



**City Council
Meeting Agenda
September 24, 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 September 24, 2024:

https://us02web.zoom.us/webinar/register/WN_Z5UwKwmHQN6UkOIC7Q3xyw

Council Questions/Discussion Concerning the Business Meeting

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Approval of Minutes: September 10, 2024

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

- 1. Proclamation Declaring September 2024 as Childhood Cancer Awareness Month** **Proclamation**
A proclamation to declare September, 2024 as Childhood Cancer Awareness Month in Bentonville, Arkansas.
- 2. Proclamation Declaring September 22-29, 2024 as Frontotemporal Degeneration Awareness Week** **Proclamation**

- A proclamation to declare September 22 - 29, 2024, as Frontotemporal Degeneration (FTD) Awareness Week in Bentonville, Arkansas.
3. **Proclamation Recognizing October 2024 as National Community Planning Month** **Proclamation**
A proclamation designating October, 2024 as Community Planning Month in Bentonville, Arkansas.
 4. **Appeal of a Planning Commission Denial of the NW 7th Street Townhomes Large-Scale Development** **Appeal**
An appeal of a Planning Commission denial of the NW 7th Street Townhomes Large-Scale Development. No budget adjustment is needed.
 5. **Resolution Requesting Approval to Declare Various Items as Surplus** **Resolution**
Resolution to declare various items as surplus, to be sold via public Online Auction or disposed of properly at a later date. No budget adjustment is needed.
 6. **Resolution Setting Public Hearing for Alley Right of Way Vacation (VAC24-0008)** **Resolution**
Approve Resolution to set Public Hearing for October 8, 2024 for Alley Right of Way Vacation located at Lot 1B, Block 2 of Banks Addition (VAC24-0008).
 7. **Resolution Setting a Public Hearing for Sewer Utility Easement Vacation (VAC24-0009)** **Resolution**
Approve Resolution to set Public Hearing for October 8, 2024 for two Sewer Utility Easement Vacations located at Lot 4 of Bentonville Plaza Add PH2 (VAC24-0009).
 8. **Street Thermoplastic Striping List** **Informational**
Informing of the attached proposed pavement markings and road striping list for 2024. This is a 2024 budgeted item. No budget adjustment is needed.
 9. **Resolution to Approve Bentonville Sidewalks Improvements Design Agreement with Olsson Inc.** **Resolution**
Resolution authorizing the Mayor and City Clerk to enter into an agreement with Olsson, Inc. to provide design services for sidewalk improvements and infill through 2025. This firm was selected following the City's Purchasing Policy for professional services. No budget adjustment is needed.
 10. **Resolution Approving a Budget Adjustment to Reallocate Funds for the Library Expansion Project** **Resolution**
Resolution approving a budget adjustment for Bentonville Public Library to reallocate funds for the expansion project. A budget adjustment is needed to allocate funds from interest earned on money market funds to spend on capital facility and furniture expenditures.
 11. **Resolution accepting Bid Award IFB-24-51 for Carpeting at the Bentonville Community Center** **Resolution**
Resolution to award bid IFB-24-51 to Continental Flooring Company, in the amount of \$36,380.00, plus applicable taxes, for the replacement of approximately 4,650 square feet of fitness floor carpet at the Bentonville Community Center. No budget adjustment is needed.

12. **Resolution to Enter into an Agreement with Progressive Trail Design for Trail Repair Work** **Resolution**
A Resolution authorizing the Mayor and City Clerk to enter into an agreement with Progressive Trail Design in the amount of \$497,707.71, plus applicable taxes, through participation in the Sourcewell Cooperative contract, for trail repair work caused by the May 26 storm. A budget adjustment is needed.
13. **Draft Ordinance Creating an Active Transportation Advisory Board** **Informational**
For discussion, the final draft ordinance creating an active transportation advisory board. This is an informational item only.
14. **Ordinance to Amend Article 94-VI Parking to Regulate Parking in Front of Mailboxes** **Ordinance***
An ordinance amending Bentonville Municipal Code Article 94-VI Parking by adding a regulation regarding parking in front of mailboxes. This regulation was originally established with Ord. No. 2005-157, however, was inadvertently excluded with the adoption of Municode in 2019. This ordinance is to ensure this regulation is added to Municode. No budget adjustment is needed.
15. **Appointment of Tim Stachowiak to the Ozark Regional Transit Board of Directors** **Appointment**
Mayor Stephanie Orman is recommending the appointment of Tim Stachowiak to the Ozark Regional Transit Board of Directors. Mr. Stachowiak's term will expire in October of 2028.
16. **Resolution Approving the Creation of a Temporary Debris Removal Policy** **Resolution**
Approving a temporary debris removal policy to address existing debris piles in the City left from the May 26, 2024 severe weather event. A budget adjustment is needed.

