



**Committee of the Whole
and
City Council
Meeting Agenda
April 22, 2024
April 23, 2024
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.

Bentonville residents can make public comments in the following ways:

- Public comments can be made in person at the meeting which is held at 305 SW A Street in Council Chambers.
- Public comments can be submitted by email to cc.comments@bentonvillear.com by at least 4:00 p.m. on the day of the meeting. This email includes the Mayor and City Council email addresses.
- Public comments can be made virtually by registering for the Council meeting at the Zoom link listed below. This requires you to register with your name, address, phone number and email address. The pre-existing limitations (3 minutes) and procedures concerning oral public comments will still apply.

*If you would like to attend the Committee of the Whole Meeting virtually, please register at the following link by 4:00 p.m. on April 22, 2024:

https://us02web.zoom.us/webinar/register/WN_Ds2ljqccQ_Ulu-zWX87gg

*If you would like to attend the City Council Meeting virtually, please register at the following link by 4:00 p.m. on April 23, 2024:

https://us02web.zoom.us/webinar/register/WN_EZZTbp5hQg2zGMRcuL9qOg

Council Questions/Discussion Concerning the Business Meeting

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Approval of Minutes: April 9, 2024

I. Committee of the Whole - Monday Night Only Items

1. **Street Specifications Discussion** **Informational**
Committee of the Whole Street Specifications Amendment 2024 Discussion.
2. **Noise Ordinance Discussion** **Informational**
Committee of the Whole presentation and discussion of the Noise Ordinance.
3. **Ozark Regional Transit (ORT) Fixed Route Update** **Informational**
Committee of the Whole presentation for an update to Ozark Regional Transit's fixed routes.
4. **Land Discussion** **Informational**
Committee of the Whole Land Discussion.
5. **Planning Commission Appointment Process** **Informational**
Committee of the Whole presentation and discussion of the Planning Commission Appointment Process.

II. **New Business - Public Comment to be Heard with Agenda Item**

1. **Resolution Endorsing a Temporary Installation of Artworks at City Hall** **Resolution**
A resolution endorsing the temporary installation of artworks titled "Hawksbill Crag" and "Roark Bluff" by photographer Tim Ernst on public property at City Hall. No budget adjustment is needed.
2. **Resolution Approving a Budget Adjustment to Accept Grant Funds and Donations for the Library** **Resolution**
Resolution approving a budget adjustment for Bentonville Public Library to accept a grant award from the Illinois River Watershed Partnership, in the amount of \$15,000.00, and donations from the Bentonville Library Foundation, in the amount of \$370,531.00. A budget adjustment is needed.
3. **Resolution Approving a Budget Adjustment to Reallocate Funds for the Purchase of Library Furniture** **Resolution**
Resolution approving a budget adjustment for Bentonville Public Library to reallocate funds for the purchase of furnishings needed for the expansion, in an amount not to exceed \$1,167,500.00. A budget adjustment is needed to reallocate funds.
4. **Resolution Authorizing an Agreement for the Purchase of Furniture from ImageWorks CI** **Resolution**
Resolution authorizing an agreement with ImageWorks Commercial Interiors for the purchase of library furnishings for Bentonville Public Library, in an amount not to exceed \$490,000.00. No budget adjustment is needed.
5. **Resolution Authorizing an Agreement for the Purchase of Furniture from Innovative Business Interiors** **Resolution**
Resolution authorizing an agreement with Innovative Business Interiors for the purchase of library furnishings for Bentonville Public Library, in an amount not to exceed \$220,000.00 total. No budget adjustment is needed.

6. **Resolution Authorizing an Agreement for the Purchase of Furniture from Evo Business Environments** **Resolution**
Resolution authorizing an agreement with Evo Business Environments for the purchase of library furnishings for Bentonville Public Library, in an amount not to exceed \$170,500.00 total. No budget adjustment is needed.
7. **Resolution Authorizing an Agreement for the Purchase of Furniture from Innerplan** **Resolution**
Resolution authorizing an agreement with Innerplan for the purchase of library furnishings for Bentonville Public Library, in an amount not to exceed \$179,000.00 total. No budget adjustment is needed.
8. **Ordinance to Waive Competitive Bidding for the Purchase of Shore Furniture as Quoted by Innerplan** **Ordinance***
Ordinance to waive competitive bidding requirements, in an amount not to exceed \$55,000.00 for the purchase of Shore furniture as quoted by Innerplan. No budget adjustment is needed.
9. **Resolution Authorizing an Amendment to an Existing Agreement with MSR Design** **Resolution**
Resolution authorizing an amendment to the existing professional services agreement with MSR Design for the Bentonville Public Library in an amount not to exceed \$45,000.00, plus up to \$2,000.00 reimbursable costs. No budget adjustment is needed.
10. **Resolution for Approval to Declare Various Items as Surplus** **Resolution**
Request for approval of a Resolution declaring various items as surplus, to be sold via public Online Auction or disposed of properly at a later date. No budget adjustment is needed.
11. **Public Hearing and Ordinance Vacating Utility Easement (VAC24-0002)** **Ordinance***
Public Hearing and approval of Ordinance vacating a Utility Easement Vacation located at Lot 10 and Lot 11 of Loesche Subdivision (VAC24-0002).
12. **Resolution authorizing Cloud Migration Services for Citiworks Implementation** **Resolution**
Resolution authorizing the Mayor and City Clerk to sign a professional services agreement with Timmons Group, in the amount of \$399,095.00, for the Citiworks Implementation and Integration. A budget adjustment is required for \$68,765.00 of the project cost.
13. **Resolution to Award Bid IFB-24-06 for Soccer Uniforms to Challenger Teamwear** **Resolution**
Bid award for soccer uniforms for the fall 2024 / spring 2025 season to Challenger Teamwear in the amount of \$62,230.00. No budget adjustment is needed.
14. **Resolution Authorizing the Approval to Enter into an Agreement with Events Approval Inc.** **Resolution**
Resolution authorizing the Mayor and City Clerk to enter into an agreement with Events Approval Inc. for special event requests and approvals software for the City of Bentonville. No budget adjustment is needed.

