

Bentonville City Council

Meeting Minutes

November 14, 2023

The City Council of Bentonville, Arkansas, met in regular session Tuesday, November 14, 2023, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez, Aubrey Patterson, Cindy Acree, Beckie Seba, Chris Sooter, Gayatri Agnew, Bill Burckart, and Holly Hook. Also present were Mayor Stephanie Orman, City Attorney Andrew Myers, City Clerk Kirby Romines, the press, city staff, and the audience. Several members of the city staff and the public attended remotely via Zoom.

Mayor Orman called the meeting to order. Mayor Orman led everyone present in the Pledge of Allegiance, which was followed by a moment of silence in support of our armed forces.

Motion was made by Council Member Sanchez to approve the minutes of the October 24, 2023, meeting as presented, second by Council Member Hook. There was no discussion. Motion carried (8-0).

Motion was made by Council Member Sooter to suspend the rules regarding the reading of all ordinances on three separate days and further that all ordinances and resolutions be read by title only, second by Council Member Sanchez. There was no discussion. Motion carried (8-0).

[Committee of the Whole agenda items 1 through 4 were addressed at the November 13, 2023, Committee of the Whole meeting.]

II. New Business:

1. October Commercial Landscape Award - 350 SW A Street
2. October Residential Landscape Award - 1808 SE Lawrence Street
3. Reappointment of Clint Schaff to a second term in Position 6 on the Public Art Advisory Committee. His first full three-year term begins January 1, 2024, and expires December 31, 2026.

Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

4. Reappointment of Tom Hoehn to a second term in Position 7 on the Public Art Advisory Committee. His second three-year term begins January 1, 2024, and expires December 31, 2026.

Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

5. Appointment of Anne Jackson to a first term in Position 5 on the Public Art Advisory Committee. The term for this position expires December 31, 2023, and was vacated by Brittany Vernon in July 2023 when she moved outside of Bentonville. Anne's first three-year term begins January 1, 2024, and expires December 31, 2026.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

6. Reappointment of Gulizar Baggson for a second term in Position 2 on the Tree & Landscape Advisory Committee. Her second three-year term begins January 1, 2024, and expires December 31, 2026.

Motion to approve by Council Member Sanchez, second by Council Member Hook. There was no discussion. Motion carried (8-0).

7. Reappointment of Jessie Wagner for a second term in Position 1 on the Tree & Landscape Advisory Committee. Her second three-year term begins January 1, 2024, and expires December 31, 2026.

Motion to approve by Council Member Sanchez, second by Council Member Hook. There was no discussion. Motion carried (8-0).

8. Reappointment of Nathan Lembke for a third term in Position 4 on the Tree & Landscape Advisory Committee. His third three-year term begins January 1, 2024, and expires December 31, 2026.

Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

9. Appointment of Jeannie McIntire to fulfill an unexpired term for Position 6 on the Tree & Landscape Advisory Committee. Mark Bray, currently in the position, resigned in October 2023. This position's term expires December 31, 2024. Motion to approve by Council Member Sanchez, second by Council Member Hook. There was no discussion. Motion carried (8-0).

10. Reappointment of Jeff McClelland for the Northwest Arkansas Conservation Authority (NACA) Board. This will be Mr. McClelland's second term, which will expire on December 31, 2026.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

11. Reappointment of Cynthia Cochran to the Library Advisory Board. This is Mrs. Cochran's second term, which will expire on December 31, 2028.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

12. Removed: Ordinance adopting the 2024 Pay Plan for the City of Bentonville; declaring an emergency; and for other purposes.

Mayor Orman mentioned an error in the ordinance, so this item would be removed from the agenda, corrected, and added to the next City Council Meeting agenda.

13. Ordinance No. 2023-233: Ordinance adopting the 2024 Pay Plan for the City of Bentonville Fire Department; declaring an emergency; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

14. Ordinance No. 2023-234: Ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

15. Ordinance No. 2023-235: Ordinance authorizing the issuance of sales and use tax bonds for the purpose of financing the cost of capital improvements; pledging a 1% sales and use tax to pay the principal of and interest on the bonds; prescribing other matters relating thereto; and declaring an emergency.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

Kevin Faught, with Stephens Inc., gave an overview of the bond that went to market and where the funds will be distributed within the City of Bentonville, including the draining and library allocation.

