



BENTONVILLE CITY COUNCIL AGENDA

**Committee of the Whole
Community Development
Planning Commission Meeting Room**

**Tuesday, June 24, 2014 6:00 p.m.
305 SW "A" Street**

**Regular City Council Meeting
Community Development
Planning Commission Meeting Room**

**Tuesday, June 24, 2014 6:00 p.m.
305 SW "A" Street**

**Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: June 10, 2014**

AGENDA

1. Planning:
- 1a. **Twana Cullum: Property Line Adjustment, Lot 12, Block 8 Deming's Addition, 306 Northwest 'C' Street, Zoned R-1, Single Family Residential.**

(Pages 9-12)

The planning commission voted 7-0 recommending approval.

The applicant has submitted a Property Line Adjustment to create one lot from two existing lots to be known as Lot 12, Block 8 Demings Addition (0.23 acres) located at 306 Northwest 'C' Street. The plat as provided indicates the dedication of additional right-of-way and a 20 feet utility easement being dedicated along Northwest 'C' and Northwest 4th Streets.

- 1b. **Mike Payne: Lot Split, Lots 9 & 10 Green Acres Subdivision, 1001 Northwest 'A' Street, zoned R-1, Single Family Residential.**

(Pages 13-16)

The planning commission voted 7-0 recommending approval.

The applicant has submitted a Lot Split Application for existing Tract 'C' of the Green Acres Subdivision to create two lots to be known as Lot 9 (0.12 acres) and Lot 10 (0.12 acres) of Green Acres Subdivision located at 1001 Northwest 'A' Street. A 20 foot utility easement is being dedicated along Northwest 'A' Street. A lot depth variance for 99.5 feet was approved on May 14, 2014 by the Board of Adjustments.

- 1c. **Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 56-59 Stone Meadow Subdivision.**

(Pages 17-21)

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

- 1d. **Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 80 & 81 Stone Meadow Subdivision.**

(Pages 22-26)

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

- 1e. **Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 96-99 Stone Meadow Subdivision.**

(Pages 27-31)

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

- 1f. **Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 116 & 117 Stone Meadow Subdivision.**

(Pages 32-36)

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

- 1g. **Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 128,129,172 & 173 Stone Meadow Subdivision.**

(Pages 37-41)

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

- 1h. **Palmco Properties LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 148, 149, 150 & 151 Stone Meadow Subdivision.**

(Pages 42-46)

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

- 1i. **Palmco Properties LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 182,183,228 & 229 Stone Meadow Subdivision.**

(Pages 47-51)

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

- 1j. **Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2 Duplex & Patio Home Residential, Lots 236 & 237 Stone Meadow Subdivision.**

(Pages 52-56)

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

- 1k. **Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2 Duplex & Patio Home Residential, Lots 258 & 259 Stone Meadow Subdivision.**

(Pages 57-61)

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

11. **67 Development Corporations: Final Plat, White Oak Trails, Phase II, Southwest 2nd Street and Southwest White Oak Road, Zoned R-1.**
(Pages 62-66)

The planning commission voted 7-0 recommending approval.

The applicant has submitted a final plat for a 54 lot single family residential subdivision on 20.52 acres. The subdivision will be known as White Oak Trails Subdivision phase II. It will be located to the west of the existing White Oak Trails Subdivisions and includes an extension of both Southwest Lone Oak Avenue and Southwest White Oak Road. A traffic circle is installed along Southwest Highland Road while a Mid-block choker will be installed on SW White Oak Road. A 6' sidewalk is installed along Southwest 2nd Street. All Lot sized meet the minimum standards of the zoning regulations and all streets were installed per City of Bentonville Street Specifications.

2. Appointment of Rod Sanders to the City of Bentonville's Planning Commission for a 5 year term. (Term expires on 7/01/19) (Pages 67-69)
3. Reappointment of Amanda Webb to the City of Bentonville's Advertising and Promotion Committee. (Term expires on 12/31/17) (Pages 70-74)
4. INFORMATIONAL ITEM - Parks and Recreation Staff will present City Council with an update of construction for the Bentonville Community Center.
(Page 75)
5. Parks and Recreation is seeking a budget adjustment, in the amount of \$1,500,000 for the community center project. This amount is from the 2013 Set-asides, budgeted for the furniture, fixtures and equipment for the future facility.
(Pages 76-78)
6. City Council approval of a budget adjustment, in the amount of \$19,930.00, for soccer field renovations at Memorial Park.
(Pages 79-81)
7. Parks and Recreation is seeking council approval of a resolution authorizing the Mayor and City Clerk enter into agreement with Sand Creek Engineering for design, bid administration and construction oversight for a new parking lot at the Elm Tree Ballfields.
(Pages 82-92)
8. Approval of three pieces of artwork to be placed on the North Bentonville Trail.
(Pages 93-97)
9. Staffs requests Council approval of Change Order No. 1 for Rosetta Construction LLC, for a total decrease of \$146,279.00 and increase of 20 days contract time for Bella Vista Bypass utility relocation project. (Pages 98-104)
10. Request waiver of the bid process to purchase an in-line Phosphorus analyzer from HACH Company for the wastewater treatment plant. This is a 2014 budgeted item.
(Pages 105-109)

11. Recommend the Mayor and City Council award the 6-month blanket bid for electric material to the lowest bidder as shown on the attached bid tabulation in the amount of \$332,906.88. Items will be ordered on an 'as needed' basis.
(Pages 110-111)
12. Recommend the Mayor and City Council award the 6-month blanket bid for 3-phase transformer as shown on the attached bid tabulation in the amount of \$237,842.00. Items will be ordered on an 'as needed' basis. **(Pages 112-114)**
13. Recommend the Mayor and City Council award the 6-month blanket bid for water materials to the lowest bidder as shown on the attached bid tabulation in the amount of \$196,152.86. Items will be ordered on an 'as needed' basis.
(Pages 115-116)
14. Approve bid award to Affiliated FM for City's property insurance (July 8, 2014 to July 1, 2015) See attached document for bid comparison. **(Pages 117-118)**
15. Interview and selection of new Ward 3 Position 1 City Council member.
(Pages 119-127)
16. Interview and selection of new Ward 1 Position 2 City Council member.
(Pages 128-139)

**City Council
Agenda
June 24, 2017**

Twana Cullum: Property Line Adjustment, Lot 12, Block 8 Deming's Addition, 306 Northwest 'C' Street, Zoned R-1, Single Family Residential.

The planning commission voted 7-0 recommending approval.

The applicant has submitted a Property Line Adjustment to create one lot from two existing lots to be known as Lot 12, Block 8 Demings Addition (0.23 acres) located at 306 Northwest 'C' Street. The plat as provided indicates the dedication of additional right-of-way and a 20 feet utility easement being dedicated along Northwest 'C' and Northwest 4th Streets.

Mike Payne: Lot Split, Lots 9 & 10 Green Acres Subdivision, 1001 Northwest 'A' Street, zoned R-1, Single Family Residential.

The planning commission voted 7-0 recommending approval.

The applicant has submitted a Lot Split Application for existing Tract 'C' of the Green Acres Subdivision to create two lots to be known as Lot 9 (0.12 acres) and Lot 10 (0.12 acres) of Green Acres Subdivision located at 1001 Northwest 'A' Street. A 20 feet utility easement is being dedicated along Northwest 'A' Street. A lot depth variance for 99.5 feet was approved on May 14, 2014 by the Board of Adjustments.

Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 56-59 Stone Meadow Subdivision.

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.
This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 80 & 81 Stone Meadow Subdivision.

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.
This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 96-99 Stone Meadow Subdivision.

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 116 & 117 Stone Meadow Subdivision.

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 128,129,172 & 173 Stone Meadow Subdivision.

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

Palmco Properties LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 148, 149, 150 & 151 Stone Meadow Subdivision.

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

Palmco Properties LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential, Lots 182,183,228 & 229 Stone Meadow Subdivision

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2 Duplex & Patio Home Residential, Lots 236 & 237 Stone Meadow Subdivision.

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

Palmco Properties, LLC: Rezoning Request from R-ZL, Zero Lot Line to R-2 Duplex & Patio Home Residential, Lots 258 & 259 Stone Meadow Subdivision.

The planning commission voted 7-0 recommending approval.

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as LOW DENSITY RESIDENTIAL.

67 Development Corporations: Final Plat, White Oak Trails, Phase II, Southwest 2nd Street and Southwest White Oak Road, Zoned R-1.

The planning commission voted 7-0 recommending approval.

The applicant has submitted a final plat for a 54 lot single family residential subdivision on 20.52 acres. The subdivision will be known as White Oak Trails Subdivision phase II. It will be located to the west of the existing White Oak Trails Subdivisions and includes an extension of both Southwest Lone Oak Avenue and Southwest White Oak Road. A traffic circle is installed along Southwest Highland Road while a Mid block choker will be installed on SW White Oak Road. A 6' sidewalk is installed along Southwest 2nd Street. All Lot sized meet the minimum standards of the zoning regulations and all streets were installed per City of Bentonville Street Specifications.

Planning Commission Staff Report
Property Line Adjustment: Lot 12, Block 8 Demings Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: June 17, 2014

GENERAL INFORMATION:

Project Number: 14-07000020

Applicant/Owner: Twana Cullum

Representative: Blew & Associates (John Wary)

Requested Action: Property Line Adjustment Approval

Location: 306 Northwest 'C' Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND: The applicant has submitted a Property Line Adjustment to create one lot from two existing lots to be known as Lot 12, Block 8 Demings Addition (0.23 acres) located at 306 Northwest 'C' Street. The plat as provided indicates the dedication of additional right-of-way and a 20 feet utility easement being dedicated along Northwest 'C' and Northwest 4th Streets.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS:

Direction	Name	Classification
North	Northwest 4 th Street	Local
South	-	-
East	-	-
West	Northwest 'C' Street	Local

TRAFFIC FINDINGS

- (a) Traffic data for the nearest intersections are as follows: **N/A.**
- (b) Traffic summary software predicts the additional traffic for this project is: **N/A.**

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is a currently a single family residence within Low Density Residential area.

Drainage Report: A drainage report is not required for this property line adjustment.

Water / Sewer: Per the G.I.S. site, water and sewer are available to this site.

Waiver(s): N/A

Analysis / Conclusion: This property line adjustment **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends Approval.



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 12, BLOCK 8
DEMINGS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lot 12, Block 8 Demings Addition, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 17th day of June, 2014 and

WHEREAS, said property line adjustment is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said property line adjustment on the date stated and at other times, and voted to recommend the approval of said property line adjustment to the City Council; and

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said property line adjustment should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the property line adjustment of Lot 12, Block 8, Demings Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said plat by certifying said acceptance on the approved property line adjustment.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR

Planning Commission Staff Report
Lot Split: Lots 9 & 10 Green Acres Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: June 17, 2014

GENERAL INFORMATION:

Project Number: 14-01600002

Applicant/Owner: Mike Payne

Representative: Robert Caster

Requested Action: Lot Split Approval

Location: 1001 Northwest 'A' Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Lot Split Application for existing Tract 'C' of the Green Acres Subdivision to create two lots to be known as Lot 9 (0.12 acres) and Lot 10 (0.12 acres) of Green Acres Subdivision located at 1001 Northwest 'A' Street. A 20 feet utility easement is being dedicated along Northwest 'A' Street. A lot depth variance for 99.5 feet was approved on May 14, 2014 by the Board of Adjustments.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	R-1, Single Family Residential & R-3, Medium Density Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North	-	-
South	-	-
East	Northwest 'A' Street	Collector
West	-	-

TRAFFIC FINDINGS

- (b) Traffic data for the nearest intersections are as follows: No traffic data exists for this location.
- (c) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this site is currently a vacant single family residence in a low density residential area.

Drainage Report: A drainage report is not required for this lot split.

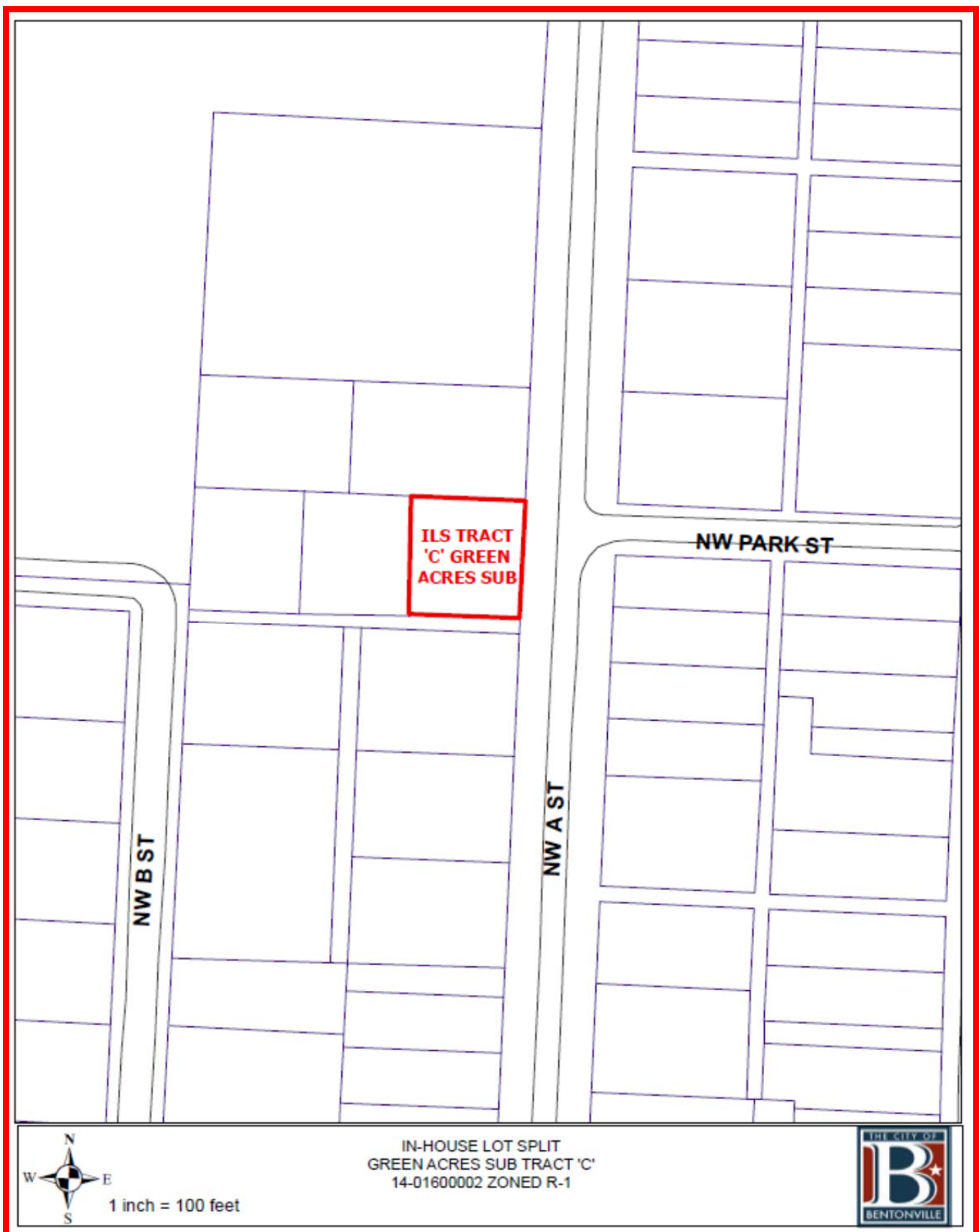
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

Waiver(s): N/A

Analysis / Conclusion: This lot split **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 9 AND 10 GREEN ACRES
SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 9 and 10 Green Acres Subdivision, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 17th day of June, 2014 and

WHEREAS, said lot split is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated and at other times, and voted to recommend the approval of said lot split to the City Council; and

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said lot split should be approved.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF
BENTONVILLE, ARKANSAS:**

Section 1: That the lot split of Lots 9 and 10 Green Acres Subdivision, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved plat.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR



PC Meeting of: June 17, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Palmco Properties, LLC Lots 56 – 59 Stone Meadow Subdivision
(R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential)
Current Planning Division Correspondence: Planning Commission Staff Report**

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 17, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000008
Applicant/Current Owner: Palmco Properties, LLC
Representative: Morrison Shipley Engineers, Inc. (John Wary)
Requested Action: Rezoning
Location: Lots 56-59 Stone Meadow Subdivision
Existing Zoning: R-ZL, Zero Lot Line
Proposed Zoning: R-2, Duplex & Patio Home Residential
Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; these lots are currently vacant with in a single family duplex and patio home subdivision.

Previous Rezoning Requests for this Property: These lots were rezoned on February 3, 2009 from R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line. (ORD NO 2009-13)

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant Duplex/Single Family Lots	R-ZL, Zero Lot Line	Low Density Residential
South	Vacant Duplex/Single Family Lots	R-ZL, Zero Lot Line	Low Density Residential
East	Vacant Duplex/Single Family Lots	R-ZL, Zero Lot Line	Low Density Residential

West	Developed Single Family Lots	R-ZL, Zero Lot Line	Low Density Residential
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Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Riverstone Avenue	Local	2 lane - curb and gutter
South	Southwest Warberry Avenue	Local	2 lane - curb and gutter
East	Southwest Stonegrove Road	Local	2 lane - curb and gutter
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: On **May 12, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **May 16, 2104**. In addition, staff posted a notice of public hearing sign on the property on **June 2, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: It is the intent of the R-2, Duplex and Single Family Residential zoning designation to permit slightly higher population density than the R-1 District. The R-2 District will provide areas within the subdivision for the development of two-family residential structures while providing a variety of housing types in an area of the city where the environment is compatible with low to moderate density residential development.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The proposed zoning classification allows for the development of two-family homes in an already established subdivision which will not adversely impact the traffic volume of the subdivision.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: Adequate public services are already existing and would not significantly impact the load on public services.

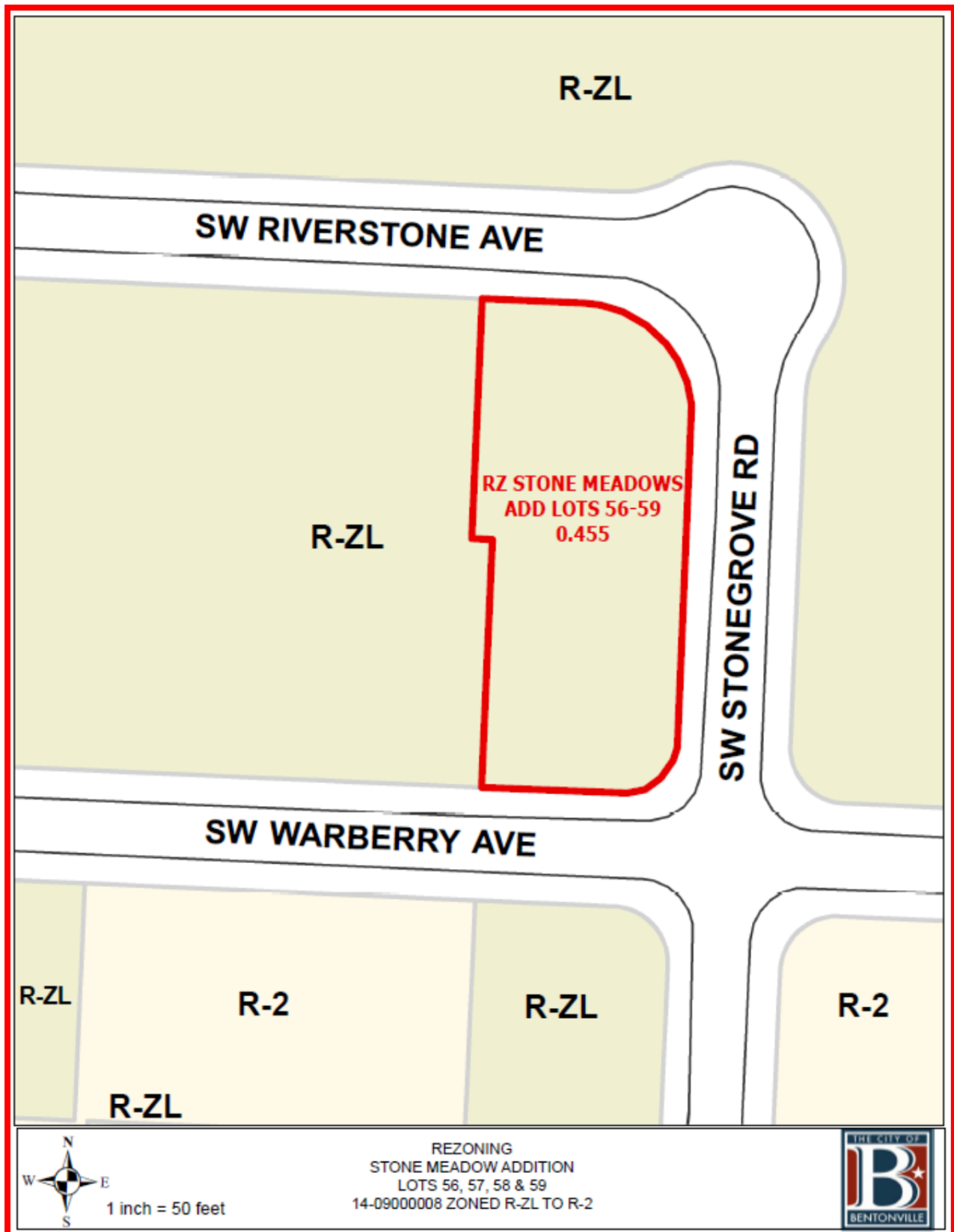
ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as **LOW DENSITY RESIDENTIAL**.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-ZL, Zero Lot Line** to **R-2, Duplex and Patio Home Residential**.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-2, DUPLEX & PATIO HOME RESIDENTIAL.

WHEREAS, Palmco Properties, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

LOTS 56-59 AS SHOWN ON THE FINAL PLAT OF STONE MEADOWS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, FILED IN THE BENTON COUNTY CIRCUIT CLERKS OFFICE, DOCUMENT #2006-954

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 17th day of June 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: June 17, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Palmco Properties, LLC Lots 80 & 81 Stone Meadow Subdivision
(R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential)**

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 17, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000011
Applicant/Current Owner: Palmco Properties, LLC
Representative: Morrison Shipley Engineers, Inc. (John Wary)
Requested Action: Rezoning
Location: Lots 80 & 81 Stone Meadow Subdivision
Existing Zoning: R-ZL, Zero Lot Line
Proposed Zoning: R-2, Duplex & Patio Home Residential
Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; these lots are currently vacant with in a single family duplex and patio home subdivision.

Previous Rezoning Requests for this Property: These lots were rezoned on December 7, 2010 from R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line. (ORD NO 2010-77)

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant Duplex/Single Family Lots	R-ZL, Zero Lot Line	Low Density Residential
South	Occupied Patio Home and a Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
East	Occupied Duplex	R-2, Duplex & Patio Home Residential	Low Density Residential
West	Vacant Duplex/Single Family Lots	R-ZL, Zero Lot Line	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Warberry Avenue	Local	2 lane - curb and gutter
South	-	-	-
East	-	-	-
West	Southwest Riverstone Avenue	Local	2 lane - curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **May 12, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **May 16, 2104**. In addition, staff posted a notice of public hearing sign on the property on **June 2, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: **It is the intent of the R-2, Duplex and Single Family Residential zoning designation to permit slightly higher population density than the R-1 District. The R-2 District will provide areas within the subdivision for the development of two-family residential structures while providing a variety of housing types in an area of the city where the environment is compatible with low to moderate density residential development.**

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: **The proposed zoning classification allows for the development of two-family homes in an already established subdivision which will not adversely impact the traffic volume of the subdivision.**

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: **Adequate public services are already existing and would not significantly impact the load on public services.**

ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as **LOW DENSITY RESIDENTIAL**.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-ZL, Zero Lot Line to R-2, Duplex and Patio Home Residential**.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-2, DUPLEX & PATIO HOME RESIDENTIAL.

WHEREAS, Palmco Properties, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

LOTS 80-81 AS SHOWN ON THE FINAL PLAT OF STONE MEADOWS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, FILED IN THE BENTON COUNTY CIRCUIT CLERKS OFFICE, DOCUMENT #2006-954

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 17th day of June 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: June 17, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Palmco Properties, LLC Lots 96 - 99 Stone Meadow Subdivision
(R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential)
Current Planning Division Correspondence: Planning Commission Staff Report**

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 17, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000009
Applicant/Current Owner: Palmco Properties, LLC
Representative: Morrison Shipley Engineers, Inc. (John Wary)
Requested Action: Rezoning
Location: Lots 96 – 99 Stone Meadow Subdivision
Existing Zoning: R-ZL, Zero Lot Line
Proposed Zoning: R-2, Duplex & Patio Home Residential
Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; these lots are currently vacant with in a single family duplex and patio home subdivision.

