

Bentonville City Council

Meeting Minutes

June 11, 2024



The City Council of Bentonville, Arkansas, met in regular session Tuesday, June 11, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez, Gayatri Agnew, Beckie Seba, Cindy Acree, Holly Hook, Chris Sooter, Aubrey Patterson, 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. Scout Vonteru with Troop 36 led the Pledge of Allegiance.

Motion was made by Council Member Acree to approve the minutes of the June 3rd emergency and May 28th regular council meeting as presented, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

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 (8-0).

I. Disaster Recovery Update

II. New Business

1. June Residential Landscape Award - 503 Northeast 2nd Street

Recognition by Mayor Orman & City Council of the landscaping of residential property at 503 NE 2nd Street. The property was selected by the Tree & Landscape Advisory Committee and is the June 2024 Residential Landscaping of the Month award winner.

Mayor Orman presented Monte and Megan Morgan with the June Residential Landscaping Award, and took a picture. Megan, discussed how she was

inspired by the City's tulips for her house, and has a lot of house plants, and outdoor plants. Mayor Orman thanked the couple for their ability and care to beautify the city.

Mayor Orman, discussed the May Landscaping Award recipients state, due to the impact of the storms. Mayor Orman mentioned that the landscaping is getting better, and is cleaning up from the storm, and how inspiring it was to see.

2. **Resolution 6-11-24 A: Resolution to Recognize Captain Justin Thompson on his Retirement from the City.** Request that the City Council adopt a formal resolution to recognize, commend, and congratulate Captain Justin Thompson on his retirement from the City of Bentonville Police Department, effective June 21, 2024. This resolution recognizes Justin Thompson for 28 years of dedicated and decorated law enforcement service and 22 years to the Bentonville Police Department. This resolution also wishes Justin Thompson much health, happiness, and continued success in all his future endeavors.

City Attorney Andrew Myers read the resolution, resolution recognized and approved by City Council. Chief spoke on his behalf and accepted his award.

3. **Resolution 6-11-24 B: Resolution approving Installation of Artwork in the Water Tower Road & SE 8th Street Roundabout.** A resolution endorsing the purchase and permanent installation of artwork titled "Singing Kites" by artists Shelby Fleming and Simone Cottrell on public property in the Water Tower Rd. and SE 8th St. Roundabout. No budget adjustment is required.

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

4. **Resolution 6-11-24 C: Resolution approving a Budget Adjustment - FY23 Community Development Block Grant Program.** Approval of a budget adjustment in the amount of \$320,831.00 recognizing FY23 CDBG entitlement funds to implement the projects identified in the FY23 CDBG Annual Action Plan as approved by City Council on November 7, 2023. A budget adjustment is needed to appropriate funds.

Council Member Agnew mentioned that this topic was spoken about and covered in length by the finance committee. She wanted to acknowledge and appreciate the work and let everyone know if they have any questions finance would be glad to answer.

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

5. **Resolution 6-11-24 D: Resolution entering an Agreement with the Boys and Girls Club of Benton County - CDBG Program.** Approving a Resolution authorizing the Mayor and City Clerk to enter into agreement with the Boys and Girls Club of Benton County for the use of FY23 CDBG funds in the amount of \$10,000.00. The needed budget adjustment is included in the previous Resolution.

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

6. **Resolution 6-11-24 E: Resolution authorizing an Agreement with NWA Continuum of Care - CDBG program.** Approving a Resolution authorizing the Mayor and City Clerk to enter into agreement with NWA Continuum of Care for the use of FY23 CDBG funds in the amount of \$12,500.00. The needed budget adjustment is included in the previous Resolution.

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

7. **Resolution 6-11-24 F: Resolution authorizing an Agreement with Habitat for Humanity of Benton County - CDBG Program.** Approving a Resolution authorizing the Mayor and City Clerk to enter into an agreement with Habitat for Humanity of Benton County for the use of FY23 CDBG funds in the amount of \$25,000.00. The needed budget adjustment is included in the previous Resolution.

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). No discussion.

8. **Resolution 6-11-24 G: Resolution authorizing Agreement with Helen Walton Children's Enrichment Center - CDBG Program.** Approving a Resolution authorizing the Mayor and City Clerk to enter into agreement with the Helen Walton Children's Enrichment Center for the use of FY23 CDBG funds in the amount \$10,000.00. The needed budget adjustment is included in the previous Resolution.

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

9. **Ordinance 2024-85: Ordinance Amending the Business Registry Ordinance No. 2023-274.** Ordinance amending Ord. No. 2023-274 changing the date of compliance and waiving the renewal requirement and fee of the City of Bentonville Business Registry. No budget adjustment is needed.

