

Bentonville City Council

Meeting Minutes

February 27, 2024

The City Council of Bentonville, Arkansas, met in regular session Tuesday, February 27, 2024, 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 February 13, 2024, meeting as presented, second by Council Member Agnew. 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).

I. New Business:

1. Recognition of Thaden School Urban Studies Students for Outstanding Student Project by Mayor Orman, Tyler Overstreet, Director of Planning and Community Development, and Sam Slaton with Thaden Field.

2. Upskill Northwest Arkansas Report by Carol Silva Morales.

Council Member Acree asked how people can apply for the program, how they are eligible, and how they are selected. Carol Silva Morales explained the eligibility process and the program as a whole. Council Member Burckart and Mayor Orman thanked Carol Silva Morales for their report and work.

3. Resolution No. 2-27-24 A: A resolution recognizing, commending, and congratulating Captain David Townsend on his retirement from the City of Bentonville Police Department, effective February 29, 2024.

Mayor Orman recognized Captain David Townsend and presented him with a framed resolution.

Mayor Orman read the resolution aloud. There was no discussion. Motion carried unanimously (8-0).

4. Resolution No. 2-27-24 B: A resolution awarding bid IFB 24-13 to Superior Auto Group for the purchase of twelve (12) 2024 Chevrolet Tahoes 2WD PPV (9C1), for the Bentonville Police Department, in the amount of eight hundred eighty-seven thousand five hundred twenty-two dollars and four cents (\$887,522.04); 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).

5. Resolution No. 2-27-24 C: A resolution accepting a donation from the Rotary Club of Bentonville, in the amount of three hundred twenty dollars (\$320.00); adjusting the 2024 Budget to recognize and appropriate said donation; 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).

6. Resolution No. 2-27-24 D: A resolution accepting a donation from the Sons of American Revolution, in the amount of two hundred fifty dollars (\$250.00); adjusting the 2024 Budget to recognize and appropriate said donation; 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).

7. Resolution No. 2-27-24 E: A resolution authorizing the Mayor and City Clerk to enter into a grant agreement with the Department of Public Safety (Award #24PSEG012), in the amount of forty-seven thousand nine hundred sixty-six dollars and eighty-two cents (\$47,966.82); adjusting the 2024 Budget to recognize and appropriate said grant funds; 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 Hook mentioned that she had a constituent ask what the plans were for this fund and if it was additional. Chief Shastid explained that this is not additional and will help offset the budget they had budgeted. He also clarified that the grant is specifically written for tasers for the Police Department.

8. Resolution No. 2-27-24 F: A resolution authorizing the Mayor and City Clerk to enter into an agreement with Banner Fire Equipment

Inc, for the purchase of an E-One Fire Engine, in an amount not to exceed nine hundred ninety-five thousand dollars (\$995,000.00); 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).

Council Member Hook mentioned that a constituent was concerned about the vehicle's ability to fit through narrow roads. Deputy Chief Jeremy Metcalf said that there is space for fire trucks to get through because of the street specifications within the City of Bentonville.

9. Resolution No. 2-27-24 G: A resolution declaring certain property, belonging to various departments of the City of Bentonville, as surplus property; authorizing its disposal; 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).

10. Resolution No. 2-27-24 H: A resolution authorizing the Mayor and City Clerk to enter into an agreement with Landscape Structures Inc., for the purchase of a shade structure, in an amount not to exceed forty-one thousand seven hundred eighty-eight dollars and twenty-two cents (\$41,788.22); 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).

11. Ordinance No. 2024-30: Ordinance authorizing waiving competitive bidding for triathlon services provided by Adam Fortin; 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).

12. Ordinance No. 2024-31: Ordinance waiving competitive bidding for Master Swimming Services provided by team E Multi Sport LLC.; 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).

13. Ordinance No. 2024-32: Ordinance authorizing waiving competitive bidding for Triathlon Services provided by team E Multi Sport LLC.; 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).

