

Bentonville City Council

Meeting Minutes

March 26, 2024

The City Council of Bentonville, Arkansas, met in regular session Tuesday, March 26, 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, Holly Hook, Chris Sooter, Gayatri Agnew, and Bill Burckart. Also present were Mayor Stephanie Orman, City Attorney Andrew Myers, City Clerk Malorie Marrs, the press, city staff, and the audience. Several members of the city staff and the public attended remotely via Zoom. Council Member Beckie Seba was absent.

Mayor Orman called the meeting to order, and led everyone present in the Pledge of Allegiance, which was followed by a moment of silence in support of our armed forces. A Scout was not present.

Motion was made by Council Member Acree to approve the minutes of the March 12, 2024, meeting as presented, second by Council Member Hook. There was no discussion. Motion carried (7-0).

A 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 (7-0).

I. New Business:

1. Resolution No. 3-26-24 A: A resolution authorizing the Mayor and City Clerk to utilize previously accepted grant funds in the amount of \$32,500.00 from Capital account 101650-47390 to Professional Services account 101650-43210 for the purpose of funding an economic impact study for the Bentonville Municipal Airport, and other purposes. A budget adjustment will be required to allocate funds that have already been accepted.

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 (7-0).

2. Resolution No. 3-26-24 B: A resolution allowing the Mayor and City Clerk to accept the Arkansas Aeronautical Grant for the Bentonville Municipal Airport. A call for the resolution to accept an 80/20 grant in the amount of \$300,000.00 from the Arkansas Aeronautical Commission providing funding to construct an access road serving the new hangar development area. A budget adjustment in the total of \$300,000.00 to recognize the funds to Account #101650-3341 State Operating Grant and appropriate the same to Account #101650-47390 - Improvement other than Buildings.

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 (7-0).

3. Resolution No. 3-26-24 C: A resolution authorizing the Mayor and City Clerk to enter into an agreement with Azteca Systems LLC AKA "Trimble" for the purpose of CitiWorks Software Solution. Amending the 2024 budget in the amount of \$75,000 and for other purposes. This is a term contract and in accordance with the agreement, funds will be budgeted annually for maintenance costs.

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 (7-0).

4. Ordinance No. 2024-39: A Public Hearing and Ordinance Vacating Utility, Access & Drainage Easement (VAC24-0001). Public Hearing and approval of Ordinance vacating a Utility, Access & Drainage Easements located at Lot 13 of Pickens Subdivision (VAC24-0001).

Mayor Orman opened the floor to anyone joining in person or online, for the public hearing. No one spoke online. Mayor closed the public hearing. Council Member Sanchez mentioned he would be abstaining.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sooter, second by Council Member Hook. There was no discussion. Motion carried (6-1-0). Council Member Sanchez abstained.

5. Resolution No. 3-26-24 D: A resolution expressing the willingness to utilize Federal-Aid for NE J Interchange Project. The resolution will recognize the City of Bentonville's willingness

to participate in all responsibilities to apply and utilize (STBGP-A) federal-aid funds for the NE J Street Interchange project. No budget adjustment is needed at this time.

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

6. Resolution No. 3-26-24 E: a resolution authorizing for the Mayor and City Clerk to enter into an agreement with Library Furniture International (LFI) for the purchase of library shelving for Bentonville Public Library (BPL) in an amount not to exceed \$330,000 total. This is a necessary purchase that is planned and budgeted for BPL. No Budget Adjustment is needed. Council Member Sanchez noted and applauded the savings for this agreement.

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 (7-0).

7. Resolution No. 3-26-24 F: A resolution accepting a Bid Award authorizing the Mayor and City Clerk to enter into a contract agreement with Martel's Landscaping for Mowing Services for Parks and Recreation Facilities. A Bid Award of IFB 24-04, in the amount of \$53,217.00. No budget adjustment is needed.

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 (7-0).

8. Resolution No. 3-26-24 G: A resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Toole Design, in the amount of \$203,700.00, for design and construction oversight of multiple sidewalk projects. This firm was selected in accordance with the City's Purchasing Policy for professional services. No budget adjustment is needed.

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 (7-0).

II. Utility Board:

1. Resolution No. 3-26-24 H: A resolution allowing the Mayor and City Clerk to enter into agreement with Freese and Nichols, Inc. for the design of a 14,000', 48" water transmission line from SW

28th Street to the I street pump station in the amount of \$1,145,670.00. No budget adjustment is needed for the professional engineering service. Utility Board Approved 5-0.

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 (7-0).

