



**City Council
Meeting Agenda
August 13, 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 virtually, please register at the following link by 4:00 p.m. on August 13, 2024:

https://us02web.zoom.us/webinar/register/WN_ReGo6BRGShKoTOmB1w_mw

Council Questions/Discussion Concerning the Business Meeting

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Approval of Minutes: July 23, 2024

I. Committee of the Whole - Monday Night Only Items

1. Historic Preservation Presentation - (2024-400)

Informational

A presentation of opportunities for historic preservation in Bentonville.

2. RFP Process for City Properties for Economic Development - (2024-410)

Informational

A presentation of how an RFP process for City-owned properties could be a major economic development tool and an example using city property at 41st and SW I Street.

3. **Parks and Recreation Presentations - (2024-421)** **Informational**
- Presentation regarding Parks and Recreation's proposed Adult Recreation Center and 8th Street Gateway Park.

4. **Water Utilities Department Infrastructure Update - (2024-442)** **Informational**

Members of Bentonville Water Utilities will update council on the current status of our water and sewer systems. This will include an update on our Sanitary Sewer Capacity Analysis and Peak Flow Management Plan for the downtown area. The water infrastructure update will include a brief recap of the capital projects generated by our Water Master Plan.

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

1. **Ordinance Amendment to Continue the Suspension of Business Registry Fees** **Ordinance***

An ordinance to extend the suspension of the business registration fee until December 31, 2024. No budget adjustment is needed.

2. **Resolution Adopting a Wayfinding Signage Policy** **Resolution**

A resolution adopting a Wayfinding Signage Policy that sets forth criteria for destinations to be featured on wayfinding signs, outlines the process for evaluating requests for inclusion, and specifies design standards for the fabrication and installation of these signs. No budget adjustment is needed.

3. **Resolution Endorsing Temporary Installation of Artwork in Downtown Alley - "The Red Ball Project"** **Resolution**

A resolution endorsing the temporary one-day installation of artwork titled "The Red Ball Project" by artist Kurt Perschke on public property in the alley between 114 and 120 W Central Ave on Sept. 11, 2024. No budget adjustment is needed.

4. **Resolution to Accept a Grant from the Walton Family Foundation for a Tree Canopy Assessment** **Resolution**

Resolution to accept a grant from the Walton Family Foundation in the amount of \$90,000.00 for the completion of a tree canopy assessment and action plan. A budget adjustment is needed to recognize said funds.

5. **Resolution to accept an EECBG Program Rebate Voucher for Two (2) EV Police Vehicles** **Resolution**

Resolution to recognize and accept an Energy Efficiency and Conservation Block Grant (EECBG) program equipment rebate voucher, in the amount of \$117,322.00, to purchase two (2) fully electric 2024 Chevrolet Blazers, as equipped. A budget adjustment is needed to recognize and appropriate funds upon repayment.

6. **Resolution to Award Bid IFB-24-41 to Superior Automotive Group to Purchase (2) Police EV Vehicles** **Resolution**

Resolution to award bid IFB-24-41 to Superior Automotive Group in Siloam Springs, AR in the amount of \$117,322.00 for the purchase of (2) 2024 Chevrolet Blazers EV Police Pursuit Vehicle (PPV-eAWD), as specified. Superior Auto Group of Siloam Springs, AR was the only responsive bid received. This is not a budgeted item and funds will be reimbursed from a EECBG rebate voucher. No budget adjustment is needed.

7. **Resolution to accept Bureau of Justice Assistance (BJA) Grant for Bullet Proof Vests** **Resolution**
Resolution to recognize and accept the Bureau of Justice Assistance (BJA) grant in amount of \$44,407.00 under the Fiscal Year (FY) 2023 Patrick Leahy Bulletproof Vest Partnership (BVP) program. This is a 50/50 reimbursement of funds and will be used for purchases of bullet proof vest from 2023 to 2025. The cost of the vests are included in the Police Department operating budget. A budget adjustment is needed to recognize and appropriate funds upon repayment.
8. **Resolution to Award Bid IFB-24-49 to Superior Automotive Group for a Police Vehicle Purchase** **Resolution**
Resolution to award bid IFB-24-49 to Superior Automotive Group in Siloam Springs, AR in the amount of \$39,435.00 for the purchase of one (1) 2024 Chevrolet Traverse, as specified. Superior Auto Group of Siloam Springs, AR was the only responsive bid received. This is a budgeted item. No budget adjustment is needed.
9. **Resolution to retire police K9, Kolyok, and transfer ownership to Sergeant Andrew Burger** **Resolution**
Resolution to retire Bentonville Police Department canine, Kolyok. This canine is suitable for transfer and surplus based on the needs of the department and with the canine being at the end of its working life. Kolyok and Sergeant Andrew Burger have provided 5 years of dedicated service as a "K9 team" to the Bentonville Police Department. Upon retirement, ownership would transfer to Sergeant Andrew Burger. No budget adjustment needed.
10. **Resolution to approve Northwest Hospital to Provide Annual Physicals for Firefighters and some Police Officers** **Resolution**
Resolution authorizing the Mayor and City Clerk to enter into an agreement with Northwest Arkansas Hospitals, LLC to provide annual physicals for Firefighters and some Police Officers not to exceed \$136,000.00. This is the 2nd year of a 3 year contract for these services. The update to the contract is to provide a Fit for Duty Form to the City of Bentonville Human Resources Department after the physical is completed. This is a budgeted item. No budget adjustment is needed.
11. **Resolution to Award Bid #IFB-24-26 IDIQ Sidewalks and Other Concrete Work** **Resolution**
Resolution to award bid IFB-24-26- IDIQ Sidewalks and Other Concrete Work to Milestone Construction Company, LLC per the unit prices attached, for a contract amount not to exceed \$1,500,000.00. Milestone Construction was the lowest bid received. No budget adjustment is needed.
12. **Resolution to Award Bid #IFB-24-46 to Innovative Roadway Solutions for Mastic Sealer** **Resolution**
Resolution to award bid IFB-24-46 2024 (Mastic Sealer for City of Bentonville Streets) to Innovative Roadway Solutions per the unit prices attached. Innovative Roadway Solutions was the lowest bid received. This is a budgeted item. No budget adjustment is required.
13. **Resolution to Accept Grant Funding from the Walton Family Foundation for 8th Street Gateway Park** **Resolution**