16. Resolution No. 11-14-23 A: A adopting the City of Bentonville's 2024 Budget; appropriating funds and authorizing expenditures for items included within the City of Bentonville's 2024 Budget; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

Mayor Orman thanked the City of Bentonville staff and council members for their work and the public for their input on the budget.

17. Ordinance No. 2023-236: Ordinance amending Police Impact Fees in the City of Bentonville, Arkansas; declaring an emergency; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

Council Member Hook requested that the City of Bentonville visit the inflationary factors in the near future to see the benefits from it.

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

Council Member Bruckart asked if this is for items permitted or final before December 1, 2023. City Attorney Andrew Myers confirmed that it is for permits issued afterward.

18. Ordinance No. 2023-237: Ordinance amending Fire/EMS Impact Fees in the City of Bentonville, Arkansas; declaring an emergency; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

19. Ordinance No. 2023-238: Ordinance amending Library Impact Fees in the City of Bentonville, Arkansas; declaring an emergency; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

20. Ordinance No. 2023-239: Ordinance amending Park and Open Space Impact Fees in the City of Bentonville, Arkansas; declaring an emergency; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

Mayor Orman thanked the council for their comments and participation in the impact fee items.

21. Resolution No. 11-14-23 B: A resolution awarding bid IFB-23-57 (Re-bid) to NIU Toilet for the purchase of a portable restroom trailer for the City of Bentonville Police Training Facility, in the amount of thirty-eight thousand nine hundred ninety-nine dollars (\$38,999.00); and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

22. Ordinance No. 2023-240: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with All American PDR, LLC., to complete hail damage repairs on police vehicles, in the amount of one hundred twenty-four thousand five hundred ninety-nine dollars and ninety-two cents (\$124,599.92); waiving the requirement of competitive bidding; providing for the emergency clause; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

23. Resolution No. 11-14-23 C: A resolution adjusting the 2023 Budget; appropriating one hundred seventy-seven thousand six hundred eighty-three dollars and forty-nine cents (\$177,683.49) for the purchase of capital items; authorizing the Mayor and City Clerk to enter into a change order with Clinard Construction for the final closeout of the Bentonville Fire Training Facility; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

24. Resolution No. 11-14-23 D: A resolution authorizing the Mayor and City Clerk to amend the civil engineering contract with Halff Associates, Inc., for additional professional services related to the Bentonville Fire Training Facility; in the amount of seven thousand nine hundred sixty-seven dollars and seventy-one cents (\$7,967.71) and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

25. Ordinance No. 2023-241: Ordinance waiving competitive bidding for the purchase of an additional gas prop for the Bentonville Fire Training Facility; authorizing the Mayor and City Clerk to enter into an agreement, not to exceed one hundred twenty-seven thousand five hundred sixty-seven dollars and fifty cents (\$127,567.50), with Symtech for this purchase; providing for the emergency clause; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

26. Resolution No. 11-14-23 E: A resolution setting a public hearing for November 28, 2023, for a Utility Easement Vacation located at Lot 32 of College Place Subdivision Phase 8 (VAC23-0019).

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

27. Resolution No. 11-14-23 F: A resolution setting a public hearing for November 28, 2023, for Right of Way Vacation located at Lot 2 of Groundhog Addition (VAC23-0020).

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

28. Resolution No. 11-14-23 G: A resolution authorizing the Mayor and City Clerk to enter into an amended agreement with CEI Engineering Associates, Inc., for professional services on the NW 9th & NW D St. project, in the amount of one hundred sixty-four thousand eight hundred ten dollars (\$164,810.00); and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

29. Resolution No. 11-14-23 H: A resolution adjusting the 2023 Budget; authorizing the Mayor and City Clerk to enter into an amended agreement with Hight Jackson, for professional services on the Cemetery Columbarium Project, to increase the agreement price by an amount of nineteen thousand two hundred fifty dollars (\$19,250.00); and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

30. Resolution No. 11-14-23 I: A resolution awarding bid IFB-23-53 to C.R. Crawford Construction for professional services for Cemetery Columbarium Project, in the amount of six hundred seventy-four thousand one hundred ninety-nine dollars (\$674,199.00); amending the 2023 Budget to transfer two hundred sixty-five thousand dollars (\$265,000.00) from General Funds to Account #105020-47210 - Plants and Building; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Acree, second by Council Member Sanchez. There was no discussion. Motion carried (8-0).