2. Resolution No. 3-26-24 I: A resolution to award bid IFB-24-18 for transmission material to the lowest qualified bidders. The amount of \$352,353.61 and for other purposes. The resolution was approved by the Utility Board 5-0. No budget adjustment is needed.

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 (7-0).

III. Planning:

1. Ordinance No. 2024-40: An ordinance accepting a property line adjustment - Lot 27, Block 17 Deming's Second Addition - 505 Northwest C Street (PLA24-0003). An Ordinance accepting a property line adjustment of part of Lots 1, 2 and 3, Block 17 Deming's Second Addition creating new Lot 27, Block 17 of Deming's Second Addition to the City of Bentonville, Arkansas; and for other purposes. The Planning Commission voted 6-0, recommending approval.

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 (7-0).

2. Ordinance No. 2024-41: An ordinance accepting a lot split - Lots 13 and 14, Block 2 of Sunset Addition - 909 Northwest 9th Street (LS24-0001). An Ordinance accepting a lot split of Lot 12, Block 2 of Sunset Addition creating new Lots 13 and 14, Block 2 of Sunset Addition to the City of Bentonville, Arkansas; and for other purposes. The Planning Commission voted 6-0, recommending approval.

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 (7-0).

3. Ordinance No. 2024-42: An ordinance accepting a lot split - Lots 12, 13, 14, and 15, Block 2 Brathwaite Park Addition - 1304 Bella Vista Road (LS23-0054). An Ordinance accepting a lot split

of Lot 10, Block 2 of Braithwaite Park addition creating new Lots 12, 13, 14, and 15, Block 2 of Braithwaite Park addition to the City of Bentonville, Arkansas; and for other purposes. The Planning Commission voted 6-0, recommending approval.

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 (7-0).

4. Resolution 3-26-24 J: A resolution amending the Future Land Use Map Amendment - 404 GLV, LLC - Low Density Residential (LDR) to Medium Density Residential (MDR) - 801 and 803 Northwest 8th Street (RZ24-0005). A Resolution amending the City of Bentonville Future Land Use Map for a specific area from Low-Density Residential to Medium-Density Residential; and for other purposes. The Planning Commission voted 6-0, recommending approval.

Council Member Hook asked about lot size, and inquired if this is the way the master plan is moving. Tyler Overstreet, Director of Planning, stated that this will be used as more of a transition from Walton to Downtown. Sooter mentioned these are wide lots. Overstreet stated it was more of a medium density type zoning. This "transition area" will help with the remote work hubs and the direction things are moving. Council Acree stated she will not personally support changing the rezone map in advance to a vote but supports the rezoning and has heard no opposition for it.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. Motion carried (6-1). Council Member Acree opposed.

5. Ordinance No. 2024-43: An 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. Rezoning - 404 GLV, LLC - R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential 801 and 803 Northwest 8th Street (RZ24-0005). The Planning Commission voted 6-0, recommending approval.

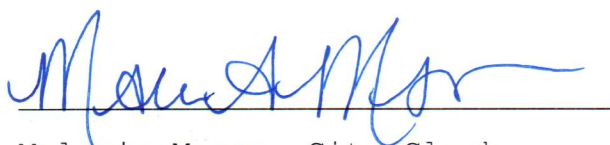
City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Acree, second by Council Member Hook. There was no discussion. Motion carried (7-0).

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

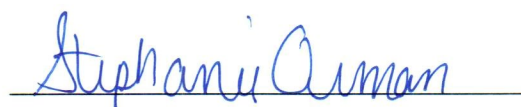
Committee Reports/Other items/notes:

1. Council Member Sanchez mentioned, Monday April 1, 2024 the beginning of the fixed route for the transportation line that will go from Northwest Arkansas Community College to Downtown Rogers. Debbie Griffin spoke, regarding filling a bus with council members, and other city staff, to ride the inaugural route. Griffin also mentioned May 2nd City Hall Consultants will be coming.
2. Council Member Patterson spoke on data collected regarding restaurant usage of people visiting vs living in Bentonville. She stated 49 percent of the restaurant spend is by visitors, and on average visitors spend \$77 at a restaurants. Tourism is significantly growing in Bentonville.
3. Council Member Hook stated, there will be a tree give away on Saturday April 27, 2024 starting at 8am at the compost. This year it will be first come first serve, no registration. To avoid trees getting left behind. Interested parties need to bring a utility bill. Constituents will be allowed 2 trees and there are 6 species.

The next Bentonville City Council meeting will be on April 9, 2024.



Malorie Marrs, City Clerk



Stephanie Orman, Mayor