Previous Rezoning Requests for this Property: These lots were rezoned on December 7, 2010 from R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line. (ORD NO 2010-77)

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant Duplex/Single Family Lots	R-ZL, Zero Lot Line	Low Density Residential
South	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
East	Occupied Duplex & Vacant Duplex/Single Family Lots	R-2, Duplex & Patio Home Residential	Low Density Residential
West	Occupied Duplex	R-2, Duplex & Patio Home Residential	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Warberry Avenue	Local	2 lane - curb and gutter
South	Southwest Stoneway Avenue	Local	2 lane - curb and gutter
East	Southwest Stonegrove Road	Local	2 lane - curb and gutter
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: On **May 12, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **May 16, 2104**. In addition, staff posted a notice of public hearing sign on the property on **June 2, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: **It is the intent of the R-2, Duplex and Single Family Residential zoning designation to permit slightly higher population density than the R-1 District. The R-2 District will provide areas within the subdivision for the development of two-family residential structures while providing a variety of housing types in an area of the city where the environment is compatible with low to moderate density residential development.**

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: **The proposed zoning classification allows for the development of two-family homes in an already established subdivision which will not adversely impact the traffic volume of the subdivision.**

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: **Adequate public services are already existing and would not significantly impact the load on public services.**

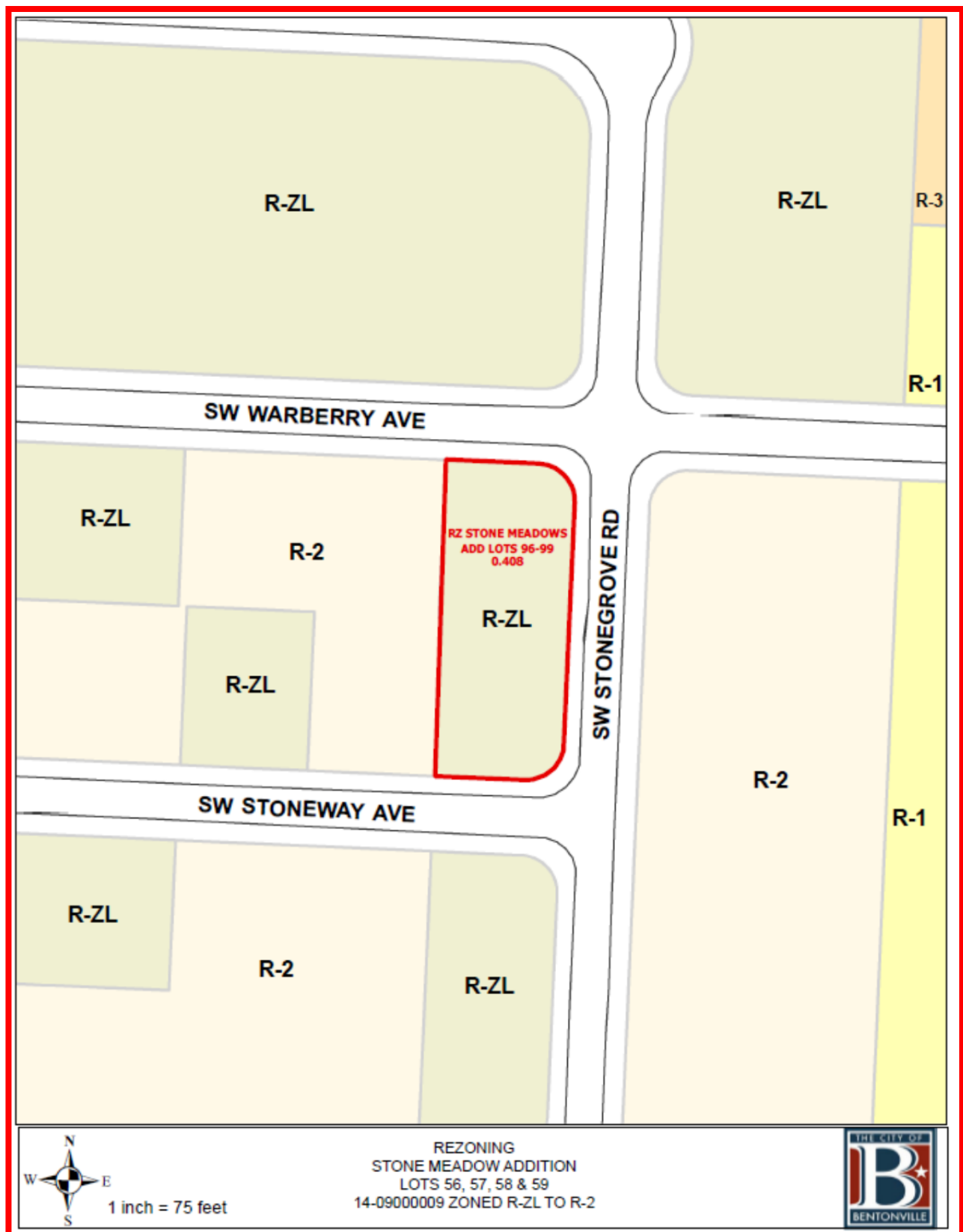
ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as **LOW DENSITY RESIDENTIAL**.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-ZL, Zero Lot Line** to **R-2, Duplex and Patio Home Residential**.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-2, DUPLEX & PATIO HOME RESIDENTIAL.

WHEREAS, Palmco Properties, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

LOTS 96-99 AS SHOWN ON THE FINAL PLAT OF STONE MEADOWS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, FILED IN THE BENTON COUNTY CIRCUIT CLERKS OFFICE, DOCUMENT #2006-954

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 17th day of June 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: June 17, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Palmco Properties, LLC Lots 116 & 117 Stone Meadow Subdivision
(R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential)**

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 17, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000013
Applicant/Current Owner: Palmco Properties, LLC
Representative: Morrison Shipley Engineers, Inc. (John Wary)
Requested Action: Rezoning
Location: Lots 116 & 117 Stone Meadow Subdivision
Existing Zoning: R-ZL, Zero Lot Line
Proposed Zoning: R-2, Duplex & Patio Home Residential
Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; both lots are currently vacant with in a single family duplex and patio home subdivision.

Previous Rezoning Requests for this Property: Both lots were rezoned on December 7, 2010 from R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line. (ORD NO 2010-77)

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Occupied Patio Home	R-ZL, Zero Lot Line	Low Density Residential
South	Vacant Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
East	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
West	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	-	-	-
South	Southwest Stoneway Avenue	Local	2 lane - curb and gutter
East	-	-	-
West	Southwest Riverstone Road	Local	2 lane - curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **May 12, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **May 16, 2104**. In addition, staff posted a notice of public hearing sign on the property on **June 2, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: **It is the intent of the R-2, Duplex and Single Family Residential zoning designation to permit slightly higher population density than the R-1 District. The R-2 District will provide areas within the subdivision for the development of two-family residential structures while providing a variety of housing types in an area of the city where the environment is compatible with low to moderate density residential development.**

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: **The proposed zoning classification allows for the development of two-family homes in an already established subdivision which will not adversely impact the traffic volume of the subdivision.**

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: **Adequate public services are already existing and would not significantly impact the load on public services.**

ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as **LOW DENSITY RESIDENTIAL**.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-ZL, Zero Lot Line** to **R-2, Duplex and Patio Home Residential**.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-2, DUPLEX & PATIO HOME RESIDENTIAL.

WHEREAS, Palmco Properties, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

LOTS 116-117 AS SHOWN ON THE FINAL PLAT OF STONE MEADOWS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, FILED IN THE BENTON COUNTY CIRCUIT CLERKS OFFICE, DOCUMENT #2006-954

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 17th day of June 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: June 17, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Palmco Properties, LLC Lots 128, 129, 172 & 173 Stone Meadow Subdivision
(R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential)
Current Planning Division Correspondence: Planning Commission Staff Report**

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 17, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000014
Applicant/Current Owner: Palmco Properties, LLC
Representative: Morrison Shipley Engineers, Inc. (John Wary)
Requested Action: Rezoning
Location: Lots 128, 129, 172 & 173 Stone Meadow Subdivision
Existing Zoning: R-ZL, Zero Lot Line
Proposed Zoning: R-2, Duplex & Patio Home Residential
Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; both lots are currently vacant with in a single family duplex and patio home subdivision.

Previous Rezoning Requests for this Property: Both lots were rezoned on December 7, 2010 from R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line. (ORD NO 2010-79)

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
South	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
East	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
West	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Stoneway Avenue	Local	2 lane - curb and gutter
South	Southwest Stonepoint Avenue	Local	2 lane - curb and gutter
East	-	-	-
West	Southwest Riverstone Road	Local	2 lane - curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **May 12, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **May 16, 2014**. In addition, staff posted a notice of public hearing sign on the property on **June 2, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: It is the intent of the R-2, Duplex and Single Family Residential zoning designation to permit slightly higher population density than the R-1 District. The R-2 District will provide areas within the subdivision for the development of two-family residential structures while providing a variety of housing types in an area of the city where the environment is compatible with low to moderate density residential development.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The proposed zoning classification allows for the development of two-family homes in an already established subdivision which will not adversely impact the traffic volume of the subdivision.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: Adequate public services are already existing and would not significantly impact the load on public services.

ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as **LOW DENSITY RESIDENTIAL**.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-ZL, Zero Lot Line** to **R-2, Duplex and Patio Home Residential**.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-2, DUPLEX & PATIO HOME RESIDENTIAL.

WHEREAS, Palmco Properties, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

LOTS 128-129 & 172-173 AS SHOWN ON THE FINAL PLAT OF STONE MEADOWS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, FILED IN THE BENTON COUNTY CIRCUIT CLERKS OFFICE, DOCUMENT #2006-954

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 17th day of June 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: June 17, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Palmco Properties, LLC Lots 148, 149, 150 & 151 Stone Meadow Subdivision
(R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential)**

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 17, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000012

Applicant/Current Owner: Palmco Properties, LLC

Representative: Morrison Shipley Engineers, Inc. (John Wary)

Requested Action: Rezoning

Location: Lots 148, 149, 150 & 151 Stone Meadow Subdivision

Existing Zoning: R-ZL, Zero Lot Line

Proposed Zoning: R-2, Duplex & Patio Home Residential

Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; both lots are currently vacant with in a single family duplex and patio home subdivision.

Previous Rezoning Requests for this Property: Both lots were rezoned on December 7, 2010 from R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line. (ORD NO 2010-79)

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
South	Occupied Duplex	R-ZL, Zero Lot Line	Low Density Residential
East	Occupied Duplex	R-ZL, Zero Lot Line	Low Density Residential
West	Occupied Duplex	R-2, Duplex & Patio Home Residential	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Stoneway Avenue	Local	2 lane - curb and gutter
South	Southwest Stonepoint Avenue	Local	2 lane - curb and gutter
East	-	-	-
West	Southwest Stonegrove Road	Local	2 lane - curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **May 12, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **May 16, 2014**. In addition, staff posted a notice of public hearing sign on the property on **June 2, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: It is the intent of the R-2, Duplex and Single Family Residential zoning designation to permit slightly higher population density than the R-1 District. The R-2 District will provide areas within the subdivision for the development of two-family residential structures while providing a variety of housing types in an area of the city where the environment is compatible with low to moderate density residential development.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The proposed zoning classification allows for the development of two-family homes in an already established subdivision which will not adversely impact the traffic volume of the subdivision.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: Adequate public services are already existing and would not significantly impact the load on public services.

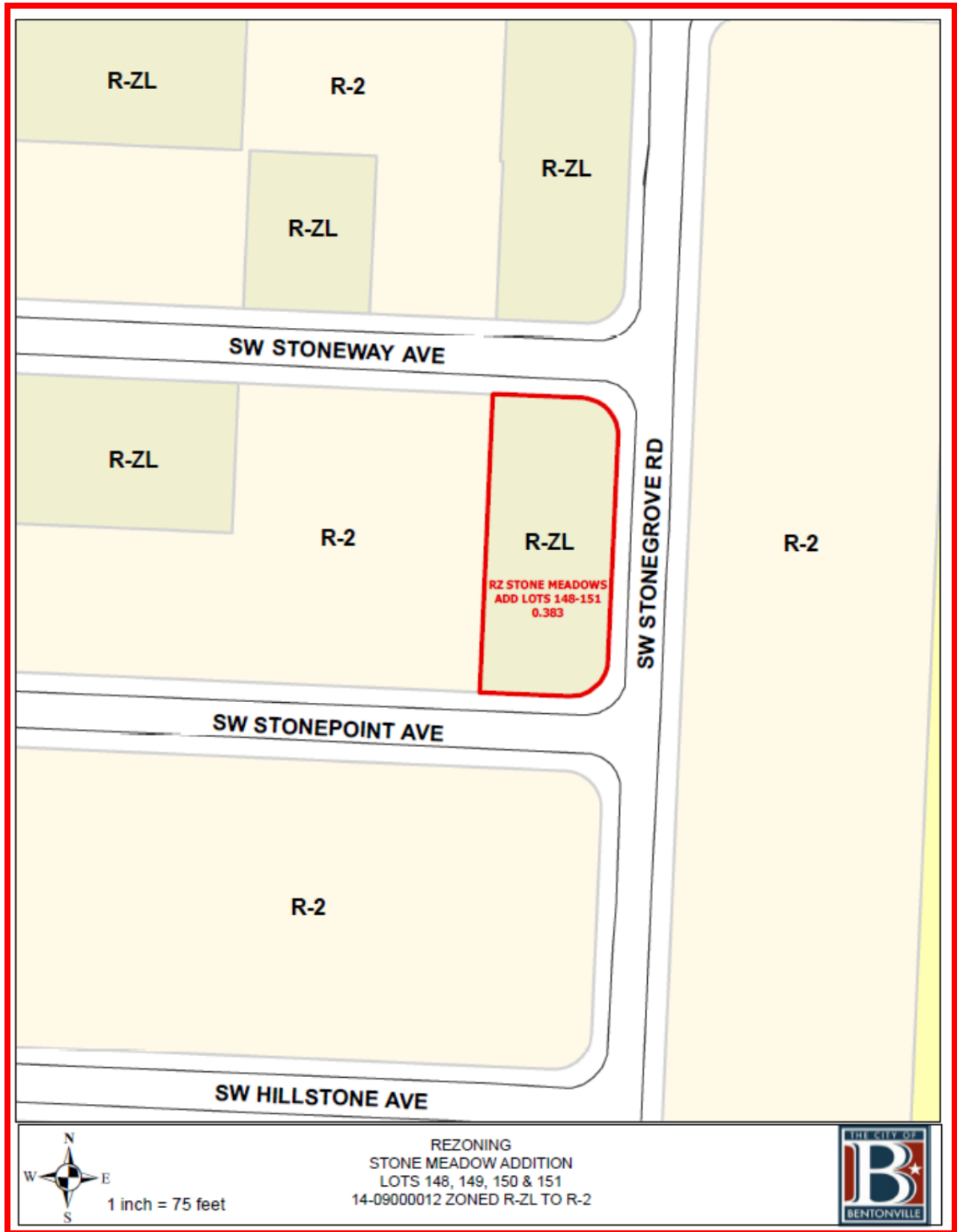
ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as **LOW DENSITY RESIDENTIAL**.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-ZL, Zero Lot Line to R-2, Duplex and Patio Home Residential**.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-2, DUPLEX & PATIO HOME RESIDENTIAL.

WHEREAS, Palmco Properties, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

LOTS 148-149 & 150-151 AS SHOWN ON THE FINAL PLAT OF STONE MEADOWS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, FILED IN THE BENTON COUNTY CIRCUIT CLERKS OFFICE, DOCUMENT #2006-954

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 17th day of June 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: June 17, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Palmco Properties, LLC Lots 182, 183, 228 & 229 Stone Meadow Subdivision
(R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential)
Current Planning Division Correspondence: Planning Commission Staff Report**

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 17, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000015
Applicant/Current Owner: Palmco Properties, LLC
Representative: Morrison Shipley Engineers, Inc. (John Wary)
Requested Action: Rezoning
Location: Lots 182, 183, 228 & 229 Stone Meadow Subdivision
Existing Zoning: R-ZL, Zero Lot Line
Proposed Zoning: R-2, Duplex & Patio Home Residential
Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; both lots are currently vacant with in a single family duplex and patio home subdivision.

Previous Rezoning Requests for this Property: Both lots were rezoned on December 7, 2010 from R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line. (ORD NO 2010-78)

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
South	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
East	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
West	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Stonepoint Avenue	Local	2 lane - curb and gutter
South	Southwest Hillstone Avenue	Local	2 lane - curb and gutter
East	-	-	-
West	Southwest Riverstone Road	Local	2 lane - curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **May 12, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **May 16, 2104**. In addition, staff posted a notice of public hearing sign on the property on **June 2, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: **It is the intent of the R-2, Duplex and Single Family Residential zoning designation to permit slightly higher population density than the R-1 District. The R-2 District will provide areas within the subdivision for the development of two-family residential structures while providing a variety of housing types in an area of the city where the environment is compatible with low to moderate density residential development.**

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: **The proposed zoning classification allows for the development of two-family homes in an already established subdivision which will not adversely impact the traffic volume of the subdivision.**

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: **Adequate public services are already existing and would not significantly impact the load on public services.**

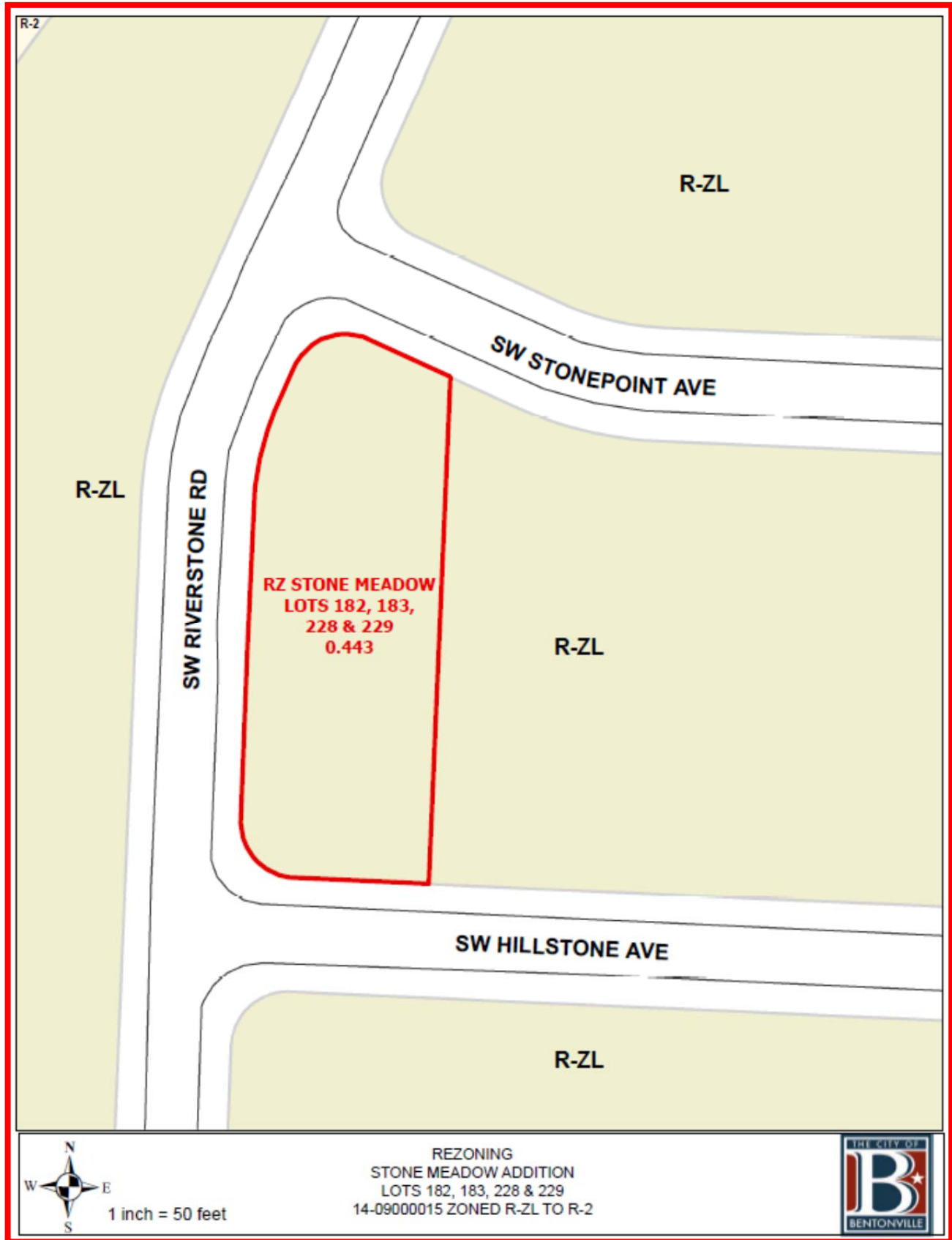
ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as **LOW DENSITY RESIDENTIAL**.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-ZL, Zero Lot Line to R-2, Duplex and Patio Home Residential**.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-2, DUPLEX & PATIO HOME RESIDENTIAL.

WHEREAS, Palmco Properties, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

LOTS 182-183 & 228-229 AS SHOWN ON THE FINAL PLAT OF STONE MEADOWS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, FILED IN THE BENTON COUNTY CIRCUIT CLERKS OFFICE, DOCUMENT #2006-954

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 17th day of June 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: June 17, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Palmco Properties, LLC Lots 236 & 237 Stone Meadow Subdivision
(R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential)
Current Planning Division Correspondence: Planning Commission Staff Report**

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 17, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000010
Applicant/Current Owner: Palmco Properties, LLC
Representative: Morrison Shipley Engineers, Inc. (John Wary)
Requested Action: Rezoning
Location: Lots 236 & 237 Stone Meadow Subdivision
Existing Zoning: R-ZL, Zero Lot Line
Proposed Zoning: R-2, Duplex & Patio Home Residential
Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; both lots are currently vacant with in a single family duplex and patio home subdivision.

Previous Rezoning Requests for this Property: Both lots were rezoned on December 7, 2010 from R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line. (ORD NO 2010-78)

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
South	-	-	-
East	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential
West	Vacant Duplex/Single Family Lot	R-ZL, Zero Lot Line	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Hillstone Avenue	Local	2 lane - curb and gutter
South	Glen Road	Collector	2 lane - curb and gutter
East	-	-	-
West	Southwest Riverstone Road	Local	2 lane - curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **May 12, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **May 16, 2104**. In addition, staff posted a notice of public hearing sign on the property on **June 2, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: **It is the intent of the R-2, Duplex and Single Family Residential zoning designation to permit slightly higher population density than the R-1 District. The R-2 District will provide areas within the subdivision for the development of two-family residential structures while providing a variety of housing types in an area of the city where the environment is compatible with low to moderate density residential development.**

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: **The proposed zoning classification allows for the development of two-family homes in an already established subdivision which will not adversely impact the traffic volume of the subdivision.**

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: **Adequate public services are already existing and would not significantly impact the load on public services.**

ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as **LOW DENSITY RESIDENTIAL**.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-ZL, Zero Lot Line to R-2, Duplex and Patio Home Residential**.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-2, DUPLEX & PATIO HOME RESIDENTIAL.

WHEREAS, Palmco Properties, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

LOTS 236-237 AS SHOWN ON THE FINAL PLAT OF STONE MEADOWS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, FILED IN THE BENTON COUNTY CIRCUIT CLERKS OFFICE, DOCUMENT #2006-954

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 17th day of June 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: June 17, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Palmco Properties, LLC Lots 258 & 259 Stone Meadow Subdivision
(R-ZL, Zero Lot Line to R-2, Duplex & Patio Home Residential)**

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 17, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000016
Applicant/Current Owner: Palmco Properties, LLC
Representative: Morrison Shipley Engineers, Inc. (John Wary)
Requested Action: Rezoning
Location: Lots 258 & 259 Stone Meadow Subdivision
Existing Zoning: R-ZL, Zero Lot Line
Proposed Zoning: R-2, Duplex & Patio Home Residential
Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; both lots are currently vacant with in a single family duplex and patio home subdivision.