II. Utility Board

1. **Resolution for a Design Agreement for Utility Relocations with ARDOT Project Hwy 102 Widening** **Resolution**
Staff request the Mayor and City Clerk to enter into an agreement with Halff Engineering to perform the design services for the utility adjustments required for ARDOT Project 090646 (Hwy 102 Widening). The contract amount is \$828,569.65. A portion of the engineering fees will be reimbursed by ARDOT as determined by the reimbursement ratio. Halff Engineering was selected following the city's standard SOQ selection process. Utility Board Approved 3-0. A budget adjustment is needed.
2. **Ordinance Waiving Competitive Bidding to Order 3ph Transformers** **Ordinance***
Ordinance to waive competitive bidding to purchase 3ph transformers from AECl, Unit Prices and estimated quantities attached, plus applicable taxes. Due to market volatility and lead times related to these products, it would be neither practical or feasible to solicit competitive bids. Award is based on the low responsive quote per line item, for estimated totals: AECl in the estimated amount of \$157,262.00 plus applicable taxes. Approved by Utility Board 3-0. No budget adjustment is needed.
3. **Ordinance Updating the Bentonville Electric Utility Department Construction Specifications** **Ordinance***

The Bentonville Electric Utility Department Construction Requirements are being updated and replace Ordinance 2019-90. Approved by Utility Board 3-0. No budget adjustment is needed.

III. Planning

1. **Lot Split - Lots 5 & 6 Vivian Farms Subdivision,
Phase 2 - South Vaughn Road (LS22-0055)** **Ordinance***

The Planning Commission voted 6-0, recommending approval.

An Ordinance Accepting A Lot Split Of Lot 3, Vivian Farms Subdivision, Phase 2 Creating New Lots 5 And 6 To The City Of Bentonville, Arkansas; And For Other Purposes.

2. **Lot Split - Lots 7, 8 & 9 of McKeehan's 2nd Addition
- 907 Northwest 9th Street (LS24-0028)** **Ordinance***

The Planning Commission voted 6-0, recommending approval.

An Ordinance Accepting A Lot Split Of Lots 4 And 5 Of McKeehan's 2nd Addition Creating New Lots 7, 8, And 9 Of McKeehan's 2nd Addition To The City Of Bentonville, Arkansas; And For Other Purposes.

3. **Property Line Adjustment - Lot 19 Manor Heights
Subdivision - 410 Northwest H Street (PLA24-0008)** **Ordinance***

The Planning Commission voted 6-0, recommending approval.

An Ordinance Accepting A Property Line Adjustment Of Lot 7 Of Manor Heights Subdivision Creating New Lot 19 Of Manor Heights Subdivision To The City Of Bentonville, Arkansas; And For Other Purposes.

4. **Final Plat - McKissic Springs Subdivision - 4800
South Vaughn Road (FP24-0006)** **Ordinance***

The Planning Commission voted 6-0, recommending approval.

An Ordinance Accepting A Final Plat Of Lots 1 Through 35 Of McKissic Springs Subdivision To The City Of Bentonville, Arkansas; And For Other Purposes.

5. **Rezoning - Milligan - R-1, Low-Density Single-Family
Residential to DN-2, Downtown Medium Density
Residential - 105 Northwest 6th Street (RZ24-0033)** **Ordinance***

The Planning Commission voted 6-0, 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. **Rezoning - Friendly Inn LLC - R-1, Low-Density
Single-Family Residential to DN-2, Downtown Medium
Density Residential - 504 Northwest A Street (RZ24-
0034)** **Ordinance***

The Planning Commission voted 6-0, 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.

7. **Rezoning - Huffner - R-1, Low-Density Single-Family Residential to DN-1, Downtown Low Density Residential - 704 Northwest 7th Street (RZ24-0035)** **Ordinance***

The Planning Commission voted 6-0, 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-1, Downtown Low-Density Residential; And For Other Purposes.

IV. Other Business/Announcements/Comments

Adjournment

Public Comments Concerning Matters of City Related Business