31. Resolution No. 11-14-23 J: A resolution accepting a grant from Kelly and Steuart Walton in the amount of two hundred fifty-seven thousand seven hundred ninety-five dollars (\$257,795.00); adjusting the 2023 Budget to recognize the same to Account #105030-33810 - Local Grants; appropriating the same into Account #105030-47390 - Improvement Other than Building; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

32. Resolution No. 11-14-23 K: A resolution authorizing the Mayor and City Clerk to enter into an agreement with 8th & Melissa, LLC, accepting the donation of property that will become part of Gilmore Park; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

33. Resolution No. 11-14-23 L: A resolution accepting a grant from the Walton Family Foundation, in the amount of one million four hundred fifty thousand dollars (\$1,450,000.00), for an E Bike Rebate Program; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

Council Member Sanchez recommended that the Planning Department limit their participation because it would need to be executed as laid out in the documents rather than by the City of Bentonville. Council Member Acree also requested that this be an accessible project for all within the City of Bentonville, specifically for those unable to bike, i.e., motorized wheelchairs. Jackie Bubenik, Bike and Pedestrian Planner, said they would look into this addition and making the program widely accessible.

III. Utility Board:

1. Ordinance No. 2023-242: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with Arkansas Electric Cooperatives, Inc. for the purchase of transformers, in the approximate amount of three million one hundred thirty-nine thousand nine hundred ninety-five dollars (\$3,139,995.00); waiving the requirement of competitive bidding; providing for the emergency clause; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

Council Member Burckart asked if the supply chain was adequate. Travis Matlock, Engineering Director, explained that this secures the production spots for said transformers and provided further information regarding the process.

2. Resolution No. 11-14-23 M: A resolution amending the 2023 Budget; appropriating two hundred seventy-three thousand eighteen dollars and ninety cents (\$273,018.90) from Utility Fund Reserves into Account #503020-44450 - Public Works by Project Maintenance; authorizing the Mayor and City Clerk to enter into an amended agreement with Calcon, Inc. and Sycon Excavation; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

3. Ordinance No. 2023-243: Ordinance amending the 2023 Budget; appropriating eighty-six thousand three hundred seventy-eight dollars and sixty-six cents (\$86,378.66) from Utility Fund Reserves into Account #503040-44450 - Public Works By Project Maintenance in order to fund repairs for property damage that occurred at 1101 Spriggs Court, Bentonville, Arkansas, waiving competitive bidding; providing for the emergency clause; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by

Council Member Agnew. There was no discussion. Motion carried (8-0).

IV. Planning:

1. Ordinance No. 2023-244: Ordinance amending Appendix A Zoning Code to delete Sec. 501.12 Parking and Storage of Certain Vehicles; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

2. Resolution No. 11-14-23 N: A resolution amending the adopted 2023-2027 Consolidated Plan for compliance with participation in the HUD Community Development Block Grant (CDBG) Program; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

3. Ordinance No. 2023-245: Ordinance amending Bentonville Municipal Code Appendix B Land Development Code, Sec. 700 and 1100 to identify regulations applicable in the City's planning area; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

4. Ordinance No. 2023-246: Ordinance accepting a lot split of Lot 8 of Pickens Subdivision creating new Lot 15 of Pickens Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project No. LS23-0040).

[Applicant: Ken Booth/Northwest Arkansas Senior Services Inc;

Location: John DeShields Boulevard and Northeast Legacy Parkway]

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Burckart, second by Council Member Agnew. There was no discussion. Motion carried (7-0), with Council Member Sanchez abstaining.

5. Ordinance No. 2023-247: Ordinance accepting a property line adjustment of existing Lot 13 of Pickens Addition; creating new Lot 16 of Pickens Addition to the City of Bentonville, Arkansas; and for other purposes (Project No. LS23-0041).

[Applicant: Crystal Pickens, LLC;

Location: Northeast John Deshields Boulevard]

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Burckart, second by Council Member Agnew. There was no discussion. Motion carried (7-0), with Council Member Sanchez abstaining.

6. Ordinance No. 2023-248: Ordinance accepting a lot split of Lot 3 of Haribn Point Addition creating new Lots 5 & 6 of Harbon Pointe Addition to the City of Bentonville, Arkansas; and for other purposes (Project No. LS23-0049).

[Applicant: Doaba Investment LLC;

Location: Southwest Regional Airport Boulevard]

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

7. Ordinance No. 2023-249: Ordinance accepting a lot split of unplatted section land creating new Lots 1 & 2 of Pinnacle Villas LLC Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project No. LS23-0051).