Previous Rezoning Requests for this Property: Both lots were rezoned on December 7, 2010 from R-2, Duplex & Patio Home Residential to R-ZL, Zero Lot Line. (ORD NO 2010-78)

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Occupied Duplex	R-2, Duplex & Patio Home Residential	Low Density Residential
South	-	-	-
East	Vacant Duplex/Single Family Lot	R-2, Duplex & Patio Home Residential	Low Density Residential
West	Occupied Duplex	R-2, Duplex & Patio Home Residential	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Hillstone Avenue	Local	2 lane - curb and gutter
South	Glen Road	Collector	2 lane - curb and gutter
East	-	-	-
West	Southwest Stronegrove Road	Local	2 lane - curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On **May 12, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **May 16, 2104**. In addition, staff posted a notice of public hearing sign on the property on **June 2, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: **It is the intent of the R-2, Duplex and Single Family Residential zoning designation to permit slightly higher population density than the R-1 District. The R-2 District will provide areas within the subdivision for the development of two-family residential structures while providing a variety of housing types in an area of the city where the environment is compatible with low to moderate density residential development.**

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: **The proposed zoning classification allows for the development of two-family homes in an already established subdivision which will not adversely impact the traffic volume of the subdivision.**

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: **Adequate public services are already existing and would not significantly impact the load on public services.**

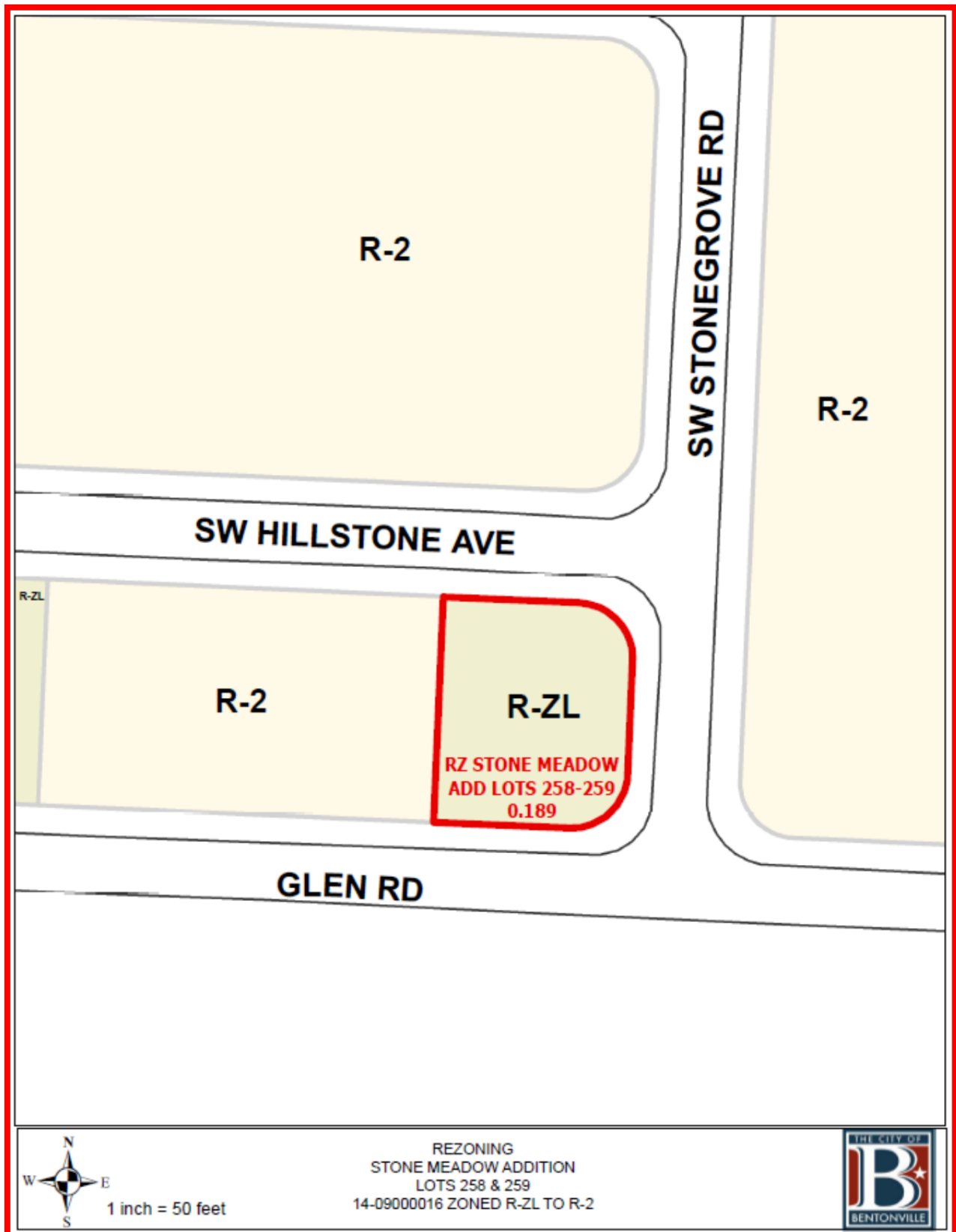
ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will provide slightly higher densities in the Southwest portion of the city and allow more diverse single family housing options in an existing low density residential subdivision.

This rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as **LOW DENSITY RESIDENTIAL**.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-ZL, Zero Lot Line** to **R-2, Duplex and Patio Home Residential**.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-2, DUPLEX & PATIO HOME RESIDENTIAL.

WHEREAS, Palmco Properties, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

LOTS 258-259 AS SHOWN ON THE FINAL PLAT OF STONE MEADOWS ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS, FILED IN THE BENTON COUNTY CIRCUIT CLERKS OFFICE, DOCUMENT #2006-954

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 17th day of June 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR

Planning Commission Staff Report
Final Plat: White Oak Trails Phase II

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: June 17, 2014

GENERAL INFORMATION:

Project Number: 14-03000001

Applicant: 67 Development Corporation

Representative: Phil Swope w/ Gray Rock Consulting

Requested Action: Final Plat Approval

Location: Southwest 2nd Street and Southwest White Oak Road.

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a final plat for a 54 lot single family residential subdivision on 20.52 acres. The subdivision will be known as White Oak Trails Subdivision phase II. It will be located to the west of the existing White Oak Trails Subdivisions and includes an extension of both Southwest Lone Oak Avenue and Southwest White Oak Road. A traffic circle is installed along Southwest Highland Road while a Mid block choker will be installed on SW White Oak Road. A 6' sidewalk is installed along Southwest 2nd Street. All Lot sized meet the minimum standards of the zoning regulations and all streets were installed per City of Bentonville Street Specifications.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North		
South	Southwest 2 nd Street	Arterial
East		
West	Southwest White Oak Road	Local

TRAFFIC FINDINGS

(d) Traffic data for the nearest intersections are as follows: No data exist within close proximity of the site.

STANDARD CONDITIONS OF APPROVAL:

1. A digital copy of the plat
2. All technical review comments must be addressed before building permits are issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is the site of an additional phase to single family residential subdivision

Drainage Report: A drainage report is not required at the time of final platting.

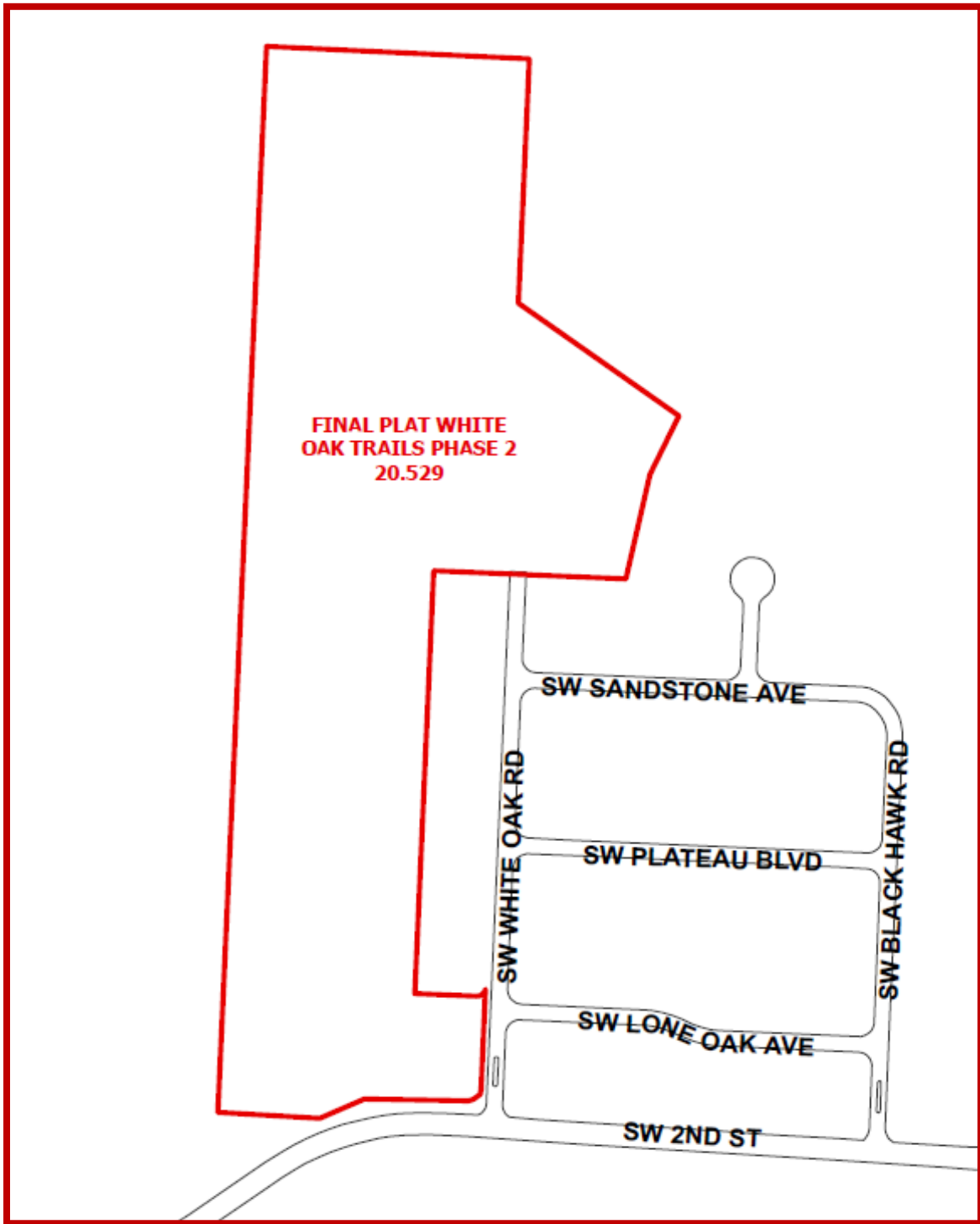
Water / Sewer: Per the G.I.S. site, water and sewer ARE available to this site.
Water and Sewer have both been extended throughout the subdivision.

Waiver(s):

Analysis / Conclusion: This final plat DOES meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A FINAL PLAT OF WHITE OAK TRAILS, PHASE II, TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the final plat of White Oak Trails, Phase II, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 17th day of June, 2014 and

WHEREAS, said final plat is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said final plat on the date stated and at other times, and voted to recommend the approval of said final plat to the City Council; and

WHEREAS, the final plat of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said final plat should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the final plat of White Oak Trails, Phase II, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said final plat by certifying said acceptance on the approved final plat.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR



CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
Resolution	
X Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: Troy Galloway

Department

Current Planning

Phone

479-271-3126

ACTION REQUIRED:

Appointment of Rod Sanders to the Planning Commission for a 5 year term to expire July 1, 2019

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount \$0

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

[Signature]
Department Head

11/5/14
Date

CT
Staff Attorney

10/18/14
Date

Purchasing Agent

Date

Mayor

Date

TN
Finance Director

6-19-14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE





June 19, 2014

To: City Council Members & City Clerk
From: Mayor Bob McCaslin
Subject: Appointment of Rod Sanders to the City of Bentonville's Planning Commission.

I recommend Rod Sanders for appointment to the City of Bentonville's Planning Commission.

A handwritten signature in black ink, appearing to read "BAM", with a horizontal line extending from the end of the signature.

Bob McCaslin



APPLICATION FORM

For appointment to City of Bentonville Boards & Commissions

Please Print or Type all Answers

FOR OFFICE USE ONLY

Board / Commission Appointed to:

Date of Appointment:

Term Expires:

Terminate:

Replaced:

APPLICANT INFORMATION

Name

If married, spouse's name:

Home Address

City Zip Code

Home/Cell Phone

Business Phone

Email Address

Occupation

Employer

Length of Residency in Bentonville

* Must be a Bentonville resident to serve on a Bentonville Board or Commission

REFERENCES

Name

Phone

Email

Name

Phone

Email

Please select all commissions / boards for which you would like to be considered:

- | | |
|---|--|
| ☐ Advertising & Promotion Commission | ☐ Fireman's Pension Board |
| ☐ Airport Advisory Board | ☐ Library Advisory Board |
| ☐ Bentonville Facility Board | ☐ Ozark Regional Transit Authority (Bentonville representative) |
| ☐ Board of Adjustment | ☐ Parks & Recreation Advisory Board |
| ☐ Bentonville Housing Authority | ☒ Planning Commission |
| ☐ Criminal Nuisance Abatement Board | ☐ Public Art Advisory Committee |
| ☐ Community Development Block Grant Advisory Committee | ☐ Tree & Landscape Advisory Committee |

1. What are your qualifications for serving on this commission or board, including education and expertise in the subject matter?

Bentonville/Bella Vista Chamber of Commerce Board-1999-2003
Bentonville Planning Commission 1990-1995
Bentonville Board of Adjustments 1999-2004
Bentonville City Council 2005-2008
Participated in all of the long range planning committees involving both downtown and greater community

2. Why would you like to be considered for appointment to this commission or board?

I would like to take past experiences serving in the community and use those to help prepare Bentonville for the next 25 years

RETURN THIS APPLICATION TO: Mayor's Office, 117 West Central, Bentonville, ar 72712 or email to jhopkins@bentonvillear.com.
If you have any questions, call 271-3112.

If you are not appointed, your application will be kept for one year and will automatically be resubmitted during that time. After a year if you want to be considered for a position, you will need to reapply.



June 19, 2014

To: City Council Members & City Clerk
From: Mayor Bob McCaslin
Subject: Reappointment of Amanda Webb to the City of Bentonville's Advertising & Promotion Commission.

I recommend Amanda Webb for reappointment to the City of Bentonville's Advertising & Promotion Commission.

A handwritten signature in black ink, appearing to read "Bob McCaslin" in a cursive style.

Bob McCaslin

BENTONVILLE
CONVENTION & VISITORS BUREAU
ADVERTISING & PROMOTION COMMISSION

June 12, 2014

Mayor Bob McCaslin
City of Bentonville
117 West Central
Bentonville, Arkansas 72712

Dear Mayor McCaslin:

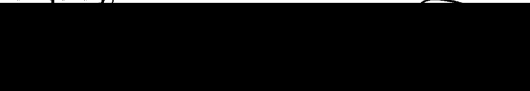
On December 12, 2013 the Bentonville Advertising & Promotion Commission voted to submit to the City Council for approval:

Amanda Webb of Comfort Inn & Suites
Term: January 2014 through December 31, 2017

This is a new term for a hotel position.

Please notify me when Amanda Webb's name is placed on the agenda for City Council approval. My e-mail address is kalene@bentonville.org.

Sincerely,



Kalene Griffith
President

Attachment

104 E. Central Avenue – Bentonville, Arkansas 72712
1-800-410-2535 479-271-9153 www.bentonville.org



MINUTES

The regularly scheduled November meeting of the Bentonville Advertising & Promotion Commission was held December 12, 2013, in the Bentonville Downtown Activity Center Conference Room, Bentonville, Arkansas.

I. Call to Order / Roll Call – Chair, Chris Sooter

- A. Call to order was made by Chair, Chris Sooter at 4:00 p.m. Commissioners present Rob Apple, Mary Baggett, Galen Havner, Chris Sooter, and Amanda Webb. Todd Darouse and Bryan Rose were absent. Others present were Kalene Griffith, Blair Cromwell, John Lamparski, Diana Eike, Darrel Harvey, Pat Slatton, Johnna Duncan and Angela Stanbery of the A & P Staff, Sam Dean of the Children's Museum and Melissa Gute of *The Benton County Daily Record*.

II. Review and Approval of the Minutes for October 24, 2013 – Chris Sooter

Mary Baggett made a motion to approve the October 24, 2013 Minutes. Amanda Webb seconded the motion. Motion carried.

III. Review and Approval of Financial Reports

A. October 2013 Financial Summary – Johnna Duncan

September (accrual basis) restaurant collections were \$90,769 and Lodging was \$59,271 for a total of \$150,040. The October account split was \$46,092. Lodging collections were up 19.4% and restaurant collections were up 6.6% over September 2012.

The Commissioners requested the November financials be e-mailed to them.

Galen Havner made a motion to approve the September Financials as submitted. Mary Baggett seconded the motion. Motion carried.

Bentonville Advertising & Promotion Commission

December 12, 2013

IV. Commissioner Applicants- Amanda Webb submission

Galen Havner made a motion to approve Amanda Webb for a second term on the Commission. Mary Baggett seconded the motion. Motion Carried.

B. 2014 Budget Approval

Kalene recommended adding two shows which Darrel Harvey will attend, increasing the souvenir line item since the 2013 souvenir budget has been exceeded and adding expenses for Jennifer Snow to attend the American Junior Golf Association Conference. The Branding budget item will be decreased to cover these additions.

Prior to approval of the budget, Sam Dean of the Children's Museum addressed the commissioners. Since the budget includes \$50,000 in support of the museum he provided a progress report. Kalene recommended a partnership with the museum in the amount of \$50,000 a year for six years. This will be a good investment for the Commission.

Chris Sooter said it would bring in more visitors to Northwest Arkansas and the museum will have meeting space and food plus outdoor space. The Children's Museum will increase tourism to the community.

Mary Baggett made a motion to fund the Children's Museum for an amount not to exceed \$50,000 per year for six years. Galen Havner seconded the motion. Motion Carried

Mary Baggett made a motion to approve the 2014 Budget as presented at the October meeting with changes as presented. Amanda Webb seconded the motion. Motion Carried

V. President's Report Kalene Griffith

2013 Tradeshows – a copy of the report was distributed to the Commissioners.

VI. Staff Reports and Updates

Blair Cromwell Reported on the James Beard Event in New York.

Kalene reported that we were unsuccessful in our bid to host a NCAA event. The plan is to continue bidding on future events.

VII. Other Business

VIII. Adjourn

Mary Baggett made a motion to adjourn. Galen Havner seconded the motion.

Minutes submitted by  December 12, 2013
Diana Eike

Minutes approved by the Commission: January 23, 2014

Approved copies to: City Council

Bentonville Advertising & Promotion Commission

December 12, 2013



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
x	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: David Wright

Department

Parks & Recreation

Phone

464-7275

ACTION REQUIRED:

INFORMATIONAL ITEM - Parks and Recreation Staff will present City Council with an update of construction for the Bentonville Community Center.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	-
Remaining Budget	
Budget Adjustment	-
Remaining After Adjustment	\$

DW 6/13/2014
Department Head Date

Purchasing Agent Date

m 6-19-14
Finance Director Date

CT 6/18/14
Staff Attorney Date

POM 6/17/14
Mayor Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE





CHECK ALL THAT APPLY			
	Bid Award	Bid #	
x	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: David Wright

Department

Parks & Recreation

Phone

464-7275

ACTION REQUIRED:

Parks and Recreation is seeking a budget adjustment, in the amount of \$1,500,000 for the community center project. This amount is from the 2013 Setasides, budgeted for the furniture, fixtures and equipment for the future facility.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	
Budget Adjustment	-
Remaining After Adjustment	\$

DW Department Head 5/5/2014 Date

Purchasing Agent Date

PA Finance Director 6-19-14 Date

CT Staff Attorney 6/18/14 Date

Tom Mayor 6/17/14 Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

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PLEASE RECYCLE



BUDGET ADJUSTMENT REQUEST FORM

Budget Adjustment #
(Assigned by Admin)

Department: Accounting/Purchasing

Date of Request: June 13, 2014

Acct Number	Account Name	Revenue + (-)	Expense + (-)	Fund Balance + (-)
				\$ -
	Set-Asides	\$ 1,500,000.00		\$ 1,500,000.00
010-5030-452.74-30	Furniture and Fixtures		\$ 1,500,000.00	\$ (1,500,000.00)
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
	Totals	\$ 1,500,000.00	\$ 1,500,000.00	\$ -

Justification:

Move funds from 2013 Set-asides into operational budget to allow to begin purchasing equipment for the Community Center project.

FOR ACTING USE ONLY

Council Action: Approved Disapproved Other _____

Date: _____ Date entered: _____ By: _____

Revised 5/1/07

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PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
CC:
Date: June 13, 2014
Re: Council approval of budget adjustment, in the amount of \$1,500,000, to create the FF&E Budget for the community center.

Parks and Recreation Staff is seeking City Council approval of a budget adjustment, in the amount of \$1,500,000 for the Community Center's Furniture, Fixtures and Equipment (FF&E) budget.

If you recall, last fall when City Council approved the Bentonville Community Center project, we discussed the final part of the funding of the project would come from set-asides for FF&E. At the time, we knew we had two budget cycles this funding could come from. Earlier this year, council was provided with information regarding set-asides from the 2013 budget. This schedule showed the entire 1.5mm budget included from the 2013 fund.

The community center project is progressing as scheduled. We are to the point in the schedule where we need to begin ordering equipment such as basketball and volleyball standards. In order to begin ordering this equipment, we must approve a budget adjustment moving these from set-asides, to the 2014 capital budget.

If you have any questions regarding this item, please let me know. Please call me at 464.7275, or email dwright@bentonvillear.com.



CHECK ALL THAT APPLY			
	Bid Award	Bid #	
x	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: David Wright

Department

Phone

ACTION REQUIRED:

City Council approval of a budget adjustment, in the amount of \$19,930, for soccer field renovations at Memorial Park.

COST TO CITY:

Cost of this Request: \$19,930

Additional Budget Amount \$19,930

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$	-
Funds Expended to Date		-
Remaining Budget		-
Budget Adjustment		19,930
Remaining After Adjustment	\$	19,930

 6/12/2014
Department Head Date

Purchasing Agent Date

 6-19-14
Finance Director Date

CT 6/18/14
Staff Attorney Date

POM- 6/17/14
Mayor Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

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PLEASE RECYCLE



BUDGET ADJUSTMENT REQUEST FORM

Budget Adjustment #
(Assigned by Admin)

Department: Accounting/Purchasing

Date of Request: June 19, 2014

Acct Number	Account Name	Revenue + (-)	Expense + (-)	Fund Balance + (-)
				\$ -
	Fund Balance			\$ -
010-5030-452.44-50	Project Maintenance		\$ 19,930.00	\$ (19,930.00)
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
	Totals	\$ -	\$ 19,930.00	\$ (19,930.00)

Justification:

Field Renovations for Soccer Fields at Memorial Park.

FOR ACTING USE ONLY

Council Action: **Approved** **Disapproved** **Other** _____

Date: _____ Date entered: _____ By: _____

Revised 5/1/07

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PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Crant Osborne, Parks Maintenance Supervisor
David Wright, Parks and Recreation Director
CC:
Date: June 12, 2014
Re: Council approval of budget adjustment, in the amount of \$19,930, for renovations at the Memorial Park Soccer Fields.

Parks and Recreation Staff is seeking City Council approval of a budget adjustment, in the amount of \$19,930, for renovations at the Memorial Park Soccer Fields.

Due to the extended period of below freezing temperatures this winter, the Memorial Park Soccer Fields are suffering from extreme large areas of winter kill. Winter kill is a turf disease that kills Bermuda grass while it is dormant. Normally, winterkill occurs in spots, or smaller areas. But at Memorial Parks Soccer fields 8-11, the square footage amount was very high. The winterkill that occurred at fields 1-7 and baseball / softball outfields will be repaired during the growing season. Failure to repair this issue will result in unsafe playing conditions.

Parks and Recreation acquired quotes to sprig the 7.5 acre area (Fields 8-11). The price of the sprig, plus installation is \$19,930. Sprigs were installed on June 18 and fields will remain closed from public use until end of August. They should be in great condition prior to the beginning of the Fall Soccer season in late August.

If you have any questions regarding this item, please let me know. Please call me at 464.7275, or email dwright@bentonvillear.com.



CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
x Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF: June 24, 2014

Submitted by: David Wright

Department: Parks & Recreation

Phone: 464-7275

ACTION REQUIRED:

Parks and Recreation is seeking council approval of a resolution authorizing the Mayor and City Clerk enter into agreement with Sand Creek Engineering for design, bid administration and construction oversight for a new parking lot at the Elm Tree Ballfields.