- Resolution to accept a grant from the Walton Family Foundation in the amount of \$32,500,000.00, for construction of the 8th Street Gateway Park. A budget adjustment is required to appropriate and allocate grant funds.
14. **Resolution to Enter into an Agreement with Crossland Construction for 8th Street Gateway Park** **Resolution**
Resolution authorizing the Mayor and City Clerk to enter into an amended GMP agreement with Crossland Construction, in the amount of \$38,067,346, for the construction of 8th Street Gateway Park. A budget adjustment is needed to allocate impact fees.
15. **Resolution to Enter into an Agreement with PORT for Construction Administration** **Resolution**
Resolution authorizing the Mayor and City Clerk to enter into an agreement with PORT for construction administration at the 8th Street Gateway Park project, in the amount of \$603,350.00. No budget adjustment is needed.
16. **Resolution entering into an Agreement with GTS for Geotech Testing for 8th Street Gateway Park** **Resolution**
Resolution authorizing the Mayor and City Clerk to enter into an agreement with GTS for Geotech Testing for 8th Street Gateway Park project, in an amount not to exceed \$239,855.00. No budget adjustment is needed.
17. **Resolution to Enter into a Grant Agreement for the Bentonville Adult Recreation Center** **Resolution**
A resolution authorizing the Mayor and City Clerk to enter into a grant agreement with the Town Branch Foundation in the amount of and The budget adjustment is shown on the following page.
18. **Ordinance Amending Pay Plan to Create a Recreation Facilities Manager Adult Recreation Center** **Ordinance***
Amending the 2024 Pay Plan to add one Recreation Facilities Manager grade 34 to the Parks and Recreation department. This position will manage the Adult Recreation Center. No budget adjustment is needed.
19. **Resolution Amending the Agreement with Flintco, LLC for the Bentonville Adult Recreation Center** **Resolution**
A resolution for the Mayor and City Clerk to enter into an amended agreement with Flintco, LLC, at the guaranteed maximum price of \$22,049,119.00, for construction of the Bentonville Adult Recreation Center. No budget adjustment is needed.
20. **Resolution to Enter into an Agreement with GTS for Geotech Services for the Adult Recreation Center** **Resolution**
A resolution authorizing the Mayor and City Clerk to enter into an agreement with GTS, Inc. in the amount of \$69,255.00 for geotechnical services for the construction of the Bentonville Adult Recreation Center. No budget adjustment is needed.
21. **Ordinance approving a Waiver of Bid for MOU amendment with 37 North Expeditions** **Ordinance***

Approving a bid waiver to amended the MOU with 37 North Expeditions, to provide camp services for Bentonville Parks and Recreation. No budget adjustment is needed.

22. **Resolution to Accept Grant Funding from the Walton Family Foundation for Quilt of Parks** **Resolution**

Resolution to accept a grant from the Walton Family Foundation in the amount of \$2,000,000.00, to purchase property at 221 S Main needed for the Quilt of Parks Project. A budget adjustment is needed to recognize grant funds.

23. **Ordinance Authorizing a Loan Agreement with Walton Family Foundation for Quilt of Parks** **Ordinance***

Ordinance authorizing the Mayor and Clerk to enter into a loan agreement with the Walton Family Foundation, in an amount of \$2,650,000.00 plus closing costs, for the purchase of property at 221 South Main Street for the Quilt of Parks Project. A budget adjustment is needed.

24. **Resolution to Authorize an Offer for the purchase of property at 221 South Main Street, Bentonville** **Resolution**

Resolution authorizing the Mayor and Clerk to enter into an agreement with Benton County, for the purchase of a building and land located at 221 South Main Street, Bentonville, Arkansas, in the amount of \$4,650,000.00. No budget adjustment is needed.

