



**City Council
Meeting Agenda
November 28, 2023
6:00 PM
Bentonville City Hall**

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

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

*If you would like to attend virtually, please register at the following link by 4:00 p.m. on November 28, 2023:

https://us02web.zoom.us/webinar/register/WN_8NzA8zE2RASyT3FvIO-8fA

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Approval of Minutes: November 14, 2023

I. Old Business

1. Adopting 2024 New Positions and Pay Plan Changes

Ordinance*

Ordinance adopting new positions that are being requested for 2024 along with some position upgrades. All have been included in the 2024 budget. An emergency clause will be needed due to the timing of the first payroll in January. No Budget Adjustment is needed.

II. New Business

1. **2024 Pay Plan Changes - Police & Water Departments** **Ordinance***
Ordinance amending the City of Bentonville Police and Water Department 2024 Pay Plans. Amendments are on the attached documents. An emergency clause will be needed due to the timing of the first payroll in January. No Budget Adjustment is needed.
2. **Personnel Policy Amendment - Merit Pay Elected Officials** **Ordinance***
Ordinance to amend the 2024 personnel policy defining merit requirements for elected officials. An emergency clause will be needed due to the timing of the first payroll in January. No Budget Adjustment is needed.
3. **Reappointment of Kevin Butler to the Bentonville Utility Board** **Board Appointment**
Recommending reappointment of Kevin Butler to a second term in Position 5 on the City of Bentonville's Utility Board. The three-year term begins on January 1, 2024 and expires on December 31, 2026.
4. **Reappointment of Octavio Sanchez as Ex-Officio Member of the Bentonville Utility Board** **Board Appointment**
Recommending reappointment of City Council Member Octavio Sanchez to a second term as Ex-Officio on the City of Bentonville's Utility Board. The three-year term begins on January 1, 2024 and expires on December 31, 2026.
5. **Public Hearing and Ordinance Vacating Utility Easement (VAC23-0019)** **Ordinance***
Public hearing and approval of an ordinance vacating a Utility Easement Vacation located at Lot 32 of College Place Subdivision Phase 8 (VAC23-0019).
6. **Public Hearing and Ordinance Vacating a Right of Way (VAC23-0020)** **Ordinance***
Public hearing and approval of an ordinance vacating a Right of Way located at Lot 2 of Groundhog Addition (VAC23-0020).
7. **Setting Public Hearing for a Utility Easement Vacation (VAC23-0021)** **Resolution**
Resolution to set a public hearing for December 12, 2023 for a Utility Easement Vacation located at Block 9, Lot 2 of Dogwood Place Subdivision (VAC23-0021).
8. **ARDOT State Aid Program for Street Reconstruction/Resurfacing** **Resolution**
Resolution allowing the Mayor and City Clerk to enter into an agreement for project CO4026 through the ARDOT State Aid Program for Street Reconstruction/Resurfacing. No Budget Adjustment is required at this time.
9. **Ordinance Establishing 2024 Recreation Fees** **Ordinance***
Ordinance establishing fees for recreation programs, facilities, and events for 2024. Parks and Recreation Advisory Board reviewed and approved these fees at the October meeting. No Budget Adjustment is needed.
10. **Resolution Accepting a Grant for Quilt of Parks** **Resolution**
Resolution authorizing the acceptance of a \$3,500,000.00 grant for the Quilt of Parks Project.

11. **McAuley Place Impact Fee Request** **Resolution**
Resolution for the City Council payment of the Fire, Library, Parks, and Police impact fees on behalf of Housing Partners III Limited Partnership for the McAuley Place Development. A budget adjustment is needed.