COST TO CITY:

Cost of this Request: \$24,520

Additional Budget Amount

☒ One time amount ☐ Continuing O and M

Previously Budgeted	\$ 250,000
Funds Expended to Date	-
Remaining Budget	
Budget Adjustment	-
Remaining After Adjustment	\$ 250,000

DW 6/13/2014
Department Head Date

Purchasing Agent Date

DL 6-14-14
Finance Director Date

CT 6/18/14
Staff Attorney Date

POM 6/17/14
Mayor Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

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PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Crant Osborne, Parks Maintenance Supervisor
David Wright, Parks and Recreation Director
CC:
Date: June 12, 2014
Re: Council approval of resolution authorizing the Mayor and City Clerk enter into agreement with Sand Creek Engineering for design, specifications, bid administration and general construction observation for the a new parking lot at Elm Tree Ballfields.

Parks and Recreation Staff is seeking City Council approval of a resolution authorizing the Mayor and City Clerk enter into an agreement with Sand Creek Engineering for design, specifications, bid administration and construction observation for the a new parking lot at Elm Tree Ballfields. Total value of the contract is \$24,520.

In 2010, the City Of Bentonville and Bentonville Public Schools agreed to make the Memorial Park Tennis Courts the home of Bentonville High School tennis team(s). In exchange, the school agreed to give five (5) pieces of land to the City for use of public parks. One of these pieces of property was the Elm Tree Ballfields.

Since acquiring this property in 2010, Parks and Recreation has completed a number of improvement projects at Elm Tree. In 2012, new dirt work and irrigation was installed. In 2013, new restroom / concession stand and new sidewalks into the facility were completed. In addition, new batting cages were built by Parks and Recreation Staff with funds provided by Bentonville Youth Baseball Association. Already in 2014, new fencing and dugouts were constructed and new scoreboards were installed. However, the most crucial improvement is the addition of a parking lot. Currently, people park in the dirt / grass area around the fields.

Included in the 2014 operational budget is \$250,000 for the construction of a new parking lot at Elm Tree. We asked Tim Sorey with Sand Creek to provide proposal for the design and oversight of the project. Sand Creek provided the original boundary

surveys when we acquired the property from the school. They are most familiar with the property.

Without any unexpected delays in design, the parking lot should be constructed this fall. The project should be done by the end of the year.

If you have any questions regarding this item, please let me know. Please call me at 464.7275, or email dwright@bentonvillear.com.

PROPOSAL FOR ENGINEERING SERVICES

TO: Mr. David Wright
City of Bentonville, (Client)
215 S.W. "A" Street
Bentonville, AR 72712
(479) 464-7275 Phone
dwright@bentonvillear.com

FROM: Sand Creek Engineering and Landscape Architecture, Inc.
("Sand Creek Engineering")
1610 NW 12th Street
Bentonville, AR 72712
(479) 464-9282 Phone
(479) 464-9284 Fax

RE: Elm Tree Baseball Parking Lot
Elm Tree Road
Bentonville, Arkansas

PROJECT: # 14065

DATE: 6 / 12 / 2014

DESCRIPTION OF PROJECT

The project consists of preparation of permit/construction documents for a new parking area for the Base Ball fields at Elm Tree School. The proposed project is located on Elm Tree Road and Bus Barn Road. Following is a list of services to be provided as well as a list of the responsibilities of the Client.

BASIC SERVICES

- Preparation of Topographic Survey for development area\$2,400.00
 - Monuments placed or found at all major corners, (which affect the proposed developed area)
 - Flood Zone designation per FIRM FLOOD MAPS
 - Land area in acres to 1/100 of an acre
 - Contours at 1' intervals
 - Exterior footprints of all buildings at ground level
 - Substantial visible improvements such as signs, above ground utilities, power poles, fire hydrants, fences, etc.
 - Indication of access to public way such as driveways
 - Observed evidence of utilities
 - Survey work will comply with state and local standards
 - Horizontal Datum will be NAD 1983
 - Vertical Datum will be NAVD 1988
- Preparation of Construction Documents\$11,640.00
 - Plans per the City of Bentonville requirements
 - Drainage Design
- Other Design Related Activities\$10,480.00
 - Coordination with Client for project design
 - Submittals for approvals and permits
 - Attendance of necessary City permit and approval meetings
 - Coordination of City inspection for Final Acceptance
 - Coordination of sub-consultants (surveyor, geotechnical engineer)
 - Bidding coordination
 - Construction observation

FEE FOR SERVICES

The fee for the above listed scope of services shall be \$24,520.00. The stated fee will be appropriate if the proposed scope does not change. This fee is based on all information included in this proposal being acceptable to the Client. Any change to this information or request for services not covered in this proposal shall be in writing by change order and billed accordingly as an addition.

RESPONSIBILITIES OF THE CLIENT/DEVELOPER

- Geotechnical report to include grading and pavement recommendations
- Construction Staking

ADDITIONAL SERVICES

Additional services are those items that may be required for the development but are not included in the project scope of services. Fees for the additional services shall be billed on an hourly basis in accordance with the fee schedule listed herein. Additional services may include but are not limited to:

- Coordination and/or preparation of easements
- Structural designs (retaining walls, drainage boxes, etc)
- Significant scope of work changes after the approved conceptual
- Extensive review comments/changes
- Construction Staking

FEE SCHEDULE

Additional services shall be performed in accordance with the rates and conditions contained in the fee schedule. Engineering services and costs are divided into three categories: Labor, Sub-Consultants and Reimbursable Expenses.

• Labor

Fees for Labor are charged for all activity directly attributable to a Client's project. No charge is made for general office overhead, accounting or maintenance. Labor charges are billed by the following categories:

CATEGORY	RATE	CATEGORY	RATE
Owner/Principal	\$150.00	Construction Observation	\$80.00
Engineer	\$120.00	CAD Technician/Survey Field	\$70.00
Landscape Architect	\$120.00	Licensed Surveyor	\$110.00
Project Manager	\$100.00	Two Man Crew	\$135.00
Sr. Resource Manager	\$80.00	Clerical	\$60.00
Fax	\$0.15/Sheet	Mileage	\$0.56/Mile
8.5" x 11" Copies	\$0.15/Sheet	Field Survey Equipment	\$30.00/Hour
Reproducible Copies (24" x 36" Paper)	\$0.30/S.F.		

(Hourly rates are subject to changing one time annually and this contract will be subject to the new rates if the change occurs during the life of this project.)

• Sub-consultants

In cases where the Engineer retains a Sub-Consultant to provide services, the cost of such services will be billed at actual invoice amount plus 10%, and sub-consultant will be paid upon receipt of payment by Client. Client may independently retain sub-consultant and pay for services directly, with the approval of the engineer regarding the sub-consultant selected.

• Reimbursable Expenses

Out-of-pocket materials and services will be billed at actual cost. Common items to which this rate would apply include, but are not limited to: printing and photographic work, delivery services, service laboratory testing, subsistence expenses, and survey crew supplies such as iron pipe, stakes, and paint. Vehicle mileage is billed at the rate of **\$0.56** per mile beginning from Engineer's office to job/project and back to Engineer's offices. Aircraft travel, car rental and other similar expenses are billed at actual invoice amount.

INVOICES

All outstanding invoices shall be paid prior to submittal for planning commission approval or other governing agency approval such as, but not limited to State Health Dept., ADEQ, FEMA, AHTD, U.S. Fish and Wildlife, or a Municipal Water Commission. Submittal for approval will not be made without payment prior to the submittal deadline. If engineering services are estimated to take longer than 30 days, invoices will be rendered monthly, either as final or progress billing, and will be due upon receipt. An account becomes past due thirty (30) days after the date of invoice and a late payment charge of \$100.00 per month will be assessed at Sand Creek Engineering's discretion. **At Sand Creek Engineering's discretion, all work will cease on any project that becomes past due based on these procedures or as outlined in the schedule of conditions.**

SCHEDULE OF CONDITIONS

SCHEDULE FOR RENDERING SERVICES

Time for Completion

- If, through no fault of Engineer, such periods of time or dates are changed, or the orderly and continuous progress of Engineer's services is impaired, or Engineer's services are delayed or suspended, then the time for completion of Engineer's services, and the rates and amounts of Engineer's compensation, shall be adjusted equitably.
- If Client authorizes changes in the scope, extent, or character of the Project, then the time for completion of Engineer's services, and the rates and amounts of Engineer's compensation, shall be adjusted equitably.
- Client shall make decisions and carry out its other responsibilities in a timely manner so as not to delay the Engineer's performance of its services.

INVOICES AND PAYMENTS

Payments

- Failure to Pay.* If Client fails to make any payment due Engineer for services and expenses within 30 days after receipt of Engineer's invoice, then:

- I. Engineer may, after giving seven days written notice to Client, suspend services under this Agreement until Client has paid in full all amounts due for services, expenses, and other related charges. Client waives any and all claims against Engineer for any such suspension.
- B. *Disputed Invoices.* If Client contests an invoice, Client may withhold only that portion so contested, and must pay the undisputed portion. Written notice from the Client regarding the contested amount must be received within 30 days of the invoice date.

OPINIONS OF COST

Opinions of Probable Construction Cost

- A. Engineer's opinions of probable Construction Cost are to be made on the basis of Engineer's experience and qualifications and represent Engineer's best judgment as an experienced and qualified professional generally familiar with the construction industry. However, since Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by Engineer. If Client wishes greater assurance as to probable Construction Cost, Client shall employ an independent cost estimator.

Opinions of Total Project Costs

- A. The services, if any, of Engineer with respect to Total Project Costs shall be limited to assisting the Client in collating the various cost categories which comprise Total Project Costs. Engineer assumes no responsibility for the accuracy of any opinions of Total Project Costs.

GENERAL CONSIDERATIONS

Standards of Performance

- A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services.
- B. Client shall not be responsible for discovering deficiencies in the technical accuracy of Engineer's services. Engineer shall correct any such deficiencies in technical accuracy without additional compensation except to the extent such corrective action is directly attributable to deficiencies in Client-furnished information.
- C. Engineer may employ such Consultants as Engineer deems necessary to assist in the performance or furnishing of the services, subject to reasonable, timely, and substantive objections by Client.
- D. Subject to the standard of care set forth above, Engineer and its Consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
- E. Engineer and Client shall comply with applicable Laws and Regulations and Client-mandated standards that Client has provided to Engineer in writing. This Agreement is based on these requirements as of its Effective Date. Changes to these requirements after the Effective Date of this Agreement may be the basis for modifications to Client's responsibilities or to Engineer's scope of services, times of performance, and compensation.
- F. Engineer shall not be required to sign any documents, no matter by whom requested, that would result in the Engineer having to certify, guarantee, or warrant the existence of conditions whose existence the Engineer cannot ascertain. Client agrees not to make resolution of any dispute with the Engineer or payment of any amount due to the Engineer in any way contingent upon the Engineer signing any such documents.
- G. Engineer shall not at any time supervise, direct, or have control over Contractor's work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by Contractor, for security or safety at the Site, for safety precautions and programs incident to the Contractor's work in progress, nor for any failure of Contractor to comply with Laws and Regulations applicable to Contractor's furnishing and performing the Work.
- H. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform the Work in accordance with the Contract Documents.
- I. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any of their agents or employees or of any other persons (except Engineer's own employees and its Consultants) at the Site or otherwise furnishing or performing any Work; or for any decision made on interpretations or clarifications of the Contract Documents given by Client without consultation and advice of Engineer.

Design Without Construction Phase Services

- A. If Engineer's Basic Services under this Agreement do not include Project observation, or review of the Contractor's performance, or any other Construction Phase services, then (1) Engineer's services under this Agreement shall be deemed complete no later than the end of the approval of documents by governing municipality; (2) Engineer shall have no design or shop drawing review obligations during construction; (3) Client assumes all responsibility for the application and interpretation of the Contract Documents, contract administration, construction observation and review, and all other necessary Construction Phase engineering and professional services; and (4) Client waives any claims against the Engineer that may be connected in any way thereto.

Use of Documents

- A. All Documents are instruments of service in respect to this Project, and Engineer shall retain an ownership and property interest therein (including the copyright and the right of reuse at the discretion of the Engineer) whether or not the Project is completed. Client shall not rely in any way on any Document unless it is in printed form, signed or sealed by the Engineer or one of its Consultants.
- B. A party may rely that data or information set forth on paper (also known as hard copies) that the party receives from the other party by mail, hand delivery, or facsimile, are the items that the other party intended to send. Files in electronic media format of text, data, graphics, or other types that are furnished by one party to the other are furnished only for convenience, not reliance by the receiving party. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.
- C. Because data stored in electronic media format can deteriorate or be modified inadvertently or otherwise without authorization of the data's creator, the party receiving electronic files agrees that it will perform acceptance tests or procedures within 60 days, after which the receiving party shall be deemed to have accepted the data thus transferred. Any transmittal errors detected within the 60-day acceptance period will be corrected by the party delivering the electronic files.
- D. When transferring documents in electronic media format, the transferring party makes no representations as to long-term compatibility, usability, or readability of such documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by the documents' creator.
- E. Client may make and retain copies of Documents for information and reference in connection with use on the Project by Client. Engineer grants Client a license to use the Documents on the Project, extensions of the Project, and other projects of Client, subject to the following limitations: (1) Client acknowledges that such Documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Client or others on extensions of the Project or on any other project without written verification or adaptation by Engineer; (2) any such use or reuse, or any modification of the Documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Client's sole risk and without liability or legal exposure to Engineer or to Engineer's Consultants; (3) Client shall indemnify and hold harmless Engineer and Engineer's Consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification without written verification, completion, or adaptation by Engineer; (4) such limited license to Client shall not create any rights in third parties.
- F. If Engineer at Client's request verifies or adapts the Documents for extensions of the Project or for any other project, then Client shall compensate Engineer at rates or in an amount to be agreed upon by Client and Engineer.

Insurance

- A. Client shall require Contractor to purchase and maintain general liability and any other insurance required to protect Client and engineer from construction related activities, and to cause Engineer and Engineer's Consultants to be listed as additional insureds with respect to such liability and other insurance purchased and maintained by Contractor for the Project.
- B. All policies of property insurance relating to the Project shall contain provisions to the effect that Engineer's and Engineer's Consultants' interests are covered and that in the event of payment of any loss or damage the insurers will have no rights of recovery against Engineer or its Consultants, or any insureds or additional insureds thereunder.

Suspension and Termination

- A. **Suspension.**
By Client: Client may suspend the Project upon seven days written notice to Engineer.
By Engineer: If Engineer's services are substantially delayed through no fault of Engineer, Engineer may, after giving seven days written notice to Client, suspend services under this Agreement.
- B. **Termination.** The obligation to provide further services under this Agreement may be terminated:
1. For cause,
 - a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.
 - b. By Engineer:
 - 1) upon seven days written notice if Client demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or
 - 2) upon seven days written notice if the Engineer's services for the Project are delayed or suspended for more than 90 days for reasons beyond Engineer's control.
 - 3) Engineer shall have no liability to Client on account of such termination.
 2. For convenience,
 - a. By Client effective upon Engineer's receipt of notice from Client.
- C. **Effective Date of Termination.** The terminating party may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Engineer to demobilize personnel and equipment from the Site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.
- D. **Payments Upon Termination.**
1. In the event of any termination, Engineer will be entitled to invoice Client and to receive full payment for all services performed or furnished and all Reimbursable Expenses incurred through the effective date of termination. Upon making such payment, Client shall have the limited right to the use of Documents, at Client's sole risk.
 2. In the event of termination by Client for convenience or by Engineer for cause, Engineer shall be entitled, to invoice Client and to payment of a reasonable amount for services and expenses directly attributable to termination, both before and after the effective date of termination, such as reassignment of personnel, costs of terminating contracts with Engineer's Consultants, and other related close-out costs, using methods and rates for Additional Services.

Controlling Law

- A. This Agreement is to be governed by the law of the state in which the Project is located.
- Successors, Assigns, and Beneficiaries**
- A. Client and Engineer are hereby bound and the partners, successors, executors, administrators and legal representatives of Client and Engineer are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators and legal representatives of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Client nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Unless expressly provided otherwise in this Agreement:
1. Nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Client or Engineer to any Contractor, Contractor's subcontractor, supplier, other individual or entity, or to any surety for or employee of any of them.
 2. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Client and Engineer and not for the benefit of any other party.
 3. Client agrees that the substance of the provisions of this Paragraph C. shall appear in the Contract Documents between Client and contractor.

Dispute Resolution

- A. Client and Engineer agree to negotiate all disputes between them in good faith for a period of 30 days from the date of notice prior to invoking the procedures of mediation or other provisions of this Agreement, or exercising their rights under law.
- B. If the parties fail to resolve a dispute through negotiation, then either or both may invoke the procedures of mediation.
1. **Mediation.** Client and Engineer agree that they shall first submit any and all unsettled claims, counterclaims, disputes, and other matters in question between them arising out of or relating to this Agreement or the breach thereof ("Disputes") to mediation by ADR, Inc. (Frank Hamlin) or other firm as selected if needed. If such mediation is unsuccessful in resolving a Dispute, then (a) the parties may mutually agree to a dispute resolution of their choice, or (b) either party may seek to have the Dispute resolved by a court of competent jurisdiction.

Environmental Condition of Site

- A. Client has disclosed to Engineer in writing the existence of all known and suspected Asbestos, PCBs, Petroleum, Hazardous Waste, Radioactive Material, Hazardous Substances, Wetlands, Endangered Species, Historical Sites, and other Constituents of Concern located at or near the Site, including type, quantity, and location.
- B. Client represents to Engineer that to the best of its knowledge no Constituents of Concern, other than those disclosed in writing to Engineer, exist at the Site.
- C. If Engineer encounters an undisclosed Constituent of Concern, then Engineer shall notify (1) Client and (2) appropriate governmental officials if Engineer reasonably concludes that doing so is required by applicable Laws or Regulations.
- D. It is acknowledged by both parties that Engineer's scope of services does not include any services related to Constituents of Concern. If Engineer or any other party encounters an undisclosed Constituent of Concern, or if investigative or remedial action, or other professional services, are necessary with respect to disclosed or undisclosed Constituents of Concern, then Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Client: (1) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the Constituents of Concern; and (2) warrants that the Site is in full compliance with applicable Laws and Regulations.
- E. If the presence at the Site of undisclosed Constituents of Concern adversely affects the performance of Engineer's services under this Agreement, then the Engineer shall have the option of (1) accepting an equitable adjustment in its compensation or in the time of completion, or both; or (2) terminating this Agreement for cause on 30 days notice.
- F. Client acknowledges that Engineer is performing professional services for Client and that Engineer is not and shall not be required to become an "arranger," "operator," "generator," or "transporter" of hazardous substances, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, which are or may be encountered at or near the Site in connection with Engineer's activities under this Agreement.

Indemnification and Mutual Waiver

- A. **Indemnification by Client.** Without waiving immunity pursuant to the law and to the fullest extent permitted by law, Client shall indemnify and hold harmless Engineer, Engineer's officers, directors, partners, agents, employees, and Consultants from and against any and all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court, arbitration, or other dispute resolution costs) arising out of or relating to the Project, provided that any such claim, cost, loss, or damage is attributable to bodily injury, sickness, disease, or death or to injury to or destruction of tangible property (other than the Work itself), including the loss of use resulting therefrom, but only to the extent caused by any negligent act or omission of Client or Client's officers, directors, partners, agents, consultants, or employees, or others retained by or under contract to the Client with respect to this Agreement or to the Project.
- B. **Environmental Indemnification.** In addition to the indemnity provided under this Agreement, and to the fullest extent permitted by law, Client shall indemnify and hold harmless Engineer and its officers, directors, partners, agents, employees, and Consultants from and against any and all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys and other professionals, and all court, arbitration, or other dispute resolution costs) caused by, arising out of, relating to, or resulting from a Constituent of Concern at, on, or under the Site, provided that (i) any such claim, cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or to injury to or

destruction of tangible property (other than the Work itself), including the loss of use resulting therefrom, and (ii) nothing in this paragraph shall obligate Client to indemnify any individual or entity from and against the consequences of that individual's or entity's own negligence or willful misconduct.

- C. *Mutual Waiver.* To the fullest extent permitted by law, Client and Engineer waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project.

Miscellaneous Provisions

- A. *Notices.* Any notice required under this Agreement will be in writing, addressed to the appropriate party at its address on the signature page and given personally, by facsimile, by registered or certified mail postage prepaid, or by a commercial courier service. All notices shall be effective upon the date of receipt.
- B. *Survival.* All express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.
- C. *Severability.* Any provision or part of the Agreement held to be void or unenforceable under any Laws or Regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Client and Engineer, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.
- D. *Waiver.* A party's non-enforcement of any provision shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.
- E. *Accrual of Claims.* To the fullest extent permitted by law, all causes of action arising under this Agreement shall be deemed to have accrued, and all statutory periods of limitation shall commence, no later than the date of Substantial Completion.

Role of Resident Project Representative

- A. Engineer shall furnish a Resident Project Representative ("RPR"), assistants, and other field staff to assist Engineer in observing progress and quality of the Work. The RPR, assistants, and other field staff under may provide full time representation or may provide representation to a lesser degree.
- B. Through such additional observations of Contractor's work in progress and field checks of materials and equipment by the RPR and assistants, Engineer shall endeavor to provide further protection for Client against defects and deficiencies in the Work. However, Engineer shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over the Contractor's Work nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by Contractor, for security or safety at the Site, for safety precautions and programs incident to the Contractor's work in progress, for any failure of Contractor to comply with Laws and Regulations applicable to Contractor's performing and furnishing the Work, or responsibility for Contractor's failure to furnish and perform the Work in accordance with the Contract Documents.
- C. The duties and responsibilities of the RPR are as follows:
1. *General:* RPR is Engineer's agent at the Site, will act as directed by and under the supervision of Engineer, and will confer with Engineer regarding RPR's actions. RPR's dealings in matters pertaining to the Contractor's work in progress shall in general be with Engineer and Contractor, keeping Client advised as necessary. RPR's dealings with subcontractors shall only be through or with the full knowledge and approval of Contractor. RPR shall generally communicate with Client with the knowledge of and under the direction of Engineer.
 2. *Conferences and Meetings:* Attend meetings with Contractor, such as preconstruction conferences, progress meetings, job conferences and other project-related meetings, and advise engineer of contents of such meetings.
 3. *Liaison:*
 - a. Serve as Engineer's liaison with Contractor, working principally through Contractor's superintendent, assist in providing information regarding the intent of the Contract Documents.
 - b. Assist Engineer in serving as Client's liaison with Contractor when Contractor's operations affect Client's on-Site operations.
 - c. Assist in obtaining from Client additional details or information, when required for proper execution of the Work.
 4. *Interpretation of Contract Documents:* Report to Engineer when clarifications and interpretations of the Contract Documents are needed and transmit to Contractor clarifications and interpretations as issued by Engineer.
 5. *Modifications:* Consider and evaluate Contractor's suggestions for modifications in Drawings or Specifications and report such suggestions, together with RPR's recommendations, to Engineer. Transmit to Contractor in writing decisions as issued by Engineer.
 6. *Review of Work and Rejection of Defective Work:*
 - a. Conduct on-Site observations of Contractor's work in progress to assist Engineer in determining if the Work is in general proceeding in accordance with the Contract Documents.
 - b. Report to Engineer whenever RPR believes that any part of Contractor's work in progress will not produce a completed Project that conforms generally to the Contract Documents or will imperil the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made, and advise Engineer of that part of work in progress that RPR believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.
 7. *Inspections, Tests, and System Startups:*
 - a. Consult with Engineer in advance of scheduled major inspections, tests, and systems startups of important phases of the Work.
 - b. Observe, record, and report to Engineer appropriate details relative to the test procedures and systems start-ups.
 - c. Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the results of these inspections, and report to Engineer.
 8. *Records:*
 - a. Prepare a daily report or keep a diary or log book, recording Contractor's general activities on the Site, weather conditions, data relative to questions of Change Orders, Field Orders, Work Change Directives, or changed conditions, Site visitors, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to Engineer.
 - b. Upon completion of the Work, furnish original set of all RPR Project documentation to Engineer.
 9. *Reports:*
 - a. Furnish to Engineer periodic reports as required of progress of the Work and of Contractor's compliance with the progress schedule and schedule of Shop Drawing and Sample submittals.
 - b. Draft and recommend to Engineer proposed Change Orders, Work Change Directives, and Field Orders. Obtain backup material from Contractor.
 - c. Furnish to Engineer and Client copies of all inspection, test, and system start-up reports.
 - d. Immediately notify Engineer of the occurrence of any Site accidents, emergencies, acts of God endangering the Work, damage to property by fire or other causes, or the discovery of any Constituent of Concern.
 10. *Payment Requests:* Review Applications for Payment with Contractor for compliance with the established procedure for their submission and forward with recommendations to Engineer, noting particularly the relationship of the payment requested to the schedule of values, Work completed, and materials and equipment delivered at the Site but not incorporated in the Work.
 11. *Completion:*
 - a. Participate in a Substantial Completion inspection, assist in the determination of Substantial Completion and the preparation of lists of items to be completed or corrected.
 - b. Participate in a final inspection in the company of, Client, and Contractor and prepare a final list of items to be completed and deficiencies to be remedied.

