

Bentonville City Council

Meeting Minutes

July 23, 2024



The City Council of Bentonville, Arkansas, met in regular session Tuesday, June 23, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez, Gayatri Agnew (online), Beckie Seba, Cindy Acree, Holly Hook, Chris Sooter, Aubrey Patterson, and Bill Burckart. Also present were Mayor Stephanie Orman, Attorney Bonnie Bridges filled in for City Attorney Andrew Meyers, 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. Two scouts (Noah and Kai) were present from Troop 36 in Bentonville.

Motion was made by Council Member Hook to approve the minutes of the July 9th regular council meeting as presented, second by Council Member Seba. 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. New Business

- a. Motion was made by Council Member Burckart to group approve Resolution items 2, 3, 4, 9, & 10 under new business and items 1 & 3 under Utility Boatd on the agenda as whole, seconded by Council Member Sanchez. There was no discussion. Motion carried (8-0).

Attorney Bonnie Bridges, read each resolution by title only.

- 2. Resolution 7-23-24 A: Resolution to Approve the 2024 Annual Action Plan for the CDBG Program.** Approval of the 2024 Annual Action Plan (AAP) for the CDBG Program. No budget adjustment is needed.

3. Resolution 7-23-24 B: Resolution Amending Resolution 1-23- 24C

correcting the amount due to Garver Engineering. A Resolution amending Resolution 1-23-24C, which authorized work order no. 4 with Garver Engineering, to correct the amount from the total project cost to the actual amount due to Garver, which is \$79,650.00. No budget adjustment is needed.

4. Resolution 7-23-24 C: Resolution Authorizing Change Order No. 2 with Sy-Con for VBT Hangar Development Access.

A resolution authorizing Change Order no. 2 with Sy-Con Excavation and Utilities, LLC, in an amount not to exceed \$527,409.11, for construction of a hangar access road at the Bentonville Municipal Airport. No budget adjustment is needed.

9. Resolution 7-23-24 F: Resolution to Accept a Grant from the Walton Family Foundation for the Arkansas/Missouri Trail.

A Resolution to accept a grant from the Walton Family Foundation in the amount of \$175,875.00. A budget adjustment is needed to recognize said funds.

10. Resolution 7-23-24 G: Resolution for Agreement with CEI - Design & Engineering Services for the Arkansas/Missouri Trail.

Resolution authorizing the Mayor and City Clerk to enter into an agreement with CEI for design and engineering services in the amount of \$175,875.00 for the Arkansas/Missouri Trail project. No budget adjustment is needed.

II. Utility Board

1. Resolution 7-23-24 H: Resolution Approving a Budget Adjustment for the Lease of Equipment for Storm Debris.

Staff is requesting the approval of a budget adjustment, in order to fund the Service Contract Lease Agreement with Crossland Heavy Contractors, Inc. for a Caterpillar Frontend Loader 950M for the assistance of removal of grinding and storm debris. Contract included an operator and equipment to help process storm debris material. Approved by Utility Board 5- 0. A budget adjustment is needed.

3. Resolution 7-23-24 I: Resolution approving a Change Order and Budget Adjustment for the Electric AMI Project.

A change order and budget adjustment to Resolution 1-10-23C for additional meters for the Electric AMI project for \$95,500.08. Total cost of the project will be \$5,954,401.13. Approved by Utility Board 5-0. A budget adjustment is needed.

I. New Business (*Continued*)

1. Appointment of Reagan Roth to the Tree and Landscape Advisory Committee.

Appointment of Reagan Roth to fill the unexpired term of Position 1 on the Tree and Landscape Advisory Committee. This will be Ms. Roth's first term which will expire on December 31, 2026. Motion by Council Member Sanchez, seconded by Council Member Sooter. Motion passes (8-0)

5. Ordinance 2024-103: Public Hearing and Ordinance vacating Utility Easement (VAC24-0005). Hold Public Hearing and approval of Ordinance vacating a Utility Easement Vacation located at Lot 16, Block 15 of Deming's 2nd Addition (VAC24-0005).

Mayor Orman called for anyone to speak online or in person regarding the public hearing. None came forward.

Attorney Bonnie Bridges read the ordinance by title only. Motion to approve by Council Member Sooter, second by Council Member Seba. Motion passes (8-0).

6. Ordinance 2024-104: Ordinance to Waive Competitive Bidding - Ka-Comm for Tornado Siren Repairs and Upgrades. Ordinance with an emergency clause to waive bids to upgrade and repair 16 tornado siren locations. Our tornado siren network is tied to the old radio system. After the storm on May 26th the repeater for the system was damaged significantly. The upgrades and repairs will migrate our tornado siren network over to the new public safety radio system. The work and maintenance would be performed by Ka-Comm our current radio system maintenance provider. A budget adjustment is needed.

Attorney Bonnie Bridges read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Acree.

Motion carried (8-0).

Attorney Bridges read the emergency clause calling for this ordinance to be put into effect immediately. Motion to approve the emergency clause by Council Member Sanchez, Seconded by Council Member Burckart. Motion passed unanimously.

7. Resolution 7-23-24 D: Resolution for the Purchase of Two (2) 2026 Braun Liberty Ambulances. Resolution authorizing the purchase of two 2026 Braun Liberty Ambulances through Pinnacle EVS, in an amount not to exceed \$800,000.00 plus applicable taxes. These ambulances will replace two 2016

Excellence Ambulances. This is an approved budget item for 2024. No budget adjustment is needed.

