

Bentonville City Council

Emergency Meeting Minutes

June 3, 2024



The City Council of Bentonville, Arkansas, met in emergency session Monday June 3rd, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez (online), Beckie Seba, Cindy Acree, Holly Hook, Chris Sooter, Aubrey Patterson, 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.

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.

No motion was needed to approve the minutes, as this was an emergency meeting.

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 Burckart. There was no discussion. Motion carried (8-0).

I. New Business

1. Ordinance 2024-83: City of Bentonville Emergency Declaration

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

- 2. Resolution 6-3-24 A:** Resolution to Enter into an Agreement with Thompson Consulting Services, LLC. Resolution authorizing the Mayor and City Clerk to enter into an agreement with Thompson Consulting Services, LLC in an amount not to exceed \$200,000.00, for debris monitoring and consulting services through participation in the HGACBuy Cooperative Contract HP08-21. A budget adjustment is needed.

Council Member Sanchez had a question regarding a proposal from ER Assist Disaster Solutions and was curious why this company was not listed. City Attorney Bonnie Bridges stated that the company Sanchez was questioning, did not answer the request for qualifications. Legal/Finance sent out qualifications to companies that had already been approved through the state co-op contract RFP process. If they were on the list then, the city reached out to them, but the city only got back to those companies who met the qualifications.

Council Member Burckart asked about the company's ability to do both (consulting and removal), and do we have the contract to do debris. Bridges stated the company would help with coordinating removal, as we currently do not have help with debris, and that they are also working to get contracts back and implemented faster than the 10-day requirement. Legal was advised to not use a company that did both, as it would be hard to monitor the reimbursement tracking for FEMA.

Council Member Patterson asked if this was just for the city properties. Bridges indicated this would be for consulting/compliance purposes and helping to put in place bid specifications for debris. But currently there is nothing in place regarding the scope of what this could look like. This company will also be monitoring the process to help with FEMA. Bridges further stated that a documentation process for FEMA could resemble putting QR codes on trees when bringing to a disposal site, to make sure it's from Bentonville, thus getting the correct items on file. Patterson asked if this expense is worth it? Bridges agreed it is worth it, as we don't have anyone on staff that can do this type of grant process.

Council Member Agnew asked about Rogers getting a contract, and who they are using. Bridges mentioned that Rogers already has a contract, different from Bentonville, and is looking to get something established for debris. Bridges doesn't believe the company Rogers is using did not submit to the City of Bentonville but will check to make sure. Agnew, wanted to clarify why we chose this company and the amount. Bridges, stated they felt safest using a company who had been through the vetting process, and to save time wanted to move forward.

Mike Bender explained we are in a good place with electricity, water etc. This company is fully for FEMA help and consulting.

Council Member Patterson asked about the \$500,000 amount for the company. Bonnie Bridges indicated, the amount was to help save time, in case there is more expenses needed, and would not need a special meeting.

Sooter and Patterson, asked if this would be something to mobilize this company. And this would be an expedited process.

Sooter questioned if the company will help consult the city volunteers and staff. Burckart asked if this would be enough of a buffer space monetary wise to get done what is needed in the meantime. Bridges indicated by the next council meeting they'll have a better indication of what more is needed, and a better understanding of the process.

Mayor Orman explained they are trying to stay minimum on their expenses but do not want to be held back authorizing more in the beginning. Finance and Legal believe this gets everything to a good place and did not want to have to wait another week for potential additional money.

Council Member Patterson asked when Thompson is ready to activate. Bridges stated they are ready immediately.

Council Member Sooter asked about communication, regarding the parameters of the contract, and how to get that information out. Mayor Orman discussed how their teams will be working, until the FEMA teams get mobilized to help more with tree and debris removal.

Council Member Agnew, voiced feedback regarding the preservation of older trees that have fallen. Stated a couple of recommendations have come in, and asked the city to give some consideration of what we can do. Or reclaim the lumber, through organizations or nonprofit organizations. How can we best preserve some of these disposed trees, that have a large history in the community. Burckart suggested a contract with a logging contract to gain various trees to preserve. Travis Matlock just wants to monitor the FEMA guidelines. But will ask the questions to FEMA, as it potentially would be a city/council situation/cost. Agnew just wants to know if there are private partners, and just explore what we can do about some historical trees.

Council Member Hook stated that Rogers is questioning this too, regarding way to preserve historical trees, and they are using Debris Tech, and ER Assist to figure that out.

Council Member Sanchez, asked Bridges to read the last sentence of the email, sent to council discussing regulations and difficulties from the state. Bonnies stated that her team, and purchasing, has read everything and feels there is no concerns.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Acree, second by Council Member Agnew. Motion carried (8-0).

3. **Ordinance 2024-84: Ordinance to Suspend Sec. 601.25(c) and the Business Registry Fee.** An ordinance suspending the requirement for a conditional use permit for shipping containers used for storage purposes and waiving the Business Registry Fee, until July 31, 2024. An emergency clause is requested to assist Bentonville citizens and businesses with recovery efforts. No budget adjustment is needed.

Council Member Patterson asked a clarification question regarding the expense of the fee and where did this come from. The Mayor indicated that this is just a suspension for a period of time, until July 31st. Travis Matlock stated that anyone who registered now through the 31st, would not have to pay the business registration fee. Travis also mentioned that they are looking to other fees during this time. The business registration fee was the only one the city could control.