- c. Observe whether all items on the final list have been completed or corrected and make recommendations to Engineer concerning acceptance.
- D. Resident Project Representative shall not:
 1. Authorize any deviation from the Contract Documents or substitution of materials or equipment (including "or-equal" items).
 2. Exceed limitations of Engineer's authority as set forth in the Agreement or the Contract Documents.
 3. Undertake any of the responsibilities of Contractor, subcontractors, suppliers, or Contractor's superintendent.
 4. Advise on, issue directions relative to, or assume control over any aspect of the means, methods, techniques, sequences or procedures of Contractor's work unless such advice or directions are specifically required by the Contract Documents.
 5. Advise on, issue directions regarding, or assume control over safety practices, precautions, and programs in connection with the activities or operations of Client or Contractor.
 6. Participate in specialized field or laboratory tests or inspections conducted off-site by others except as specifically authorized by Engineer.
 7. Accept Shop Drawing or Sample submittals from anyone other than Contractor.
 8. Authorize Client to occupy the Project in whole or in part.

Client's Responsibilities

In addition to other responsibilities of Client as set forth in this Agreement, Client shall at its expense:

- A. Provide Engineer with all criteria and full information as to Client's requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility, and expandability, and any budgetary limitations; and furnish copies of all design and construction standards which Client will require to be included in the Drawings and Specifications; and furnish copies of Client's standard forms, conditions, and related documents for Engineer to include in the Bidding Documents, when applicable.
- B. Furnish to Engineer any other available information pertinent to the Project including reports and data relative to previous designs, or investigation at or adjacent to the Site.
- C. Following Engineer's assessment of initially-available Project information and data and upon Engineer's request, furnish or otherwise make available such additional Project related information and data as is reasonably required to enable Engineer to complete its Basic and Additional Services. Such additional information or data would generally include the following:
 1. Property descriptions.
 2. Zoning, deed, and other land use restrictions.
 3. Property, boundary, easement, right-of-way, and other special surveys or data, including establishing relevant reference points.
 4. Explorations and tests of subsurface conditions at or contiguous to the Site, drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site, or hydrographic surveys, with appropriate professional interpretation thereof.
 5. Environmental assessments, audits, investigations, and impact statements, and other relevant environmental or cultural studies as to the Project, the Site, and adjacent areas.
 6. Data or consultations as required for the Project but not otherwise identified in the Agreement or the Exhibits thereto.
- D. Give prompt written notice to Engineer whenever Client observes or otherwise becomes aware of the presence at the Site of any Constituent of Concern, or of any other development that affects the scope or time of performance of Engineer's services, or any defect or nonconformance in Engineer's services, the Work, or in the performance of any Contractor.
- E. Authorize Engineer to provide Additional Services as set forth in the Agreement as required.
- F. Arrange for safe access to and make all provisions for Engineer to enter upon public and private property as required for Engineer to perform services under the Agreement.
- G. Examine all alternate solutions, studies, reports, sketches, Drawings, Specifications, proposals, and other documents presented by Engineer (including obtaining advice of an attorney, insurance counselor, and other advisors or consultants as Client deems appropriate with respect to such examination) and render in writing timely decisions pertaining thereto.
- H. Provide reviews, approvals, and permits from all governmental authorities having jurisdiction to approve all phases of the Project designed or specified by Engineer and such reviews, approvals, and consents from others as may be necessary for completion of each phase of the Project.
- I. Provide, as required for the Project:
 1. Accounting, bond and financial advisory, independent cost estimating, and insurance counseling services.
 2. Legal services with regard to issues pertaining to the Project as Client requires, Contractor raises, or Engineer reasonably requests.
 3. Such auditing services as Client requires to ascertain how or for what purpose Contractor has used the moneys paid.
 4. Placement and payment for advertisement for Bids in appropriate publications, plan rooms, etc., as required by Client.
- J. Advise Engineer of the identity and scope of services of any independent consultants employed by Client to perform or furnish services in regard to the Project, including, but not limited to, cost estimating, project peer review, value engineering, and constructibility review.
- K. Furnish to Engineer data as to Client's anticipated costs for services to be provided by others (including, but not limited to, accounting, bond and financial, independent cost estimating, insurance counseling, and legal advice) for Client so that Engineer may assist Client in collating the various cost categories which comprise Total Project Costs.
- L. If Client designates a construction manager or an individual or entity other than, or in addition to, Engineer to represent Client at the Site, define and set forth as an attachment to this Agreement the duties, responsibilities, and limitations of authority of such other party and the relation thereof to the duties, responsibilities, and authority of Engineer.
- M. If more than one prime contract is to be awarded for the Work designed or specified by Engineer, designate a person or entity to have authority and responsibility for coordinating the activities among the various prime Contractors, and define and set forth the duties, responsibilities, and limitations of authority of such individual or entity and the relation thereof to the duties, responsibilities, and authority of Engineer as an attachment to this Agreement that is to be mutually agreed upon and made a part of this Agreement before such services begin.
- N. Attend the pre-bid conference, bid opening, pre-construction conferences, construction progress and other job related meetings, and Substantial Completion and final payment inspections.
- O. Provide the services of an independent testing laboratory to perform all inspections, tests, and approvals of Samples, materials, and equipment required by the Contract Documents, or to evaluate the performance of materials, equipment, and facilities of Client, prior to their incorporation into the Work with appropriate professional interpretation thereof.

DEFINITIONS

Defined Terms

- A. Wherever used in this Agreement terms (including the singular and plural forms) have the meanings indicated:
 1. **Additional Services** – The services to be performed for or furnished to Client by Engineer in accordance with this Agreement at hourly rates.
 2. **Basic Services** – The services to be performed for or furnished to Client by Engineer in accordance with this Agreement at contracted amount.
 3. **Construction Cost** – The cost to Client of those portions of the entire Project designed or specified by Engineer. Construction Cost does not include costs of services of Engineer or other design professionals and consultants, cost of land or rights-of-way, or compensation for damages to properties, or Client's costs for legal, accounting, insurance counseling or auditing services, or interest and financing charges incurred in connection with the Project, or the cost of other services to be provided by others to Client pursuant to this Agreement. Construction Cost is one of the items comprising Total Project Costs.
 4. **Constituent of Concern** – Any substance, product, waste, or other material of any nature whatsoever (including, but not limited to, Asbestos, Petroleum, Radioactive Material, and PCBs) which is or becomes listed, regulated, or addressed pursuant to [a] the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq. ("CERCLA"); [b] the Hazardous Materials Transportation Act, 49 U.S.C. §§1801 et seq.; [c] the Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq. ("RCRA"); [d] the Toxic Substances Control Act, 15 U.S.C. §§2601 et seq.; [e] the Clean Water Act, 33 U.S.C. §§1251 et seq.; [f] the Clean Air Act, 42 U.S.C. §§7401 et seq.; and [g] any other federal, state, or local statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material. In addition, any site features such as but not limited to Corps of Engineers designated Wetlands, Waters of the US, Endangered Species, or Historical Sites shall be considered a Constituent of Concern.

5. *Consultants* – Individuals or entities having a contract with Engineer to furnish services with respect to this Project as Engineer's independent professional associates, consultants, subcontractors, or vendors.
6. *Documents* – Data, reports, Drawings, Specifications, Record Drawings, and other deliverables, whether in printed or electronic media format, provided or furnished in appropriate phases by Engineer to Client pursuant to this Agreement.
7. *Drawings* – That part of the Contract Documents prepared or approved by Engineer which graphically shows the scope, extent, and character of the Work to be performed by Contractor. Shop Drawings are not Drawings as so defined.
8. *Laws and Regulations; Laws or Regulations* – Any and all applicable laws, rules, regulations, ordinances, codes, and orders of any and all governmental bodies, agencies, authorities, and courts having jurisdiction.
9. *Reimbursable Expenses* – The expenses incurred directly by Engineer in connection with the performing or furnishing of Basic and Additional Services for the Project.
10. *Resident Project Representative* – The authorized representative of Engineer, if any, assigned to assist Engineer at the Site during the Construction Phase. The Resident Project Representative will be Engineer's agent or employee and under Engineer's supervision. As used herein, the term Resident Project Representative includes any assistants of Resident Project Representative as assigned by the engineer. The duties and responsibilities of the Resident Project Representative, if any, are set forth in this document.
11. *Specifications* – That part of the Contract Documents consisting of written technical descriptions of materials, equipment, systems, standards, and workmanship as applied to the Work and certain administrative details applicable thereto.
12. *Total Project Costs* – The sum of the Construction Cost, allowances for contingencies, and the total costs of services of Engineer or other design professionals and consultants, together with such other Project-related costs that Client furnishes for inclusion, including but not limited to cost of land, rights-of-way, compensation for damages to properties, Client's costs for legal, accounting, insurance counseling and auditing services, interest and financing charges incurred in connection with the Project, and the cost of other services to be provided by others to Client pursuant to this Agreement.

Total Agreement

- A. This Agreement constitutes the entire agreement between Client and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument agreeable to both Client and engineer.

Designated Representatives

- A. With the execution of this Agreement, Engineer and Client shall designate specific individuals to act as Engineer's and Client's representatives with respect to the services to be performed or furnished by Engineer and responsibilities of Client under this Agreement. Such individuals shall have authority to transmit instructions, receive information, and render decisions relative to the Project on behalf of each respective party.

This document has been prepared in part by utilizing **EJCDC E-500 Standard Form of Agreement between Client and Engineer for Professional Services Copyright ©2002 National Society of Professional Engineers for EJCDC. All rights reserved.**

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

Client:

Engineer:

Timothy R. Sorey, P.E.

By: _____

By: _____

Title: _____

Title: President

Date Signed: _____

Date Signed: _____

Engineer License or Certificate No. 9253
State of: Arkansas

Address for giving notices:

Address for giving notices:

Sand Creek Engineering and Landscape Architecture, Inc.

1610 NW 12th Street

Bentonville, AR 72712

Designated Representative:

Designated Representative:

Title: _____

Title: _____

Phone Number: _____

Phone Number: (479) 464-9282

Facsimile Number: _____

Facsimile Number: (479) 464-9284

E-Mail Address: _____

E-Mail Address: _____

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH
SANDCREEK ENGINEERING FOR DESIGN, BID
ADMINISTRATION AND CONSTRUCTION
OBSERVATION SERVICES RELATED TO THE PARKING
LOT PROJECT AT THE ELM TREE BALLFIELDS.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an Agreement with Sandcreek Engineering for design, bid administration and construction observation services for the Elm Tree Ballfields Parking Lot Project in the amount of \$24,250.00 as set forth in the agreement attached hereto as Exhibit "A".

Section 2: This resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this _____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY			
	Bid Award	Bid #	
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
X	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: Public Arts Advisory Committee

Department

Phone

ACTION REQUIRED:

Approval of three pieces of artwork to be placed on the North Bentonville Trail.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

 6/19/14
Department Head Date

 6/18/14
Staff Attorney Date

Purchasing Agent Date

 6/17/14
Mayor Date

 6-19-14
Finance Director Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





MEMO

To: City Council
From: Public Arts Advisory Committee:
Dayton Castleman, Becky McCoy, Randy Townzen and Tom Hoehn
Date: June 6, 2014
RE: Recommended Artwork on North Bentonville Trail

The Public Arts Advisory Committee has been working for 18 months to find the most appropriate and effective artwork to initiate its first public art project in Bentonville. The committee was pleased to receive approval of a project budget in the amount of \$20,000 from the Bentonville Advertising and Promotion (A&P) Commission.

The committee spent months drafting the Call for Proposals which was distributed to an artist list serve on February 19, 2014. The Call for Proposals identified three sites along the North Bentonville Trail where artwork could be placed and outlined the criteria for submittal. The committee conducted two on-site orientations (Sat., March 15 and Sat., April 12) attended by five artists. We received more than 120 inquiries to the Call for Proposals. By the May 12 deadline, the committee received 14 proposals from artists from across the country.

On Friday, May 16, the committee spent an afternoon reviewing and discussing the merits of each proposal. Review criteria included the following:

- **Artistic Quality and Merit:** Strength of the artist's concept, vision, innovation, execution and craftsmanship.
- **Context:** Relationship to the architectural, historical, geographical and socio-culture of the city, as well as the theme and context of the display in terms of scale, form, content and materials.
- **Mission Statement & Core Principles.** Reflecting the Public Art Advisory Committee's mission statement and core principles:

Mission Statement

"Enriching and engaging our community through public art."

Core Principles

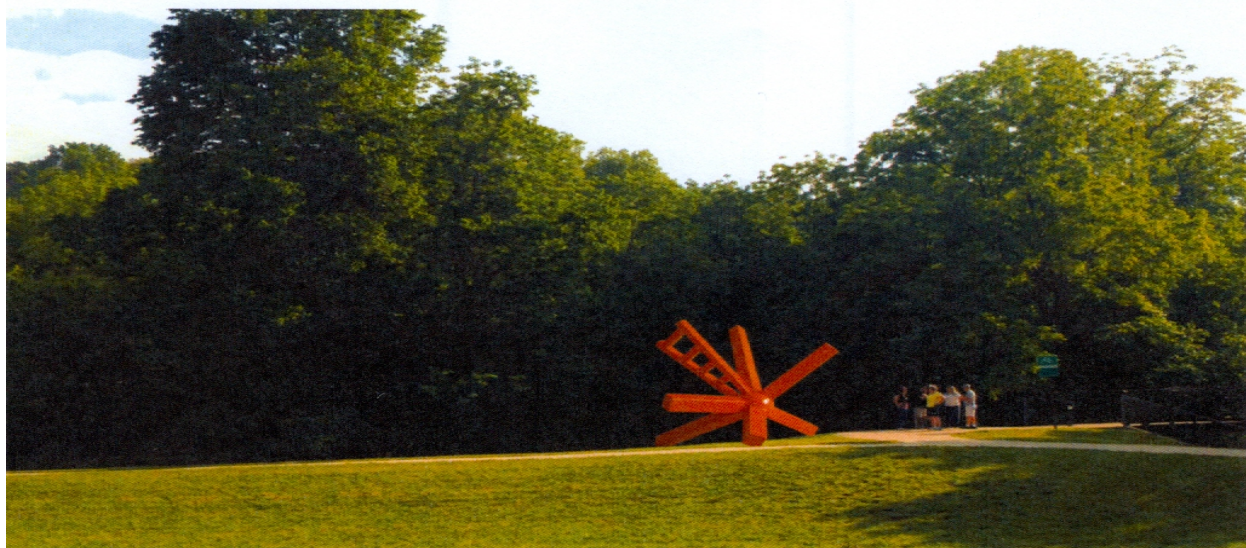
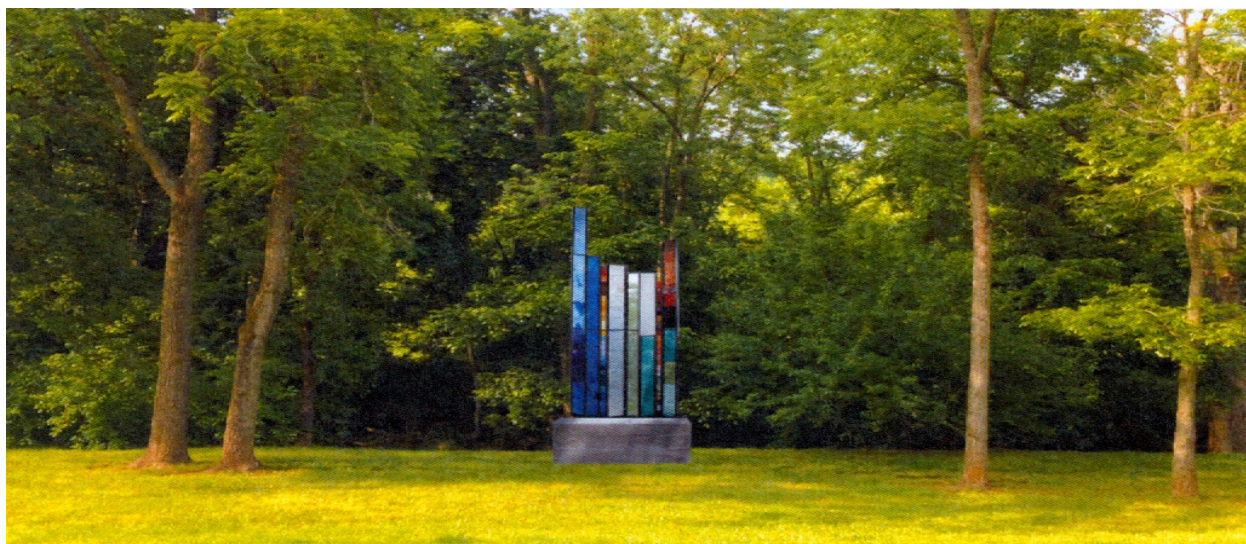
- Enhance the community's visual environment

- Promote awareness of the city's social, cultural, & historical composition
- Encourage a spirit of collaboration
- Expand public knowledge of the visual arts

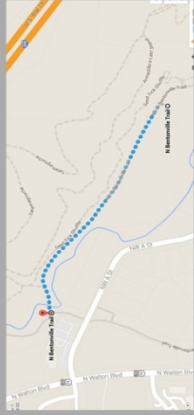
The committee is excited to recommend three unique pieces that will enhance the trail system: 1) Ed Pennebaker – “Ozark Topography”, Nathan S. Pierce – “Sunkissed”, and Cray Gray – “PAC-Man.” The attached document shows the three pieces along with a description of each and its approximate location.

The Public Art Policy requires that artwork being placed in a public park or along a trail be approved by the Bentonville Parks and Recreation Advisory Committee and ultimately approved by City Council. The Bentonville Parks and Recreation Advisory Board unanimously approved the three pieces on Monday, May 19, 2014.

Because the Bentonville A&P Commission is funding the project, their approval was required as well. They approved two of the pieces (Sunkissed and PAC Man). The site proposed for the third piece, Ozark Topography, was considered too remote to meet their goals for tourism development. The committee met on Friday, May 23 to determine another location for the piece. This new location will be presented to the A&P Commission on Thursday, June 19. Results of this meeting will be relayed at the City Council meeting.



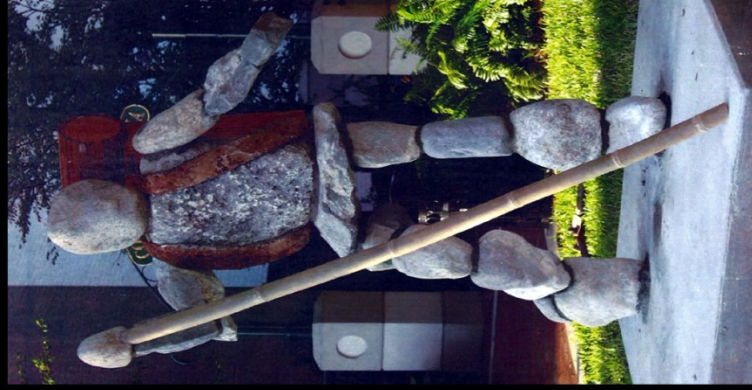
The Bentonville Public Art Advisory Committee is pleased to present three sculptures selected as finalists for installation on the North Bentonville Trail this summer. Located along the hard surface trail within a 7-minute walk south/east of the Hidden Springs parking area, these proposed works constitute a sculpture trail intended to enhance the user experience of walkers, runners, cyclists and other guided visitors of all ages. The sculptures were selected for their ability to beautify, draw attention to, and visually augment the landscape along the trail, their potential to function as informative educational sites via signage and touring, and for their likelihood to encourage photography and sharing via social media.



Whether glowing subtly in the shade or scattering chromatic light across the surrounding landscape, Ed Pennebaker's stained block-glass sculpture *Ozarks Topography*, S4R9T149 takes its inspiration from the colors and textures of the surrounding bluffs, rock formations, creeks, and the sky. By filtering and reflecting the light of the surrounding landscape, the sculpture will respond dynamically to varying weather conditions and to seasonal color shifts throughout the year.



Located at the Y trail intersection, the bright, bursting lines of Nathan S. Pierce's monumental sculpture *Sunkissed*, echo the radiating spokes of the intersecting trails, and make a conspicuous splash clearly visible from North Walton Avenue, providing both a striking visual landmark for the North Trail system, and a potent branding and marketing opportunity.



Along the trail one will encounter Craig Gray's whimsical PAC-Man, a seven-foot tall striding figure fashioned from native Arkansan stone. Evoking the lore and imagery of the "Arkansas Traveller," this work provides both an opportunity for historical/geological education, and a playful photo opportunity for all trail users.



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
X	Change Order	
	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: Mike Bender

Department: Public Works

Phone: 271-6720

ACTION REQUIRED:

Staff requests Council approval of Change Order No. 1 for Rosetta Construction, LLC for a total decrease of \$146,279.00 and increase of 20 days contract time for the Bella Vista Bypass utility relocation project.

COST TO CITY:

Cost of this Request: (\$146,279)

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ 4,633,953
Funds Expended to Date	\$0
Remaining Budget	4,633,953
Budget Adjustment	-
Remaining After Adjustment	\$ 4,633,953

[Signature] 6/13/14
Department Head Date

Purchasing Agent Date

[Signature] 6-14-14
Finance Director Date

CT 6/18/14
Staff Attorney Date

PBM 6/17/14
Mayor Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin

From: Mike Bender *[Signature]*

CC:

Date: June 13, 2014

Re: Change Order #1 for Rosetta Construction, LLC for Bella Vista Bypass Utility Relocation Project

Staff recommends approval of Change Order #1 for Rosetta Construction, LLC for the Bella Vista Bypass Utility Relocation Project. This change order will reduce the contract amount by \$146,279.00, but will increase the contract time by 20 days. The bulk reduction in cost is for the removal of conduits that were to be utilized by Cox Communications. Cox was originally going to pay the City to install conduits along with the City's electric conduit. After the City awarded the bid to Rosetta, Cox pulled back and went another direction. The reduction for removing Cox conduits is \$139,156.00. The remainder of this change order focuses on slight sewer alignment changes to improve installation safety and efficiency as requested by Rosetta Construction and adjustments to the creek crossings due to significant changes in the creek from the August 2013 flood. Adjustments result in a slight decrease in costs. The increase in contract time is due to delays associated with design changes and coordination with ADEQ and US Army Corps of Engineers regarding the creek crossing changes. This change order will reduce the overall contract from \$4,633,953.00 to \$4,487,674.00 and will increase the time from 225 days (180 for AHTD work) to 245 days (200 for AHTD work).

The City entered into an agreement with AHTD in 2007 to perform preliminary engineering services for water, sanitary sewer, and electric utility relocations affected by AHTD's Bella Vista Bypass Project. The City entered into an agreement with AHTD in 2012 to proceed with final engineering, bidding and construction of utility relocations associated with the Bella Vista Bypass project.

Thank you for your consideration of this request

Change Order

No. 1

Date of Issuance: _____ Effective Date: _____

Project: Bella Vista Bypass	Owner: Bentonville Water Utilities	Owner's Contract No.:
Contract: Water & Sewer Main Replacement		Date of Contract: April 3, 2014
Contractor: Rosetta Construction, LLC		Engineer's Project No.: FY072128

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Modify construction quantities in accordance with attached schedule and with revised Plan Sheets PP-1, 2, 3, 4 and 9.