15. **Resolution Accepting a Walton Family Foundation (WFF) Grant for Bright Road Sidepath** **Resolution**

Resolution and Budget Adjustment authorizing the Mayor enter into a grant agreement with the Walton Family Foundation in the amount of \$1,166,965.00 for the construction and construction administration of SW Bright Sidepath. A budget adjustment is needed to accept and allocate grant funds.

16. **Resolution to Enter into an Agreement with CEI for Construction Administration Services** **Resolution**

Resolution authorizing the Mayor and City Clerk to enter into an agreement with CEI in the amount of \$80,000.00, for construction observation and administration services for the Bright Road Sidepath Trail. This firm was selected following the City's Purchasing Policy for professional services. No budget adjustment is needed.

17. **Resolution Authorizing Bid Award IFB-24-23 for Bright Road Sidepath Trail** **Resolution**

Bid Award of IFB-24-23 to 81 Construction, for a total project award of \$1,002,038.70, for construction of the SW Bright Road Sidepath. No budget adjustment is needed.

III. **Utility Board**

1. **Resolution & Budget Adjustment to Purchase Carroll Electric Facilities at 601 Tater Black Road** **Resolution**

The City of Bentonville recommends entering into an agreement with Carroll Electric to purchase facilities and accounts at 601 SW Tater Black for \$14,254.84 and a budget adjustment to cover the costs. Approved by Utility Board 5-0. A budget adjustment is needed.

2. **Resolution & Budget Adjustment to Purchase Carroll Electric Facilities on Ginn & Brookside Roads** **Resolution**

The City of Bentonville recommends entering into an agreement with Carroll Electric to purchase facilities and accounts along Ginn Rd. and Brookside Rd. for \$149,905.78 and a budget adjustment to cover the costs. Approved by Utility Board 5-0. A budget adjustment is needed.

3. **Resolution & Budget Adjustment to Purchase Carroll Electric Facilities on Motley Road** **Resolution**

The City of Bentonville recommends entering into an agreement with Carroll Electric to purchase facilities and accounts along Motley Rd. for \$110,036.07 and a budget adjustment to cover the costs. Approved by Utility Board 5-0. A budget adjustment is needed.

4. **Resolution & Budget Adjustment to Purchase Carroll Electric Facilities On Sears Road** **Resolution**

The City of Bentonville recommends entering into an agreement with Carroll Electric to purchase facilities and accounts along Sears Rd. (between Monringstar Rd. and Nomad Rd.) for \$140,332.88 and a budget adjustment to cover the costs. Approved by Utility Board 5-0. A budget adjustment is required.

5. **Resolution to Award Bid IFB-24-29 to Hawk Line Construction & BBC Electrical Services** **Resolution**

The City of Bentonville recommends awarding IFB 24-29 for on-call General Overhead Construction Services to both Hawk Line Construction Service and BBC Electrical Services per the attached bid tabulation. Approved by Utility Board 5-0. No budget adjustment is needed.

6. **Resolution & Budget Adjustment Authorizing Issuance of a Letter of Credit for the Compost Facility** **Resolution**

Requesting City Council approval of a resolution authorizing the issuance of a Letter of Credit in the amount of \$1,000,000.00 as required by the Arkansas Department of Environmental Quality for the City of Bentonville compost facility. The cost of issuance is \$14,000.00 and requires a budget adjustment.

7. **Ordinance Approving a Waiver of Bid for Emergency Repair of a 48" Water Transmission Main** **Ordinance***

Ordinance waiving the requirement of competitive bidding and entering into an agreement with Crossland Heavy Contractors, Inc. for emergency repair of 48-inch water transmission main located west of South Dixieland Road in Rogers, Arkansas. This is a time and material contract for emergency repair after leak was located by staff. This is not a budgeted item, and a budget adjustment will be required and requested after the project is completed.