Council Member Sanchez congratulated and thanked the Parks Department for their ability to find and hire quality instructors and partners for their programs and services.

14. Ordinance No. 2024-33: Ordinance vacating a utility easement located at Lot 20 of College Place Subdivision Phase 8 of the City of Bentonville, Arkansas, Benton County Arkansas (VAC23-0023).

Mayor Orman declared a public hearing open for comments. There was no response, so Mayor Orman declared the hearing closed.

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).

15. Resolution No. 2-27-24 I: A resolution authorizing the Mayor and City Clerk to enter into Work Order 2023-#4 with O.R. Colan Associates, LLC., amending fees for appraisal services related to Rainbow Curve Improvements, in an amount not to exceed fifty-five thousand dollars (\$55,000.00); 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).

16. Resolution No. 2-27-24 J: A resolution expressing the willingness of the City of Bentonville to utilize FY2023 flood mitigation assistance funds administered by FEMA to begin drainage study and initial design to improve Little Osage Tributary 2; 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).

17. Resolution No. 2-27-24 K: A resolution authorizing the Mayor and City Clerk to enter into an agreement with Streamworks Mitigation Services, LLC. for the purchase of 2.17 Wetland Mitigation Credits, in an amount not to exceed forty-three thousand four hundred dollars (\$43,400.00); 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).

Council Member Burkart asked if the wetland mitigation and the locations of the areas could be added to the agenda packet in the future. Mayor Orman noted Council Member Burkart's request and said they would do so.

18. Resolution No. 2-27-24 L: A resolution authorizing the Mayor and City Clerk to enter into an agreement with Streamworks

Mitigation Services, LLC. for the purchase of 3.65 Wetland Mitigation Credits, in an amount not to exceed seventy-three thousand dollars (\$73,000.00); 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).

II. Utility Board:

1. Ordinance No. 2024-34: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with Arkansas Electric, for the purchase of three phase transformers, in the amount of four hundred fifteen thousand six hundred nineteen dollars (\$415,619.00), plus applicable taxes; 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).

Council Member Hook thanked Travis Matlock, Engineering Director, for getting back to them quickly on a constituent question about waiving competitive bidding. Council Member Sanchez explained the reason for the bid waiver on this item.

III. Planning:

1. Ordinance No. 2024-35: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to DN-2, Downtown Medium-Density Residential; and for other purposes (Project No. RZ24-0002).

[Applicant: Howard and Margaret Payne;

Location: 1126 Fillmore 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).

2. Resolution No. 2-27-24 M: A resolution amending the City of Bentonville Future Land use map for a specific area from Low-Density Residential 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).

3. Ordinance No. 2024-36: Ordinance amending the City of Bentonville Future Land Use Map for a specific area from Low-Density Residential to Agriculture; and for other purposes (Project No. RZ24-0003).

[Applicant: RLP Developments LLC;

Location: Piercy Road]

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).

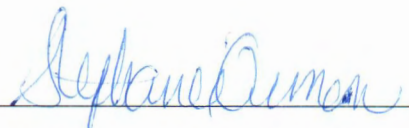
Mayor Orman adjourned the meeting. Motion to adjourn by Council Member Sanchez, second by Council Member Acree.

Tyler Overstreet reminded the council of the Plan Bentonville Open House event on Thursday, February 9, 2024, and provided insight into the feedback from Bentonville residents on the future of Bentonville. Council Member Sanchez and Mayor Orman mentioned that the engagement at the Plan Bentonville pop-ups have been good. Tyler Overstreet thanked the Planning Department for their hard work sharing Plan Bentonville events with the public.

Mayor Orman asked if the council would like to move the April 8, 2024, Committee of the Whole meeting to later in the month due to the eclipse. The council decided to move the meeting but will discuss whether to cancel it or move it to April 22, 2024, at the next Bentonville City Council meeting. Mayor Orman also reviewed April events in the City of Bentonville.

The next Bentonville City Council meeting will be on March 12, 2024.


Kirby Romines, City Clerk


Stephanie Orman, Mayor