Attachments (list documents supporting change):

Schedule of quantities and cost changes.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: <u>\$4,633,953.00</u>	Original Contract Times: ☐ Working days ☒ Calendar days Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>225</u>
[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____: <u>\$N/A</u>	[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____: Substantial completion (days): <u>N/A</u> Ready for final payment (days): <u>N/A</u>
Contract Price prior to this Change Order: <u>\$4,633,953.00</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>225</u>
[Increase] [Decrease] of this Change Order: <u>\$146,279.00</u>	Increase for this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>20 days</u>
Contract Price incorporating this Change Order: <u>\$4,487,674.00</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>245 (200 days on AHTD work)</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Date: <u>6/10/2014</u>	Date: _____	Date: _____

**ATTACHMENT TO CHANGE ORDER #1
BENTONVILLE - BELLA VISTA BYPASS
AHTD JOB 090024
JUNE 4, 2014**

For 18" Gravity Sewer and 24" Force Main at the Highway 71 Intersection:
Part of Phase 1 and 2 Bid Schedule, AHTD Reimbursement Percentage = 9.10%

Bid Item	Description	Change in Qty.	Unit	Bid Cost	Change in Cost	AHTD Reimbursement	AHTD Amount
Various	Quantity revisions due to moving Manhole 2 on Plan Sheet PP-1 72 ft north (sewer and force main realignment) (1)	See Attached Table	-	-	\$1,857	9.10%	\$160.79
20	Delete 4 ft dia. Manholes (2)	-10	Ea	\$2,100	-\$21,000	9.10%	(\$1,911.00)
20A	Add 5 ft dia. Manholes (2)	+10	Ea	\$3,100	\$31,000	9.10%	\$2,821.00
21	Delete 4 ft dia Manhole Extra Depth (2)	-70	Ft	\$125	-\$8,750	9.10%	(\$766.25)
21A	Add 5 ft dia Manhole Extra Depth (2)	+70	Ft	\$160	\$11,200	9.10%	\$1,019.20
29	Add 10' of 36" Bored Casing (3)	+10	Ft	\$850	\$8,500	9.10%	\$773.50
31	Add 10' of 30" Bored Casing (3)	+10	Ft	\$750	\$7,500	9.10%	\$682.50
31	Delete 90' of 30" Bored Casing (4)	-90	Ft	\$750	-\$67,500	9.10%	(\$61,425.00)
31A	Add 90' of 30" Open Cut Casing (4)	+90	Ft	\$225	\$20,250	9.10%	\$1,842.75
31B	Sewer Trench and Backfill, 0-10' Deep (4)	+43	Ft	\$100	\$4,300	9.10%	\$387.30
31C	Sewer Trench and Backfill, 10-14' Deep (4)	+47	Ft	\$140	\$6,580	9.10%	\$596.78
31D	Concrete Encasement for Open Cut 30" Casing (4)	+30	Ft	\$240	\$14,400	9.10%	\$1,310.40
31E	Clearing at Open Cut Creek Crossing (4)	+1	LS	\$5,000	\$5,000	9.10%	\$455.00
31F	Rip Rap at Open Cut Creek Crossing (4)	+50	CY	\$50	\$2,500	9.10%	\$227.50
29 & 31	Add concrete cover over bored 30" and 36" casings at creek crossing, Gravity Sewer Sta. 19+70 (6)	+1	LS	\$10,000	\$10,000	9.10%	\$910.00
45	Delete Class 7 Base Trench Backfill (6)	-2786	Ft	\$60	-\$167,160	9.10%	(\$152,111.56)
45A	Add Compacted Excavated Material for Trench Backfill (6)	+1	LS	\$151,800	\$151,800	9.10%	\$13,813.80
48	Add Force Main Air and Vacuum Release Vault (7)	+1	EA	\$17,500	\$17,500	9.10%	\$1,592.50
49	Add Force Main Extra Depth for Bore (7)	+1	LS	\$10,000	\$10,000	9.10%	\$910.00
50	Add Deeper Force Main Bore Pit (7)	+1	LS	\$10,000	\$10,000	9.10%	\$910.00
Total Phase 1 and 2 Bid Schedule Changes					\$47,777		\$4,347.71

PHASE 1 ELECTRICAL BID SCHEDULE CHANGES, NON AHTD REIMBURSABLE

Bid Item	Description	Change in Qty.	Unit	Bid Cost	Change in Cost	AHTD Reimbursement	AHTD Amount
E-6	Delete Cox Conduits (8)	-2528	FT	\$52	-\$136,066	0%	\$0
E-7	Delete Cox Conduit Sweeps and Risers (8)	-1	LS	\$2,500	-\$2,500	0%	\$0
E-12	Delete 24" Bored Casing for Electrical Conduits (9)	-325	FT	\$700	-\$227,500	0%	\$0
E-12A	Add 16" Bored Casing for Electrical Conduits (9)	+240	FT	\$635	\$152,400	0%	\$0
E-12B	Add 16" Open Cut Casing for Electrical Conduits (10)	+85	FT	\$200	\$17,000	0%	\$0
E-12C	Add Concrete Encasement on 16" Open Cut Casing (10)	+80	FT	\$200	\$12,000	0%	\$0
E-12D	Add Concrete Cover on 16" Bored Creek Crossing (6)	+1	LS	\$5,000	\$5,000	0%	\$0
E-12E	Add 10" of 16" Bored Casing for Electrical Conduits (3)	+10	FT	\$535	\$5,350	0%	\$0
E-15	Delete Class 7 Base for Conduit Trench Backfill (6)	-1280	FT	\$25	-\$31,500	0%	\$0
Total Phase 1 Electrical Bid Schedule							\$0
Total Phase 1 Electrical Bid Schedule							-\$205,406

PHASE 3 BID SCHEDULE, McKISIC CREEK SEWER MAIN, 100% AHTD REIMBURSABLE

Bid Item	Description	Change in Qty.	Unit	Bid Cost	Change in Cost	AHTD Reimbursement	AHTD Amount
3-15	Delete 5 ft dia. Manholes (11)	-4	EA	\$3,100	-\$12,400	100%	-\$12,400
3-16A	Add 6 ft dia. Manholes (11)	+4	EA	\$4,500	\$18,000	100%	\$18,000
3-18	Delete 5 ft dia Manhole Extra Depth (11)	-15	FT	\$160	-\$2,400	100%	-\$2,400
3-18A	Add 6 ft dia Manhole Extra Depth (11)	+15	FT	\$210	\$3,150	100%	\$3,150
Total Phase 3 Bid Schedule							\$6,350

PHASE 4 BID SCHEDULE, OFF SITE SEWER MAIN, 0% AHTD REIMBURSABLE

Bid Item	Description	Change in Qty.	Unit	Bid Cost	Change in Cost	AHTD Reimbursement	AHTD Amount
NR-14	Shift Location and Deepen Anchor Pier at Sta. 3+82, Plan Sheet: PF-9 (12)	+1	LS	\$5,000	\$5,000	0%	\$0
Total Phase 4 Bid Schedule							\$5,000
Change Order Total Cost Revisions							-\$146,279
City							AHTD
							\$10,697.71

NOTES ON ATTACHMENT TO CHANGE ORDER #1

- (1) The gravity sewer and force main realignment was requested by the Contractor to provide more clearance between the new construction and the existing active force main near Sta. 4+45 on the gravity sewer, on Plan Sheet P2-1.
- (2) The manhole sizes for 18-inch sewer need to be 5 ft in diameter to conform to Bentonville's current standards
- (3) Casing extended due to multiple phone cables on the east end of the creek bore, past the design casing end
- (4) Due to the changed creek conditions, the Owner elected to open cut the creek crossing for the 18-inch gravity sewer at Sta. 21+70 on Plan Sheet P2-2.
- (5) A concrete cap is necessary where the creek bottom washed out during the Summer of 2013.
- (6) The Contractor offered a cost reduction for using excavated material for the trench backfill.
- (7) Due to the changed creek conditions, the Owner elected to deepen the force main bore and this results in the need for an air and vacuum release valve.
- (8) Cox Communications decided not to participate in this project.
- (9) Since the Cox conduits are not included, the casing can be smaller.
- (10) The electrical conduit casing is to be open cut, instead of bored, at the south creek crossing.
- (11) The manhole sizes for 30-inch sewer need to be 6 ft in diameter to conform to Bentonville's current standards.
- (12) Upon review, the casing span above the creek was too long. The casing support pier was moved and deepened to reduce the span.

Bentonville Water Utilities
Bentonville - Bella Vista Bypass, AHTD Job No. 090024
Revised Quantities and Costs for Revised Alignment

For Gravity Sewer and Force Main at the Hwy 71 Intersection

Item	Bid Quantity	Revised Quantity	Change in Quantity	Unit	Bid Cost	Change in Cost
18-Inch PVC Sewer Main	203	131	-72	FT	\$102	-\$7,344
18-Inch DIP Sewer Main	1640	1705	+65	FT	\$150	\$9,750
18-Inch Restrained Joint DIP Sewer	330	330	0	FT	\$176	\$0
Sewer Manhole, 4 ft. Dia.	10	10	0	EA	\$2,100	\$0
Manhole Additional Depth	70	70	0	FT	\$125	\$0
Connect to Existing Manhole	1	1	0	EA	\$1,000	\$0
Remove Manhole	1	1	0	EA	\$300	\$0
Abandon Manhole	9	9	0	EA	\$500	\$0
Plug Sewer at Manhole	2	2	0	EA	\$150	\$0
Trench, 0 ft. to 10 ft. deep	304	297	-7	FT	\$100	-\$700
Trench, 10 ft. to 14 ft. deep	809	809	0	FT	\$140	\$0
Trench, 14 ft. to 18 ft. deep	730	730	0	FT	\$180	\$0
30" Bored Steel Casing on Old R/W	240	240	0	FT	\$750	\$0
30" Bored Steel Casing off Old R/W	90	90	0	FT	\$750	\$0
18" x 4" PVC Service Tap	1	1	0	EA	\$900	\$0
18" x 4" DIP Service Tap	1	1	0	EA	\$350	\$0
Concrete Surface Restoration	120	82	-38	SY	\$60	-\$2,280
Asphalt Surface Restoration	20	0	-20	SY	\$75	-\$1,500
Asphalt Highway Restoration	1300	1370	+70	SY	\$80	\$5,600
Class 7 Base Trench Backfill	1500	1506	+6	FT	\$60	\$360
Flowable Fill in Old 15" and 16" Sewers	2134	2134	0	FT	\$10	\$0
24-Inch DIP Force Main	181	115	-66	FT	\$177	-\$11,682
24-Inch Restrained Joint DIP Force Main	1,993	2050	+57	FT	\$214	\$12,198
36-Inch Bored Steel Casing on Old R/W	258	240	-18	FT	\$850	-\$15,300
36-Inch Bored Steel Casing off Old R/W	90	90	0	FT	\$850	\$0
36-Inch Direct Bury Steel Casing on Old R/W	1,344	1447	+103	FT	\$145	\$14,935
36-Inch Direct Bury Steel Casing off Old R/W	28	28	0	FT	\$145	\$0
Connect to Existing 24-Inch	2	2	0	EA	\$1,000	\$0
Force Main Trace Wire Access Ports	9	9	0	EA	\$150	\$0
4" PVC Sewer Service Pipe	20	20	0	FT	\$50	\$0
TV Inspection of Exist 15"/16" Gravity			0			\$0
Sewer to be Abandoned	2,134	2134	0	FT	\$2	\$0
Ductile Iron Fittings	5,200	5200	0	LB	\$7	\$0
Concrete Surface Restoration	120	88	-32	SY	\$60	-\$1,920
Asphalt Surface Restoration	20	0	-20	SY	\$75	-\$1,500
Asphalt Highway Restoration	1,200	1228	+28	SY	\$80	\$2,240
Class 7 Base Trench Backfill	1,300	1280	-20	FT	\$60	-\$1,200
Flowable Fill in Old 24" Force Main	2,180	2180	0	FT	\$22	\$0
Trench Stabilization Material	32.71	32.71	0	TON	\$20	\$0
Trench Safety	1	1	0	LS	\$37,845.47	\$0
Erosion Control	1	1	0	LS	\$5,833.20	\$0
Totals						\$1,657

FY072128, Cost Estimates/Table No. 8 Rev 5-6.xls



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
	Informational	
X	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: Mike Roberts

Department: Wastewater

Phone: 271-3160

ACTION REQUIRED:

Request waiver of the bid process to purchase an in-line Phosphorus analyzer from HACH Company for the wastewater treatment plant. This is a 2014 budgeted item.

COST TO CITY:

Cost of this Request: \$24,993

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$	25,000
Funds Expended to Date		
Remaining Budget		25,000
Budget Adjustment		-
Remaining After Adjustment	\$	25,000

Department Head: June 16, 2014
Date

Purchasing Agent:
Date

Finance Director: June 19, 2014
Date

Staff Attorney: CT 6/18/14
Date

Mayor: BoM 6/17/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



REQUEST FOR WAIVER OF BID

Date	<u>6/24/2014</u>		
Requested by:	<u>Mike Roberts</u>		
Department:	<u>Wastewater</u>		
DESCRIPTION OF REQUEST:			
Type of Equipment:	<u>HACH Phosphax Phosphorus Analyzer</u>		
Year & Model:	<u></u>		
Serial #	<u></u>		
To Be Purchased From:	<u>HACH COMPANY</u>		
	<u>P.O. Box 608</u>		
	<u>Loveland, CO 80539-0608</u>		
Amount:	Base Amount:	\$	<u>22,376.25</u>
	Tax:	\$	<u>2,168.26</u>
	*Other:	\$	<u>447.53</u>
	TOTAL	\$	<u>24,992.04</u>
* List all other costs: Shipping = \$447.53			
JUSTIFICATION FOR REQUEST FOR WAIVER OF BID:			
A waiver of the bid process to purchase an additional HACH Phosphax system is being requested to maintain consistency by standardizing replacement parts and spare parts inventory. Also, additional training would not be required because treatment plant personnel are already familiar with the operation and maintenance of the Hach Phosphax system.			
 _____ Department Head		 _____ Director of Finance & Administration	
Revised 6-18-99			

Memo



To: City Council, Mayor Bob McCaslin
From: Mike Roberts, Wastewater Utilities Manager *MR*
Date: June 24, 2014
Re: Request for Waiver of Bid Process to Purchase a Hach Phosphax Phosphorus Analyzer

\$25,000.00 was budgeted in the 2014 budget for an additional in-line Phosphorus analyzer for the wastewater treatment plant. A HACH Phosphax unit has been used at the treatment plant since 2008 to determine when the addition of liquid Aluminum Sulfate is necessary. Liquid Alum is used to precipitate Phosphorus when biological treatment is not sufficient to meet NPDES permit requirements. The additional Phosphate analyzer would be installed at the last stage of the treatment process to provide treatment plant personnel continuous, real time data to determine if the amount of added chemical was adequate to meet permit limits. This information would prevent overdosing and reduce chemical costs.

A waiver of the bid process to purchase an additional HACH Phosphax system is being requested to maintain consistency by standardizing replacement parts and spare parts inventory. Also, additional training would not be required because treatment plant personnel are already familiar with the operation and maintenance of the Hach Phosphax system.

The HACH Phosphax system consists of the following components:

1.	Probe Module	\$1,799.45
2.	Display Module	\$2,354.50
3.	Filtration System	\$5,989.95
4.	Phosphax Analyzer	\$12,232.35
	Sub Total	\$22,376.25
	Freight Charge	\$447.53
	<u>Taxes</u>	<u>\$2,168.26</u>
	Total	\$24,992.04



Quotation

Hach Company
PO Box 608
Loveland, CO 80539-0608
Phone: (800) 227-4224
Email: quotes@hach.com
Website: www.hach.com

Quote Date: 02/27/2014

Quote Expiration: 06/27/2014

Quote Number: 100002613v7
Use quote number at time of order to ensure
that you receive prices quoted

CITY OF BENTONVILLE
117 W CENTRAL
BENTONVILLE, AR 72712

Name: DUSTIN KAHRL
Phone: 479-271-3160
Email: DKAHRL@BENTONVILLEAR.COM

Customer Account Number: 084532

Sales Contact: James Atkins Email: jatkins@hach.com Phone: 970-286-8112

PRICING QUOTATION

Line	Part Number	Description	Qty	Unit Price	% Disc	Extended Price
1	LXV400.99.1R572	db PROBE MODULE, SC1000	1	2,117.00	15%	1,799.45
2	LXV402.99.00002	db MODULE, DISPLAY W/O GSM, SC1000	1	2,770.00	15%	2,354.50
3	5739000	Sample filtration system 115VAC with 10m heated sample delivery hose	1	7,047.00	15%	5,989.95
4	27	Estimated Simplified freight charge	1	447.53		447.53
5	6159600	KTO:PHOSPHAX sc ANLZR 115-230V .05- 0.50-15MG/L PO4-P, ONE CHANNEL, CONTINUOUS SAMPLE CE/CTUVus AND TUV-GS APPROVED	1	14,391.00	15%	12,232.35
Grand Total						\$ 22,823.78

TERMS OF SALE

Freight: Ground Prepay and Add

FOB: Origin

All purchases of Hach Company products and/or services are expressly and without limitation subject to Hach Company's Terms & Conditions of Sale ("Hach TCS"), incorporated herein by reference and published on Hach Company's website at www.hach.com/terms. Hach TCS are contained directly and/or by reference in Hach's offer, order acknowledgment, and invoice documents. The first of the following acts constitutes an acceptance of Hach's offer and not a counteroffer and creates a contract of sale "Contract" in accordance with the Hach TCS: (i) Buyer's issuance of a purchase order document against Hach's offer; (ii) acknowledgement of Buyer's order by Hach; or (iii) commencement of any performance by Hach pursuant to Buyer's order. Provisions contained in Buyer's purchase documents (including electronic commerce interfaces) that materially alter, add to or subtract from the provisions of the Hach TCS are not part of the Contract.

Due to international regulations, a U.S. Department of Commerce Export License may be required. Hach reserves the right to approve specific shipping agents. Wooden boxes suitable for ocean shipment are extra. Specify final destination to ensure proper documentation and packing suitable for international transport. In addition, Hach may require: 1) A statement of intended end-use; 2) Certification that the intended end-use does not relate to proliferation of weapons of mass destruction (prohibited nuclear end use, chemical / biological weapons, missile technology); and 3) Certification that the goods will not be diverted contrary to U.S. law.

ORDER TERMS:

Terms are Subject to Credit Review

Please reference the quotation number on your purchase order.

Sales tax is not included. Applicable sales tax will be added to the invoice based on the U.S. destination, if applicable provide a resale/exemption certificate.

Shipments will be prepaid and added to invoices unless otherwise specified.

Equipment quoted operates with standard U.S. supply voltage.

Hach standard terms and conditions apply to all sales.

Additional terms and conditions apply to orders for service partnerships.

Freight Charge Schedule and Collect Handling Fees attached.

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE MAYOR AND THE
CITY CLERK TO PURCHASE A PHOSPHORUS
ANALYZER THE WASTEWATER PLANT AND WAIVING
THE REQUIREMENT OF COMPETITIVE BIDDING.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That the Mayor and City Clerk be and are hereby authorized to purchase a HACH Phosphax phosphorus analyzer for the Wastewater Department, in an amount not to exceed \$24,992.04 as per the Proposal attached hereto as Exhibit A.

Section 2: Because of the need for consistency in standardizing facility equipment for ease of repair, efficiency and public health, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY			
X	Bid Award	Bid #	14-28
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: Travis Matlock

Department Inventory

Phone 271-3145

ACTION REQUIRED:

Recommend Mayor and City Council award the 6-month blanket bid for electric material to the lowest bidder as shown on the attached bid tabulation in the amount of \$332,906.88. Items will be ordered on 'as needed' basis.

✓

COST TO CITY:

Cost of this Request: \$332,906

Additional Budget Amount

☐ One time amount

☒ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

TW
Department Head 6/13/14
Date

KB
Purchasing Agent 6/13/14
Date

DL
Finance Director 6-19-14
Date

CT
Staff Attorney 6/18/14
Date

POM
Mayor 6/17/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



M E M O R A N D U M

DATE: June 24, 2014

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineer Director

RE: Electric Materials bid award #14-28

The City of Bentonville recommends awarding the bids for electric material in the total amount \$332,906.88. The low bidders for the various items are as follows:

Arkansas Electric in the amount of \$50,039.78
Stuart Irby in the amount of \$163,251.66
Techline in the amount of \$21,665.50
HD Electrical Supply in the amount of \$702.00
Wesco in the amount of \$85,221.04
Utilicor in the amount of \$12,026.90

There were multiple companies that did not meet minimum specifications that are establish.

Stuart Irby did not meet spec on line item #101

Techline or HD did not meet spec on line item #121

This award is for six months, July-December 2014. The material will be ordered as needed to keep the supply levels consistent throughout the remainder of the year.



CHECK ALL THAT APPLY			
x	Bid Award	Bid #	14-29
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: Travis Matlock

Department Inventory

Phone 271-3145

ACTION REQUIRED:

Recommend Mayor and City Council award the 6-month blanket bid for 3-phase transformer as shown on the attached bid tabulation in the amount of \$237,842.00. Items will be ordered on a 'as needed' basis.

COST TO CITY:

Cost of this Request: \$237,842

Additional Budget Amount

☐ One time amount

☒ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

TJM
Department Head

6/13/14
Date

KB
Purchasing Agent

6/13/14
Date

DL
Finance Director

6-19-14
Date

CT
Staff Attorney

6/18/14
Date

POM
Mayor

6/17/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



M E M O R A N D U M

DATE: June 24, 2014

TO: **City Council, Mayor McCaslin**

FROM: Travis Matlock, Engineer Director

RE: **3-ph. transformer bid award #14-29**

The City of Bentonville recommends awarding the bids for electric material in the total amount \$237,842.00. The low bidders for the various items are as follows:

Techline in the amount of \$109,554.00
Stuart Irby Co in the amount of \$128,288.00

This award is for six months, July-December 2014. The transformers will be ordered as needed to keep the supply levels consistent throughout the remainder of the year.