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

10. **Resolution 6-11-24 H: Resolution to Honor the Memory of Benton County Sheriff's Office Detective Paul Newell.** Resolution honoring the memory of Benton County Sheriff's Office Detective Paul Newell who lost his life in the line of duty on December 17, 2022. US Highway 71 from Medical Center Boulevard to the Interstate 49 off ramp is to be called Detective Paul Newell Memorial Highway. 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. Motion carried (8-0). No discussion.

11. **Ordinance 2024-86: Public Hearing and Ordinance Vacating a Drainage Easement (VAC24-0004).** Hold Public Hearing and approval of Ordinance vacating a Drainage Easement Vacation located at Outlot A of Been Road Villas Subdivision (VAC24-0004). No budget adjustment is needed.

Mayor opened the floor for public hearing, online and in person.

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

12. **Resolution 6-11-24 I: Resolution to Award Bid IFB-24-37 to Road Runner Safety Services, Inc. for a Towable Attenuator.** Resolution awarding bid IFB-24-37 in the amount of \$36,250.00 for a Traffix Scorpion II Towable Attenuator Mash Trailer to Road Runner Safety Services, Inc. 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. Motion carried (8-0). No discussion.

13. **Resolution 6-11-24 J: Resolution to Award Bid IFB-24-33 to Time Striping, Inc. for the 2024 Annual Striping.** Resolution to approve bid IFB-24-33 to Time Striping, Inc. for the City of Bentonville's annual street pavement markings. 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. Motion carried (8-0). No discussion.

14. **Resolution 6-11-24 K: Resolution to Terminate a Grant Agreement for the Bentonville Adult Recreation Center.** A Resolution to terminate a grant with Bentonville Revitalization, Inc. for the remaining balance of the design work for the Bentonville Adult Recreation Center. 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. Motion carried (8-0). No discussion.

15. **Resolution 6-11-24 L: Resolution to Enter into a Grant Agreement for the Bentonville Adult Recreation Center.** Resolution authorizing the Mayor and City Clerk to enter into a grant agreement with the Town Branch Foundation in the amount of \$630,120.00 for the design of the Bentonville Adult Recreation Center. No budget adjustment is needed.

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

16. **Resolution 6-11-24 M: Resolution to Approve a Budget Adjustment for the Bentonville Bat Art Piece.** Resolution to approve a budget adjustment of \$19,810.00 for the purchase of the Bentonville Bat art piece at Phillips Park. A budget adjustment is needed.

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

17. **Resolution 6-11-24 N: Resolution approving a Contract Amendment for Dave Peel Park/Quilt of Parks Project.** Resolution for approval of an Extra Work Authorization with Design Workshop, in the amount of \$236,250.00. 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. Motion carried (8-0). No discussion.

18. **Resolution 6-11-24 O: Resolution Approving a Contract Amendment for the A Street Promenade.** Resolution to approve a Change Order, in amount of \$17,000.00, to Design Workshop for additional design and construction observation for the A Street Promenade. 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 Burckart. Motion carried (8-0). No discussion.

19. **Resolution 6-11-24 P: Resolution to award IFB-24-25 Re-Bid to Advantage Security Technologies, LLC.** Resolution to award IFB-24-25 Re-Bid to Advantage Security Technologies, LLC for City Wide Routine Fire Alarm, Sprinkler System, Fire Extinguisher and Vent Hood Inspections, and Fire Alarm Monitoring. 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. Motion carried (8-0). No discussion.

20. **Resolution 6-11-24 Q: Resolution to award bid IFB-24-44 Emergency Debris Removal and Disaster Recovery Services.** Resolution to award bid IFB-24-44 Emergency Debris Removal and Disaster Recovery Services to Looks Great Services of MS, Inc. per the unit prices attached, in an amount not to exceed \$7,096,600,00. A 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 Burckart. Motion carried (8-0). No discussion.

III. **Utility Board - June 4, 2024 Meeting Canceled Due to Weather Event**

IV. **Planning**

1. **Ordinance 2024-87: Lot Split - Lots 6-9 of Morrison Heights Subdivision.** An Ordinance Accepting A Lot Split Of Lot 4 Of Morrison Heights Subdivision Creating New Lots 6-9 Of Morrison Heights Subdivision To The City Of Bentonville, Arkansas; And For Other Purposes. North Walton Boulevard 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 Burckart. Motion carried (8-0). No discussion.

2. **Ordinance 2024-88: Lot Split - Lot 15, Block 26 of Deming's Second Addition.**

An Ordinance Accepting a Property Line Adjustment of A Portion Of Lots 1 And 2, Block 2 Of Holland's Addition Creating New Lots 24 And 25, Block 2 Of Holland's Addition To The City Of Bentonville, Arkansas; And For Other Purposes. 303 Southwest 4th Street 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 Burckart. Motion carried (8-0). No discussion.