8. **Ordinance Approving a Waiver of Bid for Emergency Repair of a 48" Water Transmission Main** **Ordinance***

Ordinance waiving the requirement of competitive bidding and entering into an agreement with Crossland Heavy Contractors, Inc. for emergency repair of 48-inch water transmission main located west of Arkansas State Hwy 112 north of W. Wallis Road in Cave Springs, Arkansas. This is a time and material contract for emergency repair after water main was damaged. This is not a budgeted item, and a budget adjustment will be required and requested after the project is completed.

IV. Planning

1. **Property Line Adjustment - Lot 24 of Corleys Addition - 206 Southwest F Street (PLA24-0007)** **Ordinance***

The Planning Commission voted 7-0, recommending approval.

An Ordinance Accepting A Property Line Adjustment Of Lot 6 Of Corley's Addition And A Vacated Alley Creating New Lot 24 Of Corley's Addition To The City Of Bentonville, Arkansas; And For Other Purposes.

2. **Lot Split - Lots 231 and 232 of the Original Town of Bentonville Subdivision - 303 West Central Avenue (LS23-0053)** **Ordinance***

The Planning Commission voted 7-0, recommending approval.

An Ordinance Accepting A Lot Split Of Lot 147 And The West Half Of Lot 148 Of The Original Town Of Bentonville Subdivision Creating New Lots 231 And 232 Of The Original Town Of Bentonville Subdivision To The City Of Bentonville, Arkansas; And For Other Purposes.

3. **Lot Split - Lots 2 and 3 of School Subdivision - 1801 Southeast J Street (LS23-0063)** **Ordinance***

The Planning Commission voted 7-0, recommending approval.

An Ordinance Accepting A Lot Split Of Lot 1 Of School Subdivision Creating New Lots 2 And 3 Of School Subdivision To The City Of Bentonville, Arkansas; And For Other Purposes.

4. **Future Land Use Map Amendment - Willey - Residential Estate to High Density Residential (HDR) - 1200 Southwest Elm Tree Road (RZ24-0010)** **Resolution**

The Planning Commission voted 7-0, recommending approval.

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.

5. **Rezoning - Willey - A-1, Agriculture to R-3, Medium-High Density Multifamily Residential - 1200 Southwest Elm Tree Road (RZ24-0010)** **Ordinance***

The Planning Commission voted 7-0, recommending approval.

An Ordinance Changing Real Estate In The City Of Bentonville, Arkansas, From Its Present Zoning Classification Of A-1, Agricultural To R-3, Medium-High Density Multifamily Residential; And For Other Purposes.

6. **Future Land Use Map Amendment - Sponberg - Low-Density Residential to Medium-Density Residential - 202 Southwest D Street (RZ24-0011)** **Resolution**

The Planning Commission voted 6-1, recommending approval.

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.

7. **Rezoning - Sponberg - R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential - 202 Southwest D Street (RZ24-0011)** **Ordinance***

The Planning Commission voted 7-0, recommending approval.

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

8. **Future Land Use Map Amendment - Greenhouse-Highway 12 LLC - Open Space to General Commercial - Southwest Regional Airport Boulevard and Greenhouse Road (RZ24-0012)** **Ordinance***

The Planning Commission voted 7-0, recommending approval.

A Resolution Amending The City Of Bentonville Future Land Use Map For A Specific Area From Open Space To General Commercial; And For Other Purposes.

9. **Rezoning - Greenhouse-Highway 12 LLC - A-1, Agriculture to C-2, General Commercial - Southwest Regional Airport Boulevard and Greenhouse Road (RZ24-0012)** **Ordinance***

The Planning Commission voted 7-0, recommending approval.

An Ordinance Changing Real Estate In The City Of Bentonville, Arkansas, From Its Present Zoning Classification Of A-1, Agricultural To C-2, General Commercial; And For Other Purposes.

10. **Future Land Use Map Amendment - Skylight Homes LLC - Agriculture to Medium-Density Residential - 3820 GINN RD (RZ24-0014)** **Resolution**

The Planning Commission voted 7-0, recommending approval.

A Resolution Amending The City Of Bentonville Future Land Use Map For A Specific Area From Agriculture To Medium-Density Residential; And For Other Purposes.

11. **Rezoning - Skylight Homes LLC - R-1, Low-Density Single-Family Residential to R-2, Medium Density Two Family and Townhome Residential - 3820 GINN RD (RZ24-0014)** **Ordinance***

The Planning Commission voted 7-0, recommending approval.

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 R-2, Medium Density Two Family and Townhome Residential; And For Other Purposes.

12. **Rezoning - Downtown Bentonville Pocket Community - R-1, Low-Density Single-Family Residential to Planned Residential Development (PRD) - 204 Northeast 7th Street and 606 Northeast A Street (PRD24-0001)** **Ordinance***

The Planning Commission voted 5-1, recommending approval.

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 PRD, Planned Residential Development; And For Other Purposes.

V. **Other Business/Announcements/Comments**

Adjournment

Public Comments Concerning Matters of City Related Business