Bid Tabulation Formal Bid # 14-29 Three Phase Transformers Bid Opening: June 5th, 2014																				
Line	Item	Transformer Description	AECI		CG Power (Powells)		Techline		HD Supply		Irbay		Techline		Howard		Techline		American Site Builders	
			Bid Price	Evaluated Price	Bid Price	Evaluated Price	Bid Price	Evaluated Price	Bid Price	Evaluated Price	Bid Price	Evaluated Price	Bid Price	Evaluated Price	Bid Price	Evaluated Price	Bid Price	Evaluated Price	Bid Price	Evaluated Price
	1	45 KVA PAD MOUNT 3PH 120/208Y			\$ 5,102.00	\$ 7,216.00	\$ 7,295.00	\$ 9,461.00	\$ 7,400.00	\$ 9,570.00	\$ 5,028.00	\$ 6,908.00	\$ 4,978.00	\$ 6,850.00	\$ 7,168.00	\$ 9,336.00	\$ 7,168.00	\$ 9,336.00	\$ 8,540.40	\$ 10,420.40
	2	45 KVA PAD MOUNT 3PH 277/480Y			\$ 5,137.00	\$ 7,333.00	\$ 7,438.00	\$ 9,406.00	\$ 7,579.00	\$ 9,703.00	\$ 5,037.00	\$ 6,901.00	\$ 4,986.00	\$ 6,850.00	\$ 7,346.00	\$ 9,470.00	\$ 7,346.00	\$ 9,470.00	\$ 8,540.40	\$ 10,420.40
	3	75 KVA PAD MOUNT 3PH 120/208Y			\$ 5,765.00	\$ 8,845.00	\$ 7,755.00	\$ 10,731.00	\$ 8,807.00	\$ 12,439.00	\$ 5,438.00	\$ 8,550.00	\$ 5,383.00	\$ 8,495.00	\$ 8,536.00	\$ 12,168.00	\$ 8,536.00	\$ 12,168.00	\$ 8,750.50	\$ 12,650.50
	4	75 KVA PAD MOUNT 3PH 277/480Y			\$ 5,776.00	\$ 8,962.00	\$ 7,755.00	\$ 10,911.00	\$ 8,529.00	\$ 12,051.00	\$ 5,348.00	\$ 8,456.00	\$ 5,283.00	\$ 8,401.00	\$ 8,267.00	\$ 11,789.00	\$ 8,267.00	\$ 11,789.00	\$ 8,750.50	\$ 12,650.50
	5	150 KVA PAD MOUNT 3PH 120/208Y			\$ 7,061.00	\$ 12,387.00	\$ 9,183.00	\$ 14,391.00	\$ 9,550.00	\$ 14,946.00	\$ 6,865.00	\$ 11,817.00	\$ 6,795.00	\$ 11,747.00	\$ 9,257.00	\$ 14,653.00	\$ 9,257.00	\$ 14,653.00	\$ 13,953.50	\$ 19,551.50
	6	150 KVA PAD MOUNT 3PH 277/480Y			\$ 6,896.00	\$ 11,966.00	\$ 9,591.00	\$ 14,213.00	\$ 8,988.00	\$ 14,202.00	\$ 6,418.00	\$ 11,704.00	\$ 6,353.00	\$ 11,639.00	\$ 8,712.00	\$ 13,526.00	\$ 8,712.00	\$ 13,526.00	\$ 10,135.40	\$ 17,175.40
	7	225 KVA PAD MOUNT 3PH 120/208Y	\$ 7,905.00	\$ 15,665.00	\$ 8,005.00	\$ 15,337.00	\$ 8,300.00	\$ 15,902.00	\$ 10,550.00	\$ 17,966.00	\$ 7,422.00	\$ 14,914.00	\$ 7,347.00	\$ 14,839.00	\$ 10,226.00	\$ 17,642.00	\$ 10,226.00	\$ 17,642.00	\$ 11,397.10	\$ 21,197.10
	8	225 KVA PAD MOUNT 3PH 277/480Y	\$ 7,692.00	\$ 15,198.00	\$ 8,185.00	\$ 15,019.00	\$ 10,000.00	\$ 16,222.00	\$ 10,415.00	\$ 17,295.00	\$ 7,301.00	\$ 14,537.00	\$ 7,226.00	\$ 14,462.00	\$ 10,095.00	\$ 16,975.00	\$ 10,095.00	\$ 16,975.00	\$ 11,397.10	\$ 21,197.10
	9	300 KVA PAD MOUNT 3PH 120/208Y	\$ 8,802.00	\$ 18,394.00	\$ 9,332.00	\$ 18,396.00	\$ 10,132.00	\$ 18,920.00	\$ 11,843.00	\$ 20,769.00	\$ 9,164.00	\$ 17,672.00	\$ 9,071.00	\$ 17,579.00	\$ 11,479.00	\$ 20,405.00	\$ 11,479.00	\$ 20,405.00	\$ 19,362.20	\$ 28,722.20
	10	300 KVA PAD MOUNT 3PH 277/480Y	\$ 8,464.00	\$ 17,554.00	\$ 9,411.00	\$ 17,673.00	\$ 10,602.00	\$ 18,582.00	\$ 11,513.00	\$ 19,741.00	\$ 8,941.00	\$ 17,295.00	\$ 8,850.00	\$ 17,204.00	\$ 11,160.00	\$ 19,388.00	\$ 11,160.00	\$ 19,388.00	\$ 13,884.20	\$ 27,044.20
	11	500 KVA PAD MOUNT 3PH 120/208Y	\$ 11,423.00	\$ 26,291.00	\$ 11,812.00	\$ 25,260.00	\$ 11,663.00	\$ 25,749.00	\$ 16,625.00	\$ 31,149.00	\$ 12,160.00	\$ 24,812.00	\$ 12,035.00	\$ 24,687.00	\$ 16,115.00	\$ 30,539.00	\$ 16,115.00	\$ 30,539.00	\$ 23,461.90	\$ 38,461.90
	12	500 KVA PAD MOUNT 3PH 277/480Y	\$ 10,492.00	\$ 24,156.00	\$ 11,334.00	\$ 23,980.00	\$ 12,612.00	\$ 24,808.00	\$ 13,626.00	\$ 26,968.00	\$ 12,525.00	\$ 24,105.00	\$ 12,386.00	\$ 23,976.00	\$ 13,208.00	\$ 26,550.00	\$ 13,208.00	\$ 26,550.00	\$ 27,588.00	\$ 47,788.00
	13	750 KVA PAD MOUNT 3PH 120/208Y			\$ 14,510.00	\$ 35,228.00	\$ 16,918.00	\$ 36,374.00	\$ 25,556.00	\$ 47,252.00	\$ 16,423.00	\$ 35,809.00	\$ 16,256.00	\$ 35,642.00	\$ 24,773.00	\$ 46,469.00	\$ 24,773.00	\$ 46,469.00	\$ 28,153.40	\$ 48,753.40
	14	750 KVA PAD MOUNT 3PH 277/480Y			\$ 13,463.00	\$ 31,717.00	\$ 17,795.00	\$ 34,453.00	\$ 19,095.00	\$ 39,273.00	\$ 15,636.00	\$ 32,354.00	\$ 15,496.00	\$ 32,214.00	\$ 18,510.00	\$ 38,688.00	\$ 18,510.00	\$ 38,688.00	\$ 29,845.00	\$ 50,443.00
	15	1000 KVA PAD MOUNT 3PH 120/208Y			\$ 18,469.00	\$ 44,831.00	\$ 18,841.00	\$ 44,135.00	\$ 24,377.00	\$ 51,353.00	\$ 21,693.00	\$ 45,371.00	\$ 21,472.00	\$ 45,150.00	\$ 23,630.00	\$ 50,606.00	\$ 23,630.00	\$ 50,606.00	\$ 34,871.10	\$ 59,261.10
	16	1000 KVA PAD MOUNT 3PH 277/480Y			\$ 15,247.00	\$ 38,581.00	\$ 17,928.00	\$ 40,936.00	\$ 23,164.00	\$ 45,820.00	\$ 19,571.00	\$ 40,181.00	\$ 19,370.00	\$ 39,980.00	\$ 22,454.00	\$ 45,110.00	\$ 22,454.00	\$ 45,110.00	\$ 31,946.20	\$ 57,346.20
	17	1500 KVA PAD MOUNT 3PH 277/480Y			\$ 21,054.00	\$ 53,366.00			\$ 32,900.00	\$ 68,888.00					\$ 31,892.00	\$ 67,880.00		\$ 67,880.00	\$ 44,607.20	\$ 79,807.20
	18	2000 KVA PAD MOUNT 3PH 277/480Y			\$ 27,925.00	\$ 70,451.00			\$ -	\$ -					\$ -	\$ -		\$ -	\$ 47,823.60	\$ 92,623.60
	19	2500 KVA PAD MOUNT 3PH 277/480Y			\$ 32,867.00	\$ 85,711.00			\$ -	\$ -					\$ -	\$ -		\$ -	\$ 50,451.50	\$ 102,251.50
Notes:																				
AECI items 1-6, 13-19 and Techline/ABB items 17-19 were not evaluated due to non conformance with secondary bushing height requirement																				
Techline/Howard item 19 was not evaluated due to non conformance with maximum width dimension																				
Techline /Irbay Howard items 17-18 were not evaluated due to non conformance with maximum height dimension																				
Recommended Low Bidder for items 1-12, Techline quoting Howard																				
Recommended Low Bidder for item 13-14, 16-19 to Irbay quoting CG Power																				
Recommended Low Bidder for item 15, Techline quoting ABB																				



CHECK ALL THAT APPLY			
x	Bid Award	Bid #	14-30
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: Travis Matlock

Department

Inventory

Phone

271-3145

ACTION REQUIRED:

Recommend Mayor and City Council award 6-month blanket bid for water materials to the lowest bidder as shown on the attached bid tabulation in the amount of \$196,152.86. Items will be ordered on a 'as needed' basis.

COST TO CITY:

Cost of this Request: \$196,152

Additional Budget Amount

☐ One time amount

☒ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Travis Matlock
Department Head

6/13/14
Date

[Signature]
Purchasing Agent

6/13/14
Date

[Signature]
Finance Director

6-19-14
Date

CT
Staff Attorney

6/18/14
Date

[Signature]
Mayor

6/17/14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



M E M O R A N D U M

DATE: June 24, 2014

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineer Director

RE: Water Materials bid award #14-30

The City of Bentonville recommends awarding the bids for water material in the total amount \$196,152.86. The low bidders for the various items are as follows:

HD Waterworks in the amount of \$19,212.02
Ferguson Waterworks in the amount of \$77,595.36
Win Waterworks in the amount of \$99,345.48

This award is for six months, July-December 2014. The material will be ordered as needed to keep the supply levels consistent throughout the remainder of the year.



CHECK ALL THAT APPLY		
x	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

June 24, 2014

Submitted by: Denise Land

Department: Administration

Phone: 271-3118

ACTION REQUIRED:

Approve bid award to Affiliated FM for City's property insurance (July 8, 2014 to July 1, 2015) See attached document for bid comparison.

COST TO CITY:

Cost of this Request: \$179,320

Additional Budget Amount: \$0

☐ One time amount

☒ Continuing O and M

Previously Budgeted	\$	180,000
Funds Expended to Date		-
Remaining Budget		180,000
Budget Adjustment		-
Remaining After Adjustment	\$	180,000

Department Head: DL Date: 6-19-14

Purchasing Agent: _____ Date: _____

Finance Director: DL Date: 6-19-14

Staff Attorney: CT Date: 6/18/14

Mayor: ROM Date: 6/17/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE





INSURANCE BIDS -2014

	BUILDINGS/CONTENTS	TOTAL COST
<i>Affiliated FM - renewal</i>	\$ 158,069,422	\$ 179,320
Alliant Property Insurance	\$ 158,069,422	\$ 186,867

Rudy K. Upshaw

RECEIVED JUN 23 2014

4104 Chapelstone Ave #2, Bentonville, AR 72712
(479) 381-7730, rupshaw@cox.net

June 23, 2014

Mayor Bob McCaslin
City of Bentonville
117 W Central Ave
Bentonville, AR 72712

Dear Mayor McCaslin:

I would like to express my interest in the appointment opportunity for the Ward 3 position on the Bentonville City Council recently vacated. The City of Bentonville has achieved some incredible milestones during the last several years, specifically in infrastructure and quality of life improvements for residents. My desire is to add value to the work that has already been done and assist in the work required to help continue the strategic path of making Bentonville a destination for families and economic development!

As an active parent and community leader with a heart of service, I feel that my involvement over the years in the community would allow me to get up to speed quickly with the current issues in front of the City Council. Having served as a director for various organizations I have a solid understanding of the role and the time commitment required to perform the duties. I would be humbled and honored to serve the citizens, the staff and the community as a member of the Bentonville City Council.

Attached is my professional resume, and a pictorial of me, my interests and family. I am available any time to review this information with you and to answer any questions you may have as the process moves forward. Thank you for your time and the consideration of my service to the City of Bentonville.

Sincerely,



/ Rudy Upshaw

Attachments

Rudy Upshaw

4104 Chapelstone Ave #2, Bentonville, AR 72712, (479) 381-7730, rupshaw@cox.net

FINANCE, BANKING AND TREASURY MANAGEMENT

Results-oriented-motivated self-starter/leader experienced in banking, commercial lending, credit management, finance, compliance, business development, organization, problem solving. Articulate speaker/writer communicates direction and objectives clearly. Persuasive, personable team builder establishes strong business relationships at all levels. Firm but flexible manager motivates by training and example. Positive thinker handles progressively responsible assignments and meets goals objectives.

QUALIFICATIONS

**Finance / Compliance
Management Experience
Multi-Level / Multi-Tasking
Strong Work Habits**

**Treasury Management
Sales / Business Development / Retention
Presentations / Communications / Reporting
Customer Service**

REPRESENTATIVE ACCOMPLISHMENTS

FINANCE / COMPLIANCE

- Strong analytical background in finance, analysis and monitoring. In-depth knowledge of financial statement analysis, cash flow and budget management.
- Responsible for preparing cash flow and financial statement analyses for management review. This information was then presented to the appropriate level of management for consideration.
- Responsible for ensuring that regulatory compliance was met. Directly involved with internal, Federal and State examiners during audits and examinations.

TREASURY MANAGEMENT

- Assist clients in structuring financial solutions to meet their strategic cash management goals through an analysis of cost, efficiencies created or lost, investment objectives and account structuring.
- Regular reviews of the treasury activities, volume and cost structure with suggested modification recommendations.
- Regular reviews of the investment plan to ensure goals are met or modifications made to assist in meeting objectives.
- In depth understanding of compliance issues

MANAGEMENT EXPERIENCE

- Managed a team that included 11 direct employees with a budget of about \$82 million. Responsible for maintaining production and yield guidelines within the department.
- Currently manage an extended team of 9 partners that specialized in higher level of product specialization. This team was charged with ensuring service implementation based on the team and client's strategic goals.

SALES / BUSINESS DEVELOPMENT / RETENTION

- Involved in the community in by having served on various committees, boards and community events.
- Succeeded in actively promoting the company's products and services
- Selected by management to serve on various internal committees and task groups to help establish policies and procedures for new product implementation or upgrades to existing products.
- Established quantitative sales and business development activity goals for the team
- Maintain strong relationships with my team to ensure production goals were met through coaching and guidance.

MULTI-LEVEL / MULTI-TASKING

- Management of up to 79 key accounts and their full relationship across multiple lines of business and varied service levels.
- Actively participated with a wide cross section of staff to establish and adjust company policies
- Served on various company committees to research and conduct analysis relating to current and new procedures. This resulted in cost savings or revenue generating processes for the company.

PRESENTATIONS / COMMUNICATIONS / REPORTING

- Selected by management for numerous special assignments including analysis of new products to determine financial viability and longevity.
- Presented promotions and programs to management and marketing for approval and subsequent dissemination and presentation to the company.
- Assisted with different levels of staff to make proposals and recommendation presentations to company management in various areas including new product offerings, product / program enhancements and policy changes.

PROFESSIONAL HISTORY

INTRUST Bank, N.A. COMMERCIAL RELATIONSHIP MANAGER	February 2012 - present
Liberty Bank of Arkansas VICE PRESIDENT	October 2010 – February 2012
Bank of America Merrill Lynch NORTHWEST ARKANSAS, V.P., CLIENT MANAGER, TREASURY MANAGEMENT GLOBAL COMMERCIAL AND INVESTMENT BANK	June 2007 – October 2010
Arvest Bank S.V.P., CONSUMER LOAN PORTFOLIO MANAGER OTHER POSITIONS INCLUDED FINANCIAL ANALYST AND COMMUNITY BANK PRESIDENT	January 1997-March 2007

EDUCATION

High School Diploma, Springdale High School, (Springdale, AR)
BSBA, Financial Management, Business Administration, University of Arkansas, (Fayetteville, AR)
American Banker's School, Arkansas State University, (Jonesboro, AR)

Continuing Education: Financial Management / Tax Planning / Budget Analysis / Time-management / Personnel management / Sales / Product seminars / Insurance products seminars / State-federal Pension law classes

TECHNOLOGY

Microsoft Office (Word, Works, Excel, Access, Outlook), AS400 System, Baker Hill suite of products, Novell Groupwise, Showcase Query, Decision Builder sales software, CRM Client Management, Collections Management Systems, Client Advisor contact management software, eMentor industry research software, Dun and Bradstreet, familiarity with ERP systems, Optika document imaging software, ARGO analysis systems. I adjust easily to new technology.

WORK HABITS

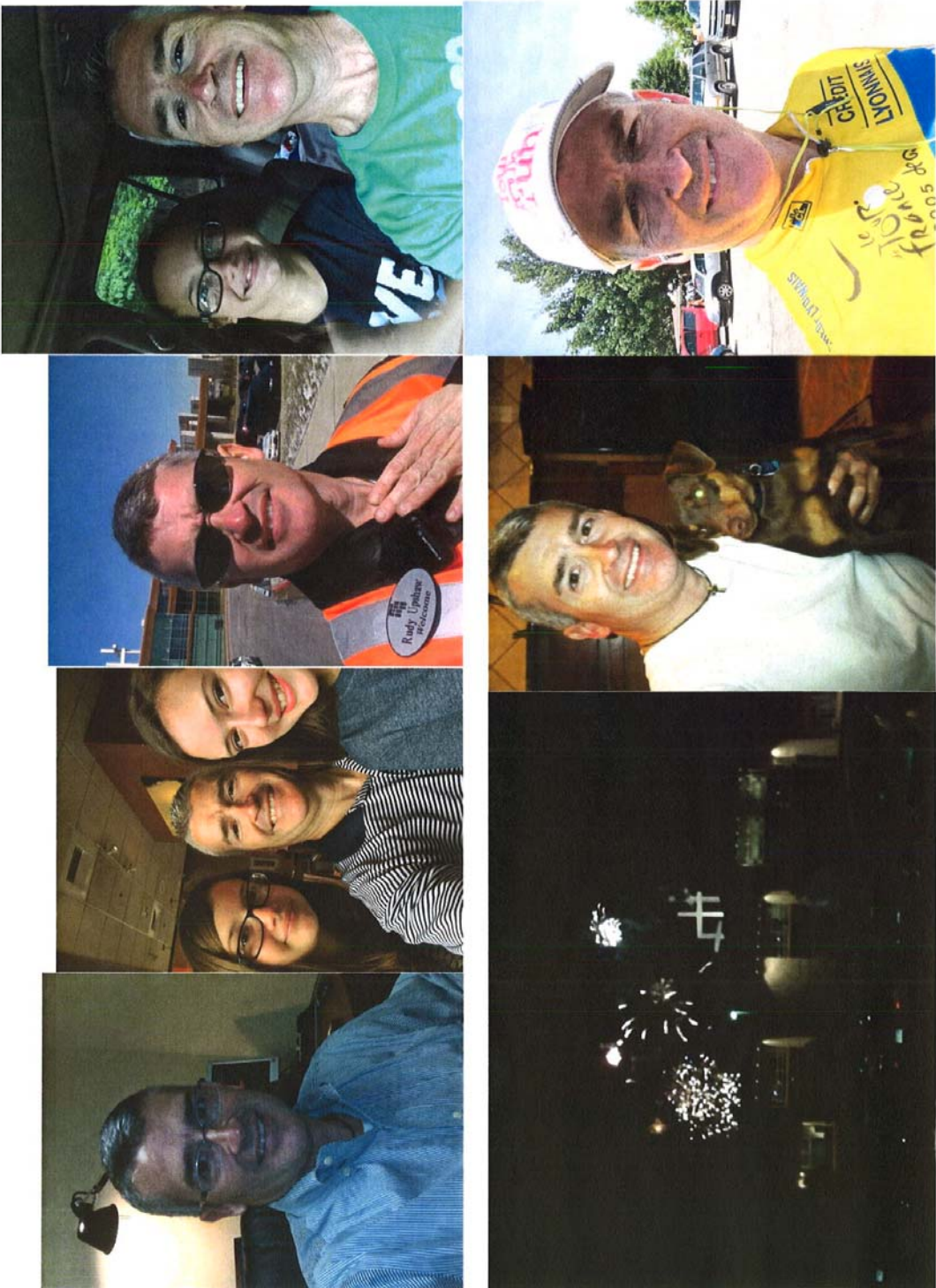
Motivated by working as a team player and knowing when to be flexible in meeting the objectives of the company's goal. Strong desire to work and get along well with others while at the same time maintaining a professional work environment. Maintain a high level of personal integrity and ethics while at the same time enjoying my job and helping create a fun environment. Customer service is the primary foundation that supports all other areas above. I strive to treat all customers, internal and external, with a sense of urgency coupled with a high degree of respect. I try to understand their perspective and attempt to assist them with their financial needs while meeting the goals of the organization.

PROFILE

Easily masters new skills. . . Quick to identify, define and respond to problems . . . Goal driven . . . Professional image . . . Concise . . . Flexible . . . Creative . . . Proven leadership abilities . . . Strong work ethic

EXTRACURRICULAR ACTIVITIES

Cross Church at Pinnacle Hills – Student Ministry Leader, First Impressions Leader
Bentonville School Board, Former Director – May, 2012 – September 2013
Bentonville Parent Teacher Organization Board Member, Former Director, Treasurer – July 2010 – June 2013
Bentonville Noon Rotary – Active Member and Director
Bentonville Bella Vista Chamber of Commerce – Small Business Council, Ambassador
Lowell City Council, Alderman 2000-2002



RECEIVED JUN 18 2014

Wednesday, June 18, 2014

City of Bentonville
Mayor's Office
117 West Central
Bentonville, AR. 72712

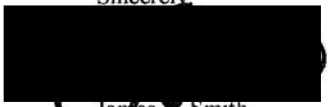
Dear Mayor and City Council:

It is my understanding that a vacancy exists on the Bentonville City Council. I currently reside within ward 3 and would be honored to serve my city and community as an alderman representing ward 3. Please accept this letter as my official application.

I have included a copy of my resume, which includes information on my experience, certifications and educational credentials.

If you have any questions or other information is required, please give me a ring at 479.366.5683.

Sincerely,



James L. Smith
3504 SW Champagne Ave.
Bentonville, AR. 72712

JAMES L. SMITH

3504 SW Champagne Ave.
Bentonville, AR 72712

479-366-5683
jmzsmith@yahoo.com
www.linkedin.com/in/jamesmithcfp/

REGIONAL LEADER

Sales Management ... Business Banking ... Private Banking ... Commercial Loans ...

Operations / P&L Management ... New Business Development ...
Customer Service & Relationship Management ... Marketing Strategies ...
Financial Forecasting & Analysis ... Talent Recruitment & Development ... Negotiations

EXPERIENCE & ACHIEVEMENTS

GREAT SOUTHERN BANK (*Publicly-traded bank with 1100 employees serving 137,000 customers in 6 states. Assets of \$3.6 Billion*)
Rogers, AR ▶ 2010 – 2014

Market Manager

Direct accountability for financial performance for all Northwest Arkansas bank operations. Lead a team of Commercial Lenders, a Commercial Analyst, Loan Processor, and Bank Manager.

As market leader, provide strategic direction for relationship management, commercial loan underwriting, regulatory compliance, technical exceptions, and financial performance for the Northwest Arkansas region.

- ▶ Tasked with turning around a poorly-performing lending team in 2011. Mentored and coached seasoned personnel to change behaviors to align with company and department policies. Implemented changes resulted in significant improvements in all measured scorecard metrics.
- ▶ Petitioned company headquarters for branding awareness budget of \$50k for Northwest Arkansas. Won corporate marketing support and created marketing strategy and implementation roadmap for market.
- ▶ In 2013, Loan Department was challenged to develop \$30MM in new commercial loans. Lead team to strategically target local business owners, centers of influence and professional services relationships. Result: Led team to originate nearly \$40MM in new commercial loans.

CAPITAL ONE BANK (*Top 10 U.S. Bank with \$98Billion in assets*)

Houston, TX ▶ 2008 – 2010

Senior Director; Business Sales, Strategy and Execution

Executive team member creating strategy and driving the delivery of sustainable solutions to address various business needs.

- ▶ To replace outdated customer relationship management (CRM) software, represented National Channel and engaged technology vendors in calculating new platform effectiveness against current and future organizational objectives.
- ▶ Key contributor to executive task force which produced a "playbook" of best practices in new business development for use system-wide by the Business Banking Channel.

Senior Vice President and Senior Director

Senior executive for Business Banking channel, Houston / SE Texas Region, servicing and growing over 5,000 business relationships. Accountable for managing nearly \$1 Billion in combined loans and deposits; and contributing more than \$15MM in bottom line revenue. Cross-Functional team of Direct reports: 14 Business Bankers, a Senior Credit Officer, Sales Support Manager and 8 Account Administrators. Member of Executive Disaster Response and Leadership Team for the State of Texas.

- ▶ Successfully competed against peer regions company-wide in high-profile national sales campaign. Engaged and led our team to rank #1 in the region: TX-2010 Amazing Journey National Sales Campaign.

Page 11

WASHINGTON MUTUAL BANK (*Top 10 US Bank; acquired by JP Morgan Chase in 2008*) Houston, TX ▶ 2007 – 2008

Senior Vice President – Business Banking Regional Executive

Hired and managed Business Banking Relationship Manager teams in Houston, San Antonio, and Austin, with \$750M in assets under management. Targeted business clients with annual revenues of \$5MM-\$20MM.

- ▶ Recruited a team of experienced business bankers in Houston, Austin and San Antonio markets.
- ▶ Despite global financial downturn and negative national press, redoubled sales and promotion efforts to grow overall regional deposits by more than \$25MM and surpass profitability goals for 2008.

BANK OF ARKANSAS (*\$18B in assets; affiliated with Bank of Oklahoma Financial*) Bentonville, AR ▶ 2003 – 2007

Senior Vice President

Recruited to lead expansion and new business development for the Private Banking business in Benton County, building relationships and delivering depository and lending solutions to high net worth clients.

- ▶ Contributed to financial forecasting and planning for new capital infrastructure investments.
- ▶ Recruited members of bank advisory board, yielding millions in high-potential new business opportunities.

U.S. ARMY ▶ 1989 – 1994

Military Police, Active Duty, E-5 Sergeant

- ▶ Honorable Discharge, Army Commendation Medal, Good Conduct Medal.

EDUCATIONAL CREDENTIALS

GRADUATE SCHOOL OF BANKING AT COLORADO – University of Colorado – Boulder

KANSAS STATE UNIVERSITY – Manhattan, KS – Master's Level Certificate – Financial Planning

MISSOURI SOUTHERN STATE UNIVERSITY – Joplin, MO – Finance

Certifications: CERTIFIED FINANCIAL PLANNER™, Community Emergency Response Team (CERT)

Licenses: FINRA/NASD Series 26, 6, 63 (inactive); Life, Health, Fire, Auto & Property Insurance License (inactive)

AFFILIATIONS

Northwest Arkansas Mercy Family YMCA: Treasurer (2011), Board Chairman (2012)
One of 4 community leaders to initiate developing NWA YMCA which today partners with
Mercy Health System and serves 3,000+ members.
"40 Under 40" Honoree for 2007, *Northwest Arkansas Business Journal*

Dana I 2

RECEIVED JUN 20 2014

June 20, 2014

Mayor McCaslin and City Council,

I would like to be considered for the appointment of the city council seat to fill the vacancy for Ward 3. I recently moved to Bentonville, closed on our home in Willowbrook Farms Subdivision, Friday June 13th. I served on the McKenzie, Tennessee city council for approximately four years until we sold our home and moved out of the ward I was representing. With recent serving on city council I am familiar with the commitment it takes to serve the community. During my tenure as city council we were successful, considering allot of opposition, to plot out a historical district in the downtown and surrounding area of McKenzie. I served on United Way board, Dixie Carter Performing Arts board and Carl Perkins Child Advocacy board. I believe in being a vital part of the community and giving back to the community where I reside.

My husband, Eddie and I relocated to Bentonville to be near our daughter, son-in-law and 2 year old granddaughter.

I am employed as Regional Director/COO for Manpower of the Mid-South staffing company. I began my tenure with Manpower in 1996 as branch manager of the McKenzie, TN office; in 2000 I was promoted to Regional Director. Presently I oversee 13 staffing offices in West Tennessee, Western KY and Osceola, AR. My relocation to Bentonville deemed that I work from my home and travel one week monthly to visit with the offices.

I am a responsible and devoted individual who believes in giving 100% to whatever I am involved. I was the recipient of the 2013 Carroll County Business Person of the year presented by Carroll County Tennessee Chamber of Commerce. This was such a humbling experience to receive such an award and be alumni among some of the great business leaders in Carroll County Tennessee.

Thank you for any consideration.

Sincerely,

Dianna Lankford



CITY OF MCKENZIE, TENNESSEE

CITY MUNICIPAL OFFICE
2470 CEDAR STREET
P.O. Box 160
MCKENZIE, TN 38201
731-352-2292
FAX 731-352-2259

To the Bentonville City Administration:

June 20, 2014

I am writing in regard to the vacant seat available on the Bentonville City Council. I would like to recommend Dianna Lankford for this position. Although Dianna is new to your community, I can truthfully say that she would be one of the most faithful and motivated council people you could find to serve.

I have known Dianna since our high schools years, and she has always been interested in making McKenzie better, and moving our town forward to be competitive in the 21st century. She is open to new ideas and works to implement those ideas, and put them into action in the community. When Dianna was appointed to our city council four years ago, she became actively involved in the budget process each year, which includes a budget of almost \$8 million. She was known for her ability to cooperate, and her rapport with other councilmembers and city employees. She also served as council liaison for the Parks and Recreation Advisory Board, and spearheaded the Champions of Character Movement for our Parks- partnering with our public schools and Bethel University- thus making it a whole community project.

Dianna also served on our Tennessee Downtowns Committee. She was instrumental in the process for McKenzie to become a Tennessee Downtowns, and also in our application to become a Mainstreet Community. In addition, her work led us to receive status as a Certified Local Government. She has also been very active in our fundraising efforts to revitalize our Park Theatre which is a historic anchor for our town square. Dianna and her husband are active supporters in all our community events and either help to organize the event or attend.

It is a great loss to McKenzie to lose not only such a fine councilperson, but in addition, such a fine citizen in our town. However, our loss is your gain. Dianna loves Bentonville, and I can assure you that she will give 110% to further your causes in order to make your community the best it can be.

I sincerely hope you will consider Dianna Lankford for this position, and if you have any questions, please do not hesitate to contact me.

Respectfully,

Jill Holland
Mayor
City of McKenzie

Michael Williams

For Bentonville City Council

RECEIVED JUN 20 2014



Hi my name is Michael Williams and I'm running for Bentonville City Council. I am passionate about my community and I'm eager to get to work.

My family and I have lived in the Bentonville area for the last four years, and it has been amazing to watch this city go through a transformation. I frequently meet people from different cities, cultural trends, and across the world who tell me how much they love this city.

The landscape of businesses, and the housing market continues to rapidly increase that shows me this city has great things ahead.

Growing up, I understood the importance of serving the community. I had jobs cutting grass, fixing on neighbors houses, and assisting elders. As I started to move up in age, I felt it was time to give back my time through volunteering and support organizations that are doing things to enrich and engage their community. Moreover, I know that the city Bentonville still has its best days ahead.

As I continue to build momentum, I am excited about running because; “

Any decent society must generate a feeling of community. Community offsets loneliness. It gives people a vitally necessary sense of belonging”. – *Alvin Toffler*

Michael Williams

mwilliams97@gmail.com

Community

Strong neighborhoods make for a strong city. We should invest in the people who live in Chattanooga; by bringing together involved citizens to solve problems, to create jobs, and to push our city forward.

Neighborhood associations are the lifeblood of our communities, let's make sure they have a voice in our city. When there's a problem on our block, our first call is to our neighbors; we need to keep this in mind when we're creating policy. Ultimately, our neighbors know the issues Chattanooga faces better than anyone, let's make sure they're at the table when we need solutions.

Moving forward, we need our neighborhood associations in constant communication and conversation with City Hall. When we're addressing issues of jobs, transportation, development, or safety, we need the input of the people impacted most. Additionally, we need to encourage diversity and strength in the institutions that represent the communities all across our city. By promoting inclusive growth that allows us all to be better neighbors, we're creating a better city for everyone.

Progress

Chattanooga has done so much in the past few decades. We've built one of the most advanced and clean automotive plants in the world, created an arts culture that is recognized internationally, and we've begun to carve out our place as an urban hub of technology and innovation. It's truly inspiring.

All of that sets the stage for the challenges and opportunities we face moving forward. The eyes of the world are on us as we begin to tackle issues like crime, poverty, and economic sustainability. We need a bold vision rooted in our communities, rooted in the people that make this city great.

The transformation of Downtown Chattanooga is remarkable. Let's spread that growth across all of Chattanooga by transforming and strengthening our neighborhoods. This city has the opportunity to partner with other regions across the southeast to build new and sustainable modes of transportation. We need to train our workforce to participate in an

economy driven by innovation and technology. Let's build on the last twenty years by planning for the next fifty.

As far as we've come, we're going to be defined by where we go. Let's do something amazing together.

Good Jobs

Chattanooga has seen tremendous growth over the past few years, with companies like Alstom, Volkswagen, and Amazon providing great jobs to Chattanooga by the thousands. **We need to capitalize on that growth by ensuring that we are creating sustainable jobs for Chattanoogaans for every neighborhood and community in our city, not just a select few suburbs.**

We have to invest in our future by building and improving the infrastructure necessary to draw the high-tech jobs that will grow Chattanooga. That means implementing job-training programs that will prepare workers for jobs in cutting-edge industries, ensuring that our small businesses have the tools to compete in a global economy, and continuing to build on our reputation as an international destination.

For too long, some of our communities have had to choose between no jobs and jobs that pollute their neighborhoods. That is the Chattanooga of the past and we must not be faced with those options again. In order to truly be a city that works for everyone, we must demand good and healthy job opportunities in every single part of our city.

In addition to bringing jobs to Chattanooga, we need to ensure that they're accessible to everyone. That means extending reliable public transportation to worksites like the Volkswagen and Amazon locations. Currently, there are no such options. If we are going to spend public money for job creation, we ought to make sure that all of our citizens have equal access to those jobs. By underscoring the values of equity and fairness, our communities can grow for everyone.

MICHAEL WILLIAMS

3000 SW Woodruff Ave
Bentonville, AR 72712

PHONE: (479) 899-3173

EMAIL: mwilliams97@gmail.com

CAREER OBJECTIVE

Competent Information Technology Professional, with 10 years of progressive experience in strategic and tactical leadership, business analytics, vendor management, and managing domestic and international customer relationships. Accountable for building, motivating and developing team associates. Enthusiastic Systems and Analytics Senior Manager seeking a complex and exciting leadership position.

QUALIFICATIONS

Leadership	Leader In Training Program, Strategy, Developing People, Mentoring, Ability to build teams, Emerging Leaders Board Cert.
Business	Exceptional Communication (written, verbal), Project Leadership, Manage multiple initiatives simultaneously, managing relationships, analytical and problem solving skills.
Technical	Lean Six Sigma, ITTL v3 Foundation Certification, Microsoft Office Suite, MS Access, SQL, Oracle; BI- Business Intelligence, Tableau

PROFESSIONAL EXPERIENCE

WAL-MART STORES INC, Corporate Home Office,

Bentonville AR

Wal-Mart is the World's largest retailer, with grocery and general merchandise operation in 17 markets worldwide

Senior Manager, Corporate Compliance – Systems & Analytics

2013 – Present

Corporate Compliance Senior Manager, Analytics. Responsible for driving analytical strategies, processes, projects and initiatives for US Compliance by partnering with cross-functional teams across the business. Responsible for managing a team of analysts and statistician's that provides data insights, and predictive modeling to improve decision-making.

- Provide Leadership and development for team of associates by creating training plans, mentoring; assigning duties, building a team-based work environment and demonstrating adaptability and supporting continuous learning
- Responsible for supporting business needs from metrics and working with responsible stakeholders to deliver results
- Responsible for supporting the Compliance Program areas (Food Safety, Product Safety, Environmental, etc.) and Field Team with analytics and insights
- Utilized BI to drive data efficiencies and tableau mapping / reports for internal and external consumption
- Manage the creation and successful implementation of statistical or segmentation models
- Responsible for the maturity of analytical program to solve business problems and test each approach to ensure optimal success:
- Lead on all Corporate Compliance analytical programs
-
- Key Accomplishment(s):
 - **Scorecard Project**- Improved the scorecard across various dimension, better usability & visualization, simplified metrics for easy understanding, its scalable, and can be leveraged across stakeholders; presents better insights, and gives significant focus on Top and Bottom performers

Manager, ISD Operations Logistic – Vendor Systems

2011 – 2013

Operation Logistic Manager for Vendor System products/applications. Responsible for managing the relationship and maintenance for 3rd Party Vendors who provide product-services within Wal-Mart Distribution Centers globally. Responsible for ensuring all production application/hardware systems supported are serviceable i.e., coordination of installs, upgrades etc. Responsible for ensuring Vendor adheres to support contracts obligations, as well as establishing and developing techniques to improve system efficiencies and associate productivity:

- Led a technical team of associates that were responsible for supporting logistic operations
- Manage rapport of over 21 Vendors Partner and ensure fulfillment of contractual obligations
- Mange relationships with business division, Vendors, and DC customers to ensure system stability
- Responsible for holding vendors accountable through metrics, RCA initiatives
- Responsible for providing leadership, managing and developing direct reports
- Distribution Centers located in United States, Argentina, Brazil, Mexico, Canada, Chile, China, Japan and, United Kingdom
- Responsible for ensuring Distribution Centers are Operational 7 days / 24 hours / 365 days a year
- Key Accomplishments:
 - **Operation Excellence**- Simplified a process to support ecommerce Finance Operation which saved the organization 3.6 million dollars

- **Lean Six Sigma:** Utilized DEMAIC technique to implement Cost avoidance and reduction of Support Contract by challenging vendor(s) to make certain their product is efficient in return this decreases production down-time, ticket inflow and call volume

Senior Business Analyst, ISD- Itemfile

2010- Dec 2011

Responsible for managing customer and supplier relationships and expectations by developing communication processes to keep others up to date on results. Ensured successful implementation of highly visible item-file and e-Commerce initiatives. Established collaboration among stakeholders and functional areas to develop solutions to minimize impact to business. Lead on multiple projects by completing and updating project documentation, managing scope; ensuring efficiency and on-time delivery of project task and milestones. Liaison between domestic, international business customers and Information Systems team(s) to understand system functionality and determine best method of achieving optimal solution.

THE ACTIVE NETWORK

Nashville, TN

July 2006- April 2010

Senior Business Analyst

Responsible for partnering with other functional areas and business to ensure systems are design according to requirements. Capture customer business requirements, functional specifications and ensure clarity and completeness. Facilitation of Joint application development sessions with stakeholders and make certain we are following SDLC:

- Utilizes analytical & problem solving skill to resolve complex solutions
- Liaison between business, clients and technical team during review sessions
- Develop Use Cases, UML diagrams and wireframes
- Technical understanding of .Net, SQL Server, Perl, and relational databases

CARDINAL HEALTH

Germantown, WI

September 2004 – July 2006

Software Quality Assurance Analyst

Responsible for ensuring quality standards and processes were followed, and meet requirements. Creation of test plans, scenarios, and scripts that provided comprehensive testing. Evaluated and test new or modified software programs and software development procedures used to verify that programs function according to user requirements. Document defects and verify defect corrections, and triage with development team to share results and recommendations.

- Developed automate d test scripts using quick test professional (QTP)
- Project Test Lead on SAP Material Management & Sales Distribution- participated in planning and business processes
- Facilitate creation, deployment, disciplines, standards, and processes in support of QA release testing activities

SC JOHNSON & SON

Racine, WI

May 2003 – Sept 2004

Information System Internship

Responsible for utilization of Mercury Quick Test professional and Test Director to create and upload data into SAP. Automated SAP transactions for testing to implement SAP across SC Johnson global functional groups. Responsible for providing desktop system support for all application users and development of excel reports to identify and capture attributes to meet compliance.

EDUCATION

Bachelor in Strategic Management Information System **Graduated**
Cardinal Stritch University, Milwaukee, WI

Associate in Computer Information Technology **Graduated**
Bryant & Stratton College, Milwaukee, WI

VOLUNTEER WORK

- **Youth Strategies-** Board Member:
- **Young Professional**

JOHN A. SKAGGS

201A Northeast Third Street

Bentonville, AR 72712

(479) 273-3016, 426-4169

E-mail: skaggslawfirm@cox-internet.com

June 19, 2014

Honorable Bob McCaslin, Mayor, and
Aldermen of the City of Bentonville
117 West Central Ave.
Bentonville, AR 72712

Re: Letter of Interest, Alderman, Ward 1, Position 2

Dear Mayor McCaslin, and Ladies and Gentlemen of the Council:

Please accept this as my Letter of Interest in application for the position of Alderman, Ward 1, Position 2 of the City of Bentonville. My residence address is 201 NE 3rd Street, Bentonville, Arkansas. I am a qualified elector of the City of Bentonville.

I am 69 years old. With the exception of a few years away in school, I have resided in Bentonville since 1947. I graduated from Bentonville High School in 1963, received a BSE and Juris Doctorate from the University of Arkansas and began practicing law in Bentonville in 1980. I served one term on the Bentonville City Council beginning in 1984 until elected as Municipal Judge, serving five terms. I was elected as District Judge in a county wide election in 2008, and from which I retired at the end of 2012 after 26 years of service as Judge. I now practice law part-time and maintain an office in the city.

I presently serve as local treasurer and facilitator for the National Alliance on Mental Illness (NAMI), the Boards of Directors for the BHS Alumni Association and Bentonville Historical Museum, Inc, and as historian for the Benton County Bar Association.

My wife, Jerri Lynn, and I have been married for 35 years. We have four grown children, five grandchildren, and attend Fellowship Bible Church.

It would be an honor to serve on the Bentonville City Council. Attempting to fill the shoes of my friend, Chris Sooter, on the Council will be a real task, for which I request your consideration.



RECEIVED JUN 23 2014

Stephanie Orman
4001 Kensington Ave
Bentonville, AR 72712

To Whom It May Concern:

The purpose of this letter is to express my desire to be considered for the City Council seat for Ward 1 Position 2 that Chris Sooter recently resigned from. I believe the residents of Bentonville desire to have someone in this position that has shown they want to be involved in the community and has a strong desire to see Bentonville continue to prosper. My desire to serve is genuine and is demonstrated in my work and commitment to the area and my involvement in the community.

I seek out learning opportunities, and I work well in decision-making groups. I am open-minded and respectful of others' opinions, while asserting my own point of view when needed. I have received feedback from colleagues such as, "strong critical thinking skills, organized, caring and respectful, professional demeanor, and good communication skills," which provides further insight into why I am a good candidate for consideration for a City Council position.

I appreciate your reading my cover letter and resume. I can make myself available at your convenience for any questions.

I look forward to the opportunity to serve with you and for the Bentonville Community as a whole.

Sincerely,


Stephanie Orman

Enc.: resume

STEPHANIE ORMAN

4001 Kensington Ave • Bentonville, Arkansas 72712
(417) 766-4838 • ormancreative@att.net

SUMMARY OF QUALIFICATIONS

Imaginative **Advertising/Marketing/Public Relations Professional** with proven multidisciplinary creative skills and intuition to develop and manage informed, effective marketing and public relations campaigns.

- Offers established track record working with clients to organize, write, shoot, produce, and edit corporate advertising and public relations campaigns.
- Possesses reputation as proven business builder and enthusiastic, confident, dedicated individual with high standards.
- Demonstrates proficiency in Microsoft Outlook, PowerPoint, Word, and Excel, as well as Photoshop, and Media 100 editing skills.
- Extensive knowledge in Google ad words and SEO management.
- Experienced in media buying and production budget management.

PROFESSIONAL EXPERIENCE

Orman Creative, Bentonville, Arkansas

2003-Present

Owner, Director of Client Services

- Provide complete portfolio of Advertising and Marketing services to businesses to grow client base and sales growth.

Notable Clients listed below:

Reliable Imports and Motor Homes, Inc. Springfield, Missouri

2002-Present

Advertising Manager (In-House one day per week)

- Direct annual advertising expenses and delivered requests for avails and added-value opportunities for annual contract negotiations in excess of one million annually.
- Write, design, and produce all print and broadcast ads and organized public relations and civic marketing efforts.
- Responsible for creating all dealership and brand public relations campaigns.
- Perform monthly invoice reconciliation, prepared make good credit memos for media, and evaluate make goods and resolve media purchase discrepancies.
- Coordinate insertion and maintenance of entire advertising campaign.
- Enhance and troubleshoot existing advertising campaigns.
- Continuously monitor advertising effectiveness with quarterly post analysis of buys.
- Negotiate and place spot broadcast media buys in two markets.
- Manage added-value advertising opportunities.
- Order buys and check against annual contract rates.
- Provide planning with market conditions and projected cost per points.
- Manage Google ad words campaign and all SEO marketing efforts.
- Serves as on-camera spokesperson for company.

Kent Rylee Automotive Solutions Rogers, AR

2007-Present

Advertising Manager (In-House Monday, Wednesday, Friday 10am to 2pm)

- Direct annual advertising expenses and delivered requests for avails and added-value opportunities for annual contract negotiations in excess of one million annually.
- Write, design, and produce all print and broadcast ads and organized public relations and civic marketing efforts.
- Responsible for creating all dealership and brand public relations campaigns.
- Perform monthly invoice reconciliation, prepared make good credit memos for media, and evaluate make goods and resolve media purchase discrepancies.
- Coordinate insertion and maintenance of entire advertising campaign.
- Enhance and troubleshoot existing advertising campaigns.
- Continuously monitor advertising effectiveness with quarterly post analysis of buys.
- Negotiate and place spot broadcast media buys in two markets.
- Manage added-value advertising opportunities.
- Order buys and checks against annual contract rates.
- Provide planning with market conditions and projected cost per points.
- Manage Google ad words campaign and all SEO efforts.

RxMaster Pharmacy Systems Rogers, AR

2009-Present

Advertising Manager (In-House Monday, Wednesday, Friday 2:30pm-5pm)

- Write, design, and produce all B-2-B Advertising and Public Relations Materials.
- Manage monthly media budget.
- Manage potential customer database and coordinate follow up marketing materials.
- Coordinate industry tradeshow booth for various pharmacy conventions.

The C3 Group, Fayetteville, AR

2004-2008

Contracted Independent Broadcast Media Buyer

- Design full-scale media advertising and public relations campaigns for clients on local, regional and national levels with broadcast emphasis.
- Oversee creative alliance team for broadcast and Internet design projects.
- Conduct annual marketing and advertising research, media planning and buying and account management for clients.
- Independent Electronic Media Coordinator for The C3 Group.

Associated Video Producers, Inc., Springfield, Missouri

1998-2003

Marketing Manager

- Developed and implemented company sales and marketing plan.
- Wrote, designed, presented, and produced advertising, marketing, and public relations campaigns for clients on local, regional, and national level.
- Established and maintained strong customer relations.
- Coordinated and designed in-house company advertisements and newsletter.

- Played key role in implementing new services and company's new marketing CD-ROM.
- Prepared and presented sales presentations and client bids.

NBC-51, Rogers, Arkansas

1997-1998

Creative Services Director

- Oversaw all production and promotions for station.
- Served as production department head and hired and trained new employees.
- Developed and implemented production billing system, resulting in increased production.
- Designed various station promotions and directed local talk show.
- Improved customer service and employee relations through retaining techniques.

Producer

1996-1997

- Scripted, shot, and edited commercials for clients, public service announcements, and station promotions on both linear and nonlinear editing machines.
- Consulted with local clients, determining market direction and information needed for commercials.
- Gained experience shooting on digital, three-quarter, and SVHS formats.
- Assisted with station's promotional events, including filming and logistics.

EDUCATION

M.A.S., Communications, Missouri State University, Springfield, Missouri
G.P.A.: 4.0/4.0

2002

B.A.S., Broadcast Journalism, University of Arkansas, Fayetteville, Arkansas
G.P.A.: 3.8/4.0
Phillips Petroleum Scholarship
Fulbright Scholarship for University of Arkansas
Golden Key Honor Society
National Association of College Broadcasters
Society of Professional Journalists

1997

INVOLVEMENT

Member of Northwest Arkansas Emerging Leaders Community Enrichment Group

2014 President of Women In Networking of NWA

2014 Publicity Committee for The Northwest Arkansas Children's Museum Annual Fundraiser, "Dancing With The Stars"

2013 Bentonville Noon Rotary "Rotarian of the Year" Recipient

Leadership Benton County Participant

References Available Upon Request.

RECEIVED JUN 20 2014

1 Acorn Circle
Bentonville, AR 72712

June 20, 2014

Mayor Bob McCaslin
Bentonville City Council
117 W. Central
Bentonville, AR 72712

I would like to be considered to fill the remaining term of Councilman Chris Sooter. My wife and I have lived in Bentonville since 1981. My qualifications include currently serving on the Bentonville Planning Commission, past Dir. of Transportation, Facilities Director, and Construction Manager for the Bentonville School District. In these capacities I had many opportunities to work with the City. Also, being on the Planning Commission has more closely aligned me with the direction the City has set for the future.

It would be a pleasure and an honor to continue to serve the City of Bentonville as a member of the Bentonville City Council. If appointed, I plan on running for the position in the fall.

Respectfully,


Joe Haynie

JOE HAYNIE

1 Acorn Circle
Bentonville, AR 72712

Phone: 479-877-9178
jhayniejr@cox.net

Summary of Qualifications

Accomplished management professional with extensive experience managing personnel and projects. Adept at achieving results through the coordination of various departments and/or third parties. Skilled at driving achievement by building successful and long-term relationships with all concerned.

Major Accomplishments

- ♦ Represented Crossland Construction in securing the \$63.5 million VA Hospital addition in Fayetteville
- ♦ Administered the completion of 7 schools, including the \$14.3 million Sports and Athletic Complex for Bentonville Public Schools
- ♦ Directed personnel and budget for the Bentonville Schools Transportation Department, accountable for student safety and parent relations

Experience

BENTONVILLE PLANNING COMMISSION
Member November 2011 – present
Bentonville, AR

- ♦ Review and decide on preliminary plats, large scale developments and conditional uses
- ♦ Make recommendations to the City Council regarding final plats and rezoning requests

CROSSLAND CONSTRUCTION
Director of Project Development May 2007 – November 2009
Bentonville, AR

- ♦ Led sales efforts for all large-scale construction projects, including cities, schools, and hospitals
- ♦ Coordinated personnel across departments to deliver complete and on-time bids
- ♦ Managed all client sales and communications to result in successful contract negotiations

BENTONVILLE PUBLIC SCHOOLS
Director of Construction and Maintenance September 2000 – May 2007
Bentonville, AR

- ♦ Supervised the management and construction of all facilities for the Bentonville School system
- ♦ Successfully completed the construction of new schools and facilities, managing total budget dollars of \$110 million
- ♦ Led team responsible for the maintenance and care of all school properties
- ♦ Coordinated third-party bid processes for all construction projects, accountable to the Superintendent and the School Board to meet construction budgets

BENTONVILLE PUBLIC SCHOOLS
Director of Transportation July 1987 – September 2000
Bentonville, AR

- ♦ Responsible for student safety and parent relations for the district with enrollment totaling over 12,000
- ♦ Directly accountable for \$2.2 million budget
- ♦ Supervised a team of 100+, responsible for all aspects of personnel management
- ♦ Built a reputation as a successful management professional, leading to the opportunity for promotion

FINANCIAL INSURANCE INC./ARVEST BANK GROUP
Co-Founder/Regional Sales Manager 1984-1987
Bentonville, AR

- ♦ Co-founded Financial Insurance, Inc., responsible for all aspects of an entrepreneurial start-up
- ♦ Operated multiple branch locations in Northwest Arkansas
- ♦ Eventually sold company to Arvest Bank Group

Athletic Coach 1974 – 1984
♦ Held various assistant and head coaching positions in Northwest Arkansas

Education

SOUTHERN ARKANSAS UNIVERSITY
Bachelor of Science Education
Magnolia, AR