town Branch Park Renovation** **Resolution**  
Resolution approving bid award IFB-23-44 to Milestone Construction, in the total amount of \$624,262.26, including a 10% contingency, for the purchase of materials, labor, and services to construct the renovations of Town Branch Park. Awarded to lowest bidder. A Budget Adjustment is needed.
  8. **Extra Work Authorization with CEI for Razorback Greenway** **Resolution**  
Resolution to approve an Extra Work Authorization with CEI, in the amount of \$15,000.00, for additional construction observation on the Razorback Greenway project at BV Bypass / I49. No Budget Adjustment is needed.
  9. **Award Bid IFB-23-50 Memorial Parking Lot Maintenance Seal and Stripe** **Resolution**  
Resolution to award Bid IFB 23-50 to Grant Garrett Excavating, Inc., in an amount not to exceed \$39,900.00, for line items 1 and 3 of the attached bid tabulation. No budget adjustment is needed.

## **II. Utility Board**

1. **Award Bid IFB-23-52 for Underground and Overhead Wire of Various Sizes** **Resolution**  
Resolution to award Bid IFB-23-52 to the lowest responsive bidders for various sizes of underground and overhead wire per the unit prices and estimated quantities attached, plus applicable taxes. Approved by Utility Board 5-0. A Budget Adjustment is not needed.
2. **Ordinance to Waive Bids to Order 3 Phase Transformers** **Ordinance**  
Ordinance approval to waive competitive bidding to purchase 3 phase transformers from Arkansas Electric Cooperative, Inc., in an amount not to exceed \$261,147.00 plus applicable taxes. Approved by Utility Board 5-0. A Budget Adjustment is not needed. Providing for the Emergency Clause.
3. **Waiver of Bid to Eaton Corporation to Purchase Electric Meters until June 2024** **Ordinance**  
Ordinance waiving the requirements of competitive bidding to purchase electric meters from Eaton Corporation on an as needed basis, from August 2023 to June 2024, at the per unit prices attached, plus applicable taxes. Approved by Utility Board 5-0. A Budget Adjustment is not needed. Providing for the Emergency Clause.
4. **Resolution to Adjust the Budget and Reconcile Electric Department Overtime Budget** **Resolution**  
Resolution approving a Budget Adjustment to recognize revenue from invoices paid by North Little Rock and Conway Corp. for mutual aid events and apply to associated payroll expenses. Approved by Utility Board 5-0. A Budget Adjustment is needed to recognize funds.
5. **Hawkins-Weir Contract for Wastewater Treatment Capacity Feasibility Study Amendment 2** **Resolution**  
Resolution authorizing the Mayor and City Clerk to amend the Professional Services Agreement with Hawkins-Weir Engineers, Inc. for the increased amount of \$6,163,600.00 for a total contract price of \$6,507,000.00. This request is to amend HWEI Project No. 2021037. This was approved by Utility Board 5-0. A Budget Adjustment is needed.
6. **Approval of Amendment 1 to Olsson Professional Services Agreement** **Resolution**  
Resolution authorizing the Mayor and City Clerk to amend the Professional Services Agreement with Olsson for an increased amount of \$1,417,887.00 and adjusting the budget in amount \$1,417,887.00 to fund this request. The remaining balance will be funded from Utility fund reserve. Utility Board Approval 5-0. A Budget Adjustment is needed.

### **III. Planning**

1. **Lot Split - Lots 1, 2, and 3 of Pabst Addition - 4229 SW Bright Road** **Ordinance**  
The Planning Commission voted 7-0 recommending approval.  
Ordinance accepting a lot split of unplatted section land and part of Lot 174 of Oxford Ridge Subdivision; Creating new Lots 1, 2, & 3 of Pabst Addition to the

City of Bentonville, Arkansas; and for other purposes. (Project Number: LS23-0036) 4229 SW Bright Road.

2. **Property Line Adjustment - Lot 35, Block 2 of Clark's 2<sup>nd</sup> Addition - 306 SW 3<sup>rd</sup> Street** **Ordinance**

The Planning Commission voted 7-0 recommending approval.

Ordinance accepting a property line adjustment of existing Lots 21 & 22, of Block 2, Clark's 2nd Addition; Creating new Lot 35 of Block 2, Clark's 2nd Addition to the City of Bentonville, Arkansas; and for other purposes. (Project Number: LS23-0042) 306 SW 3<sup>rd</sup> Street.

3. **Rezone - R-1 to DN-1 - 303 NW H Street** **Ordinance**

The Planning Commission voted 7-0 recommending approval.

Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low-Density Single Family Residential to DN-1, Downtown Low-Density Residential; and for other purposes. (Project Number: RZ23-0057) 303 NW H Street.

**Public Comments on Tonight's Agenda Items (Limited Public Forum)**