Council Member Burckart asked if they would still have to register, but not pay the fee. Acree, asked why this was decided. Tyler Overstreet stated we are giving people to the end of this year, no active enforcement. Burckart clarified that this is for the containers, and they are not asking for a business license. He also asked about the waiving of repair fees, but Tyler indicated that that there is more to that and will continue to think through that. Burckart wants to make sure that these fees are waived even if it's temporary, but Tyler stated they are still working through this. Mayor Orman mentioned they are still looking at this and will revisit at next council meeting.

Council Member Acree, wanted to know about FEMA reimbursements regarding fees. Mayor Orman stated they are working on the backend to figure everything out regarding other fees (i.e. fences) but will bring it back to council at the next meeting, especially through legal, and tax monitoring. We were just not ready to bring that information today to the Emergency meeting.

Council Member Agnew clarified that a shipping container at this time would not need a permit, and Tyler stated at this time they are allowing pods, etc. to be placed for an extended period, during this emergency; and wanted to alleviate an extra expense to the community by waiving the permit fees, temporarily.

Council Member Sooter asked if the pods etc. are in the way? Mayor Orman stated there have been no complaints at this time during this emergency. Tyler explained again that we are providing a grace period during the storm, and once over, would go back to active monitoring.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Burckart, second by Council Member Agnew.
Motion carried (8-0).

City Attorney Andrew Myers read the Emergency Clause: Section Four, the need to suspend these portions of Ordinance 2023-274, in appendix B Zoning Code Section 601.25 subsection C is immediate, and hereby declared to exist and be in full force and effect on the day of approval expiring on July 31st, 2024.

Motion to approve by Council Member Burckart, second by Council Member Acree. Motion carried (8-0).

4. Informational: Overview of the Benton County Tornado Relief Fund

Mayor Orman has been in couple meetings, regarding how to donate to relief. There is a website called the Benton County relief fund, and to use the city logo on the site, to help activate resources. People will go in and put in their information, and this is being monitored by Accelerate Foundation, ARK NWA, and Pure Charity. All the Benton County Mayors will meet June 4th, 2024, and will ask to be part of the site, for all resources.

Council Member Agnew mentioned how this will help individual assistance, without having to use a GoFundMe.

Mayor Orman called for adjournment of the voting portion, motion by Council Member Acree seconded by Council Member Agnew.

Motion passed.

II. **Open floor for Questions**

Mayor Orman stated: (and this will all be on the website)

As of Saturday June 1st, all power is restored. Originally, we 96 roads blocked all the roads are open, with trash running (1-2 roads still a little hairy with roads, maybe power/cable lines). The city is down to the places hardest hit, and she is very proud of the teams (compost, volunteers, residents) for their quick action.

Patterson asked if the compost would be staying open indefinitely?

Mayor Orman stated yes, and there was a second site opened, but moving people from that site to the original as it is not being utilized as much.

Council Member Sooter described it as an impressive operation. Sooter did ask about where debris is placed in accordance to the fire hydrants. Mayor Orman is using city to mobilize these issues, but also calling on residents to help others understand the parameters. Contact Republic Services with questions as well. There is NO BOIL order for Bentonville. Food waste can be picked up on the side of the trash, but keep the city posted if something happens or does not happen.

There are several volunteer groups throughout the city working.

Council Member Burckart asked about coordinating volunteers, and who to contact.

Mayor Orman, stated to contact her office, and they will contact her directly. There's also a website of resources available, but the Mayor's office is also providing personal connections.

Council Member Patterson mentioned crisiscenter.org, and it's a free service, for a hot line if needed. Burckart was curious about how he could help activate volunteers through the city. Mayor Orman stated her office and the website, along with Samaritan's Purse is helping to mobilize volunteers.

Council Member Agnew asked where to direct calls, Mayor Orman stated that its largely individualized needs so 311 is the best.

Council Member Burckart asked about the need for having ID and utility bill, for compost drop. Mayor stated that we do need to be manning appropriately due to the FEMA constraints, and reimbursement. She is open to suggestions on how to keep people from getting turned away. Council Member Seba suggested maybe a text line so there is a paper trail. Multiple Council members have received calls regarding this issue.

Agnew asked for an update on the compost drop log and issues, to be stated at the next Council Meeting.

Council Member Acree wanted to extend a thank you to Lisa in the Mayor's office for returning calls so quickly.

Council Member Sooter, and Seba stated how well everything is going and how appreciative they are for the continued community help, and to continue to monitor Tiger Blvd.

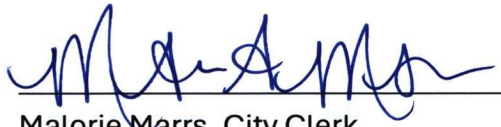
Council Member Burckart suggested reviewing the emergency crisis plan once all this is completed.

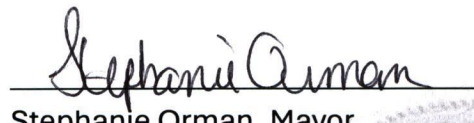
Council Member Seba stated that she has had people ask if we can table any upcoming public hearings. She stated it was for items on J Street, and other places where it is a mess, and would like to come, but have not had the capacity to come to the meetings.

Mayor Orman closed the meeting stating to continue to encourage people to come together and help one another as it is a long process to rebuild.

Emergency Meeting Adjourned

The next Bentonville City Council meeting will be on June 11, 2024.


Malorie Marrs, City Clerk


Stephanie Orman, Mayor

