

Bentonville City Council

Meeting Minutes

September 10, 2024



The City Council of Bentonville, Arkansas, met in regular session Tuesday, September 10th, 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 Scout Adain from Troop 36, led everyone present in the Pledge of Allegiance, which was followed by a moment of silence in support of our armed forces.

A motion was made by Council Member Sanchez to approve the minutes of the August 27th regular council meeting as presented, second by Council Member Agnew. There was no discussion. Motion passed (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 Burckart. There was no discussion. Motion passed (8-0).

I. New Business

1. September Residential Landscape Award - 306 Southwest 3rd Street:

Recognition by City Council of the landscaping of residential property at 306 SW 3rd street. The property was selected by the Tree & Landscape Advisory Committee and is the September 2024 Residential Landscaping of the Month award winner.

2. Resolution 9-10-24 A: Resolution approving Installation of Artwork on

Public Property - "All Bike(r)s Welcome". A resolution to install artwork, "All Bike(r)s Welcome" by Paige Dirsken, in the trail tunnel at SW 3rd St, just south of Coler Park. 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. There was no discussion. Motion passed (8-0).

3. **Resolution 9-10-24 B: Future Land Use Map Amendment Low Density Residential to Medium Density Residential.** Resolution amending the City of Bentonville Future Land Use Map for a specific area from Low-Density Residential to Medium-Density Residential; and for other purposes. 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. There was no discussion. Motion passed (8-0).

4. **Ordinance 2024-129: Ordinance authorizing Issuance of 2024 Revenue Bond:** Approve an Ordinance authorizing the issuance of a combined Electric, Water and Sewer system revenue bond for the purpose of financing the cost of improvements to the Water Resource Recovery Facility.
Bond Counsel Attorney Shep was present at the meeting for questions, and stated that this would be the final council action to finalize the bond, and the funding will occur by the end of October.

City Attorney Andrew Myers read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. Motion passed (8-0).

City Attorney Andrew Myers read the emergency clause. Motion to approve by Council Member Sanchez, seconded by Council Member Hook. Motion passed (8-0).

5. **Ordinance 2024-130: Public Hearing and Ordinance vacating Utility/Drainage Easement (VAC24- 0007):** Public Hearing and approval of Ordinance vacating a Utility/Drainage Easement Vacations located at Lot 4, Block 3 of Edgar Estates Subdivision (VAC24-0007).
Mayor Orman opened the floor for public hearing, online