Attorney Bonnie Bridges read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter.

Motion passes (8-0).

8. **Resolution 7-23-24 E: Resolution to Surplus a Police Vehicle and Transfer Ownership to Arkansas Municipal League.** Resolution to declare a 2015 Chevrolet Tahoe 5W4 (Unit#2010-54; VIN 1GNSK3EC5FR572006) as surplus property and transfer ownership and title to Arkansas Municipal League (ARML). No budget adjustment is needed.

Attorney Bonnie Bridges read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter.

Motion passes (8-0).

II. **Utility Board (*Continued*)**

2. **Ordinance 2024-105: Ordinance to Amend Deposits and Fees for Utility Billing.**

The Utility Billing Department is requesting approval to update our deposit and fees for services. Approved by Utility Board 5-0. No budget adjustment is needed.

Attorney Bonnie Bridges read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart.

Motion passes (8-0).

III. **Planning**

1. **Ordinance 2024-106: Rezoning - Lopez- R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential - 501 Northwest C Street (RZ24-0024).** 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. The Planning Commission voted 7-0, recommending approval.

Attorney Bonnie Bridges read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart.

Motion passes (8-0).

2. **Ordinance 2024-107: Rezoning - Kirchhofer- R-1, Low-Density SingleFamily Residential to DN-1, Downtown Low Density Residential - 515 Jefferson Street (RZ24-0026).** 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. The Planning Commission voted 7-0, recommending approval. Attorney Bonnie Bridges read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. Motion passes (8-0).

3. **Ordinance 2024-108: Planned Unit Development - Walmart Campus PUD Revision 10 - Southeast 8th Street (PUD20-0002).** An Ordinance Amending ORD 2024-90; And for Other Purposes. The Planning Commission voted 7-0, recommending approval.
Mayor Orman indicated there were individuals online and in person for any questions.
Attorney Bonnie Bridges read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. Motion passes (8-0).
4. **Appointment of Doug Bryant to the Planning Commission.** Appointment of Doug Bryant to the Bentonville Planning Commission effective August 1, 2024 to a five-year term that expires on July 1, 2029. This will be Doug Bryant's first term. Motion to approve by Council Member Sanchez, second by Council Member Sooter. Motion passes (8-0).
5. **Appointment of Ifeoma Ibekwe to the Planning Commission.** Appointment of Ifeoma Ibekwe to the Bentonville Planning Commission effective August 1, 2024 to a five-year term that expires on July 1, 2029. This will be Ifeoma Ibekwe's first term. Motion to approve by Council Member Seba, second by Council Member Burckart. Motion passes (8-0).

IV. **Discussion Items**

- a. **Control Burn Enforcement Extension**
-Chief Scantlin gave a report of the control burn permits granted. Total 107 was granted, and are still getting 3-4 requests a day. Fire Chief Scantlin recommended a 2-week extension for controlled burning inside city limits. He stated that the last time this was lifted it greatly helped the community get rid of storm debris, plus took some burdens off the fire

department. Council agreed this was the right approach, especially since there's also been significantly more rain this season as well.

Council Member Sooter, made a statement of thanks to Debbie Griffin as she is retiring. The entire council thanked Debbie for all her years of service.

Mayor Orman called for adjournment, motion by Council Member Burckart, seconded by Council Member Hook, motion passed unanimously.

V. Other Business/Announcements/Comments

1. Mayor Orman stated that with all the recent construction projects, downtown businesses are struggling some, and to make sure to eat, shop, and support local. There will also be a bike rebate program launching in September.
2. Committee Reports:
 - a. Council Member Seba: Airport Advisory Board met, moved ahead with a couple new leases. Debbie Griffin answered Council Member Acree's question regarding leasing and number of hangers at the airport. Currently 6 leases (couple pending), and 34 hangers.
 - b. Council Member Burckart: Finance met, and discussed the capital improvement plan, they looked at details regarding general fund, and next meeting they will discuss the utility fund. The capital improvement plan is the gross amount. Working ahead to help finalize discussion.
 - c. Council Member Hook: Tree and Landscaping met, with core concern being tree replacement. Shelli is working on the tree canopy replacement project. Considering making changes to the fall tree give away program based on what's been lost.
3. Committee of the Whole is coming up, August 12, 2024, with a report coming from Parks and Rec, the 8th Street Park, and a new adult recreation building. Council Member Acree discussed an overlay of a historic zone.
 - a. Council Member Sooter asked about the Historical Museum and where the city is with their plan. Council Member Acree is working with them about setting up a foundation and looking at their numbers. Council Member Burckart mentioned that it could be a good ORT drop, Council Member Acree agreed.

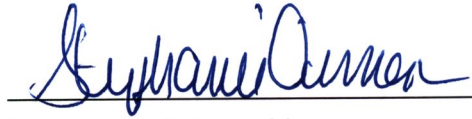
- b. Council Member Sooter mentioned bringing an update from Dennis and Dan on the Bond project.
- 4. Mayor Orman mentioned there are 10-15 homes that have impossible debris to be removed by the city, and they are working to wrap up the city-wide sweeps.
- 5. Tyler Overstreet gave an incredible and detailed- Plan Bentonville- Presentation can be found in further detail on the website. [CLICK HERE.](#)

Meeting Adjourned

The next Bentonville City Council meeting will be on August 13, 2024



Malorie Marrs, City Clerk



Stephanie Orman, Mayor