3. **Ordinance 2024-89: Lot Split - Lot 15, Block 26 of Deming's Second Addition.**

An Ordinance Accepting A Property Line Adjustment Of Lot 10 And A Portion Of Lot 11, Block 26 Of Deming's Second Addition Creating New Lot 15, Block 26 Of Deming's Second Addition To The City Of Bentonville, Arkansas; And For Other Purposes. 703 Northwest A Street 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. Motion carried (8-0). No discussion.

4. **Ordinance 2024-90: Rezoning - Janes - R-1, Low Density Single Family Residential To DN-1, Downtown Low-Density Residential.**

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-1, Downtown Low-Density Residential; And For Other Purposes. 803 Northwest 10th Street 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. Motion carried (8-0). No discussion.

5. **Ordinance 2024-91: Amendment - Walmart Campus PUD (Amendment).**

An Ordinance Amending Ord 2024-28; And for Other Purposes. Southeast 8th Street 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 Burckart. Motion carried (8-0). No discussion.

Mayor Orman called for a motion to adjourn, moved by Council Member Acree, second by Council Member Burckart. Motion Passes.

V. Other Business/Announcements/Comments

1. Public Comment:

- a. Pam Morgan: Invitation to a Firefly Sanctuary.
 - i. Pam discussed the new firefly sanctuary coming to town, in conjunction with the Peel Compton Foundation. She invited Mayor and Council to come see it, as it is the only sanctuary west of the Mississippi. Pam discussed, how she wanted the leaders to see the establishment first hand, so when discussing developments this could come into play.

2. Committee Reports:

- a. Council Member Sanchez: Library met, the addition is gaining momentum on the structure. The successful operation of the new book sorter is visible from inside the library for all to see. The book sorter has bins for 9 different categories of books. The Utility Board did not meet.
- b. Council Member Patterson: A & P met for the first time since the disaster. They are up 14% from year over year, the strong collections are allowing them to support events. On track for 250 events in 2024 which is up from 200 in 2023. Social media continues to grow with over 50 meetings, they have social media content creators, influencers, 73,000 social media audience engagement. Recently a dedicated website person has been enacted for Visit Bentonville.
- c. Council Member Seba: Public Art Committee: Thursday June 13th the Artist Gina Galena for Humungous Fungus will be at the community center. Discussed storm impact on Public Art, about 5 different items were damaged, they are assessing those, and requesting FEMA. Discussed how to commemorate the trees that went down, and how to make sculptures, also potentially putting out an RFP for bench art. 8th Street Momentary mural is in progress, along with the Motto Motel. The Multicultural festival was changed to October. The Bentonville Film

Festival is happening this week. Council Member Hook asked about what art could do with anything regarding the cemeteries.

- d. Council Member Sooter: Parks and Recreation met, largely spoke about the damage at each park, and discussed the clean up day (which was successful). They are rescheduling the ribbon cutting for the fly over bridge.
- e. Council Member Agnew: Finance met, discussed the \$7 million dollar investment for the debris clean up, and wanted to further thank all parties involved to get this rolling, and moving forward.
- f. Council Member Hook: Tree and Landscape will meet in a week. But would like to look at their budget and goals to help Council Member Seba and Public Art with their initiatives. Council Member Acree inquired about what replanting was going to look like, Hook mentioned the committee is working on this, and will continue to keep everyone updated.

3. Other items

- a. Mayor Orman discussed there is a specific phone number citizens can call for debris clean up, and the Mayor's personal office will handle any specific cases. Council member Hook mentioned how much she appreciates all that Lisa Babington, Assistant to the Mayor, has done in fielding all the calls etc. when it comes to getting information out fast.
- b. Discussed how the mayor's office can help find volunteers if people need additional assistance.
- c. Council discussed how various POAs are asking how debris and stumps are getting removed, council members asked for various items to be clarified on the city website, along with the new third-party debris removal to help. The Great Neighborhoods program can also continue to help.
- d. City Planning is working with FEMA to start canvassing homes in need. So far there is a list of 30.
- e. The Mayor and Council further thanked all the departments for their hard work in the cleanup endeavor and appreciated everything.
- f. Discussed the coordination between the FEMA contractor and mobilization of more debris removal. Along with the FEMA reimbursement amounts, and how that will work. City is working to maximize the 75% amount back. Next finance committee meeting will focus on this

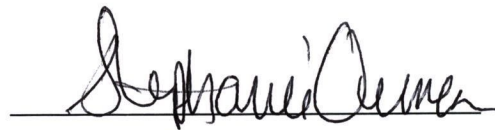
monitoring process, and work with the FEMA coordinators, to ensure the process is going smoothly and correctly.

Meeting Adjourned

The next Bentonville City Council meeting will be on June 25, 2024.



Malorie MARRS, City Clerk



Stephanie ORMAN, Mayor