[Applicant: Pinnacle Villas LLC;

Location: 208 Northwest G Street]

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

8. Resolution No. 11-14-23 O: 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.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

9. Ordinance No. 2023-250: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium-High Density Multifamily Residential to DE, Downtown Edge; and for other purposes (Project No. RZ23-0075).

[Applicant: Yellow Brick Road, LLC;

Location: 503 Southeast A Street]

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

10. Resolution No. 11-14-23 P: A resolution amending the City of Bentonville Future Land Use Map for a specific area from Previously Unassigned Land to Residential Estate; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

11. Ordinance No. 2023-251: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agricultural to R-E, Residential Estate; and for other purposes (Project No. RZ23-0076).

[Applicant: REO Plateau Properties LLC;

Location: Northwest Deer Run Avenue]

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

12. Resolution No. 11-14-23 Q: A resolution amending the City of Bentonville Future Land Use Map for a specific area from Residential Estate and Office to Agriculture; and for other purposes.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (8-0).

13. Ordinance No. 2023-252: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium-High Density Multifamily Residential and PUD, Planned Unit Development to A-1, Agricultural; and for other purposes (Project No. RZ23-0077).

[Applicant: City of Bentonville;

Location: Southwest 8th Street]

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

Tyler Overstreet, Director of Planning and Community Development, said it had happened before, and Council Member Sanchez gave an example of when it occurred.

14. Ordinance No. 2023-253: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential; and for other purposes (Project No. RZ23-0078).

[Applicant: Sanders Properties LLLP;

Location: 205 Northwest 4th Street]

Mayor Orman recognized Dylan Shaddox for public comment, who spoke in favor of the item and gave details about surrounding neighbors' feedback. Council Member Hook explained that there was quite a bit of pushback at the Planning Commission and that she would commit to constituents against the item and vote no. Will Kelstrom, representing the applicant, spoke in favor of the item, provided details regarding DN-4 uses, and mentioned that the applicant would have a dialogue with residents of said neighborhood.

Council Member Patterson asked if items 14 and 15 were related. Tyler Overstreet said they were separate applicants but adjacent properties. Council Member Hook asked about the alley and who owned it. Tyler Overstreet noted that the City of Bentonville owns the alleys. Council Member Burckart asked about a surrounding property and if the owner was the same applicant. Council Member Sanchez explained why they believe mixed use is beneficial, especially in congested areas like downtown. Council and Tyler Overstreet also discussed the requirements of the zoning.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council

Member Sooter. There was no discussion. Motion carried (7-1), with Council Member Hook voting no.

15. Ordinance No. 2023-254: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium-High Density Multifamily Residential to DN-4, Downtown Mixed-Use Residential; and for other purposes (Project No. RZ23-0079).

[Applicant: Esterer Investments, LLC;

Location: 337 Northwest A Street]

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (7-1), with Council Member Hook voting no.

16. Resolution No. 11-14-23 R: A resolution amending the City of Bentonville Future Land Use Map for a specific area from Residential Estate to High-Density Residential; and for other purposes.

Council Member Patterson stated that the higher density should be where it is near access to jobs and amenities, and that is outside of southwest Bentonville. Council Member Patterson does not believe that continuing to push higher density into southwest Bentonville is the appropriate place for it.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (7-1), with Council Member Patterson voting no.

17. Ordinance No. 2023-255: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of PUD, Planned Unit Development to R-3, Medium-

High Density Multifamily Residential; and for other purposes (Project No. RZ23-0073).

[Applicant: Doaba Investment, LLC;

Location: Southwest Regional Airport]

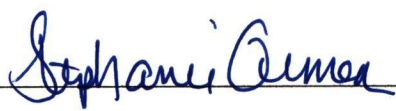
Council Member Sanchez mentioned that the current category allows more than R-3 allows. Tyler Overstreet explained that there was public concern about access to the south of the property but mentioned a possible solution. City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion carried (7-1), with Council Member Patterson voting no.

Council Member Burckart thanked the Planning Department for their work and apologized for the Committee of the Whole Meeting discourse that occurred on Monday, November 13, 2023. Council Member Hook thanked Tyler Overstreet for always responding quickly to their questions and comments.

Mayor Orman adjourned the meeting. Motion to adjourn by Council Member Sooter, second by Council Member Hook.

The next Bentonville City Council meeting will be on November 28, 2023.


Kirby Romines, City Clerk


Stephanie Orman, Mayor