III. Utility Board - There were no items for the November 21, 2023, Utility Board Meeting

IV. Planning

1. **Lot Split - Lots 1-3 of Town Vu Subdivision (LS22-0042) - Town Vu Road and Southwest Tater Black Road** **Ordinance***
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.
An Ordinance accepting a lot split of previously unplatted land creating new Lots 1-3 of Town Vu Subdivision to the City of Bentonville, Arkansas; and for other purposes.
2. **Lot Split - Lot 26, Block 6 of Clark's 2nd Addition (LS22-0068) - 402 Southwest 4th Street** **Ordinance***
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.
An Ordinance accepting a lot split of part of Lots 15 and 16, Block 6 of Clark's Second Addition, creating new Lot 26, Block 6 of Clark's Second Addition to the City of Bentonville, Arkansas; and for other purposes.
3. **Lot Split - Lots 17 and 18 of Osage Hills Subdivision (LS23-0032) -Ginn Road and Brookside Road** **Ordinance***
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.
An Ordinance accepting a lot split of Lot 16 of Osage Hills Subdivision, creating new Lots 17 and 18, of Osage Hills Subdivision to the City of Bentonville, Arkansas; and for other purposes.
4. **Lot Split - Lots 1 and 2 of Max Alley Addition (LS23-0048) -801 Southeast Walton Boulevard** **Ordinance***
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.
An Ordinance accepting a lot split of previously unplatted land creating new Lots 1 and 2 of Max Alley Addition to the City of Bentonville, Arkansas; and for other purposes.
5. **Lot Split - Lot 17, Block 16 of Deming's 2nd Addition (LS23-0052) -513 Northwest B Street** **Ordinance***
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.
An Ordinance accepting a lot split of parts of Lots 10-12, Block 16 of Demings 2nd Addition to the City of Bentonville, Arkansas; and for other purposes.
6. **Lot Split - Lots 4 and 5 McKeehan's Third Addition (LS23-0056) -911 Northwest 7th Street** **Ordinance***
The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

An Ordinance accepting a lot split of Lots 1A and 2 of Mckeehan's Third Addition creating new Lots 4 and 5 of Mckeehan's Third Addition to the City of Bentonville, Arkansas; and for other purposes.

7. **Property Line Adjustment - Lot 9, Block A of Orchard Addition (PLA23-0027) - 404 Southeast C Street** **Ordinance***

The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

An Ordinance accepting a property line adjustment of Lot 3 and part of Lot 2, Block A of Orchard Addition creating new Lot 9, Block A or Orchard Addition to the City of Bentonville, Arkansas; and for other purposes.
8. **Final Plat - Poigai Estates - Phase 2 (FP23-0010) -1400 Southwest Casuarina Drive** **Ordinance***

The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

An Ordinance accepting a final plat of Poigai Estates Phase 2 to the City of Bentonville, Arkansas; and for other purposes.
9. **Land Use Map Amendment - Adventure Church - Agriculture to Low Density Residential (RZ23-0080) 4508 Town Vu Road** **Resolution**

The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

A Resolution amending the City of Bentonville Future Land Use Map for a specific area from Residential Estate to Low Density Residential; and for other purposes.
10. **Rezone - Adventure Church - A-1, Agriculture to R-1, Low-Density Single-Family Residential (RZ23-0080)-4508 Town Vu Road** **Ordinance***

The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agriculture to R-1, Low Density Single Family Residential; and for other purposes.
11. **Lot Split - Lots 1, 2, and 3 of Adventure Subdivision (LS22-0028) -4508 Town Vu Road** **Ordinance***

The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

An Ordinance accepting a lot split of previously unplanted land creating new Lots 1-3 of Adventure Subdivision to the City of Bentonville, Arkansas; and for other purposes.
12. **Land Use Map Amendment - PBR Holdings LLC- High Density Residential to Downtown Commercial (RZ23-0082) 405 Southeast A Street, 406 and 408 Southeast B Street. -** **Resolution**

The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

A Resolution amending the City of Bentonville Future Land Use Map for a specific area from High Density Residential to Downtown Commercial; and for other purposes.

13. **Rezone - PBR Holdings LLC - R-3, Medium-High Density Multifamily Residential to DE, Downtown Edge (RZ23-0082) -405 Southeast A Street and 406 and 408 Southeast B Street** **Ordinance***

The Planning Commission voted 6-0, recommending approval. Commissioner Davis was absent.

An Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium-High Density Multifamily Residential to D-E, Downtown Edge; and for other purposes.

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