III. Utility Board

1. **Resolution to Accept a Grant from the Alice Walton Foundation for Wastewater Improvements** **Resolution**

Resolution to accept a grant from the Alice Walton Foundation in the amount of \$3,000,000.00. A budget adjustment is needed to recognize said funds. The budget adjustment is shown on the following page. Utility Board voted 4/1 to approve. A budget adjustment is needed.

2. **Ordinance Amending Pay Plan Creating the Positions of Project Manager and Project Coordinator** **Ordinance***

Addition of four positions (2) Project Managers grade 204 and (2) Project Coordinators grade 106 to the Sewer department. The Utility Board voted 5-0 to approve. No budget adjustment is needed.

3. **Resolution approving the Shewmaker and Townbranch Sewer Basin Analysis and Preliminary Design** **Resolution**

Resolution approving the Mayor and City Clerk enter into an agreement with Garver Engineering to conduct an analysis on the Shewmaker and Townbranch sewer basins. Agreement will include an evaluation of the current conditions, future buildout and the cost associated with proposed improvements. Garver will provide conceptual design on two critical infrastructure projects. The analysis will look closely at existing lift stations within the basins. Utility Board voted 5-0 to approve. No budget adjustment is needed.

4. **Resolution to Purchase an F550 Truck Chassis through the Sourcewell Co-op for \$73,300.00** **Resolution**

Resolution requesting Council approval for the purchase of an F550 truck chassis from National Auto Fleet Group through participation in the Sourcewell Cooperative (Co-Op)

contract 032824-NAF, for \$73,300.00. This truck is approved in the 2024 budget. Utility Board voted 5-0 to approve. No budget adjustment is needed.

5. **Resolution approving a Budget Adjustment for Water Utilities Contracted Services** **Resolution**

Staff requests a Resolution to approve a budget adjustment in the amount of \$430,079.15 to cover anticipated additional costs associated with maintenance of the water system through the end of the year. This includes \$70,279.26 for materials and maintenance, \$106,587.89 for directional boring services through the annual IFB 22-68 boring contract, and \$253,212.00 for contracted water system repairs through the annual IFB-24-27 IDIQ water and sewer maintenance contract. Approved by Utility Board 5-0. A budget adjustment is needed.

IV. Planning

1. **Property Line Adjustment - Osage Hills Phase 1 Easement Plat** **Ordinance***

Southwest Pawhuska Street **The Planning Commission voted 7-0, recommending approval.**

An Ordinance Accepting A Property Line Adjustment Of Osage Hills Subdivision Creating New Right Of Way Dedication To The City Of Bentonville, Arkansas; And For Other Purposes.

2. **Property Line Adjustment - Lot 234 of the Original Town of Bentonville** **Ordinance***

408 West Central Avenue **The Planning Commission voted 7-0, recommending approval.**

An Ordinance Accepting A Property Line Adjustment Of Part Of Lot 159 Of The Original Town Of Bentonville Creating New Lot 234 Of The Original Town Of Bentonville To The City Of Bentonville, Arkansas; And For Other Purposes.

3. **Lot Split - Lots 8, 9, and 10 of Green Acres Subdivision** **Ordinance***

1003 Northwest A Street **The Planning Commission voted 7-0, recommending approval.**

An Ordinance Accepting A Lot Split Of Lots 1 And 2, Green Acres Subdivision Creating New Lots 8, 9, And 10, Green Acres Subdivision To The City Of Bentonville, Arkansas; And For Other Purposes.

4. **Final Plat - WM Campus Zone 4, Ph 2 - Bldg G (ACT)** **Ordinance***

1500 Southeast 8th Street **The Planning Commission voted 7-0, recommending approval.**

An Ordinance Accepting A Final Plat Of Lot 1, Walmart Campus Subdivision, Phase 7 To The City Of Bentonville, Arkansas; And For Other Purposes.

5. **Rezoning - Martin - R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential** **Ordinance***

505 Northwest C Street **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.

6. **Future Land Use Map Amendment - Suite Spaces LLC - Public/Semi-Public to Medium Density Residential (MDR)** **Resolution**

3308 Southwest 14th Street **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 General Commercial; And For Other Purposes.

7. **Rezoning - Suite Spaces LLC - A-1, Agriculture to C-2, General Commercial** **Ordinance***

3308 Southwest 14th Street **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.

8. **Future Land Use Map Amendment - Park Street - Public/Semi-Public to Medium Density Residential (MDR)** **Resolution**

1000 North Main Street **The Planning Commission voted 7-0, recommending approval.**

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

9. **Rezoning - Park Street - R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential** **Ordinance***

1000 North Main Street **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.

10. **Rezoning - WINFIELD GROUP LLC - R-O, Residential Office to C-2, General Commercial** **Ordinance***

1003 Southeast 28th Street **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-O, Residential Office To C-2, General Commercial; And For Other Purposes.

V. Other Business/Announcements/Comments

Adjournment

Public Comments Concerning Matters of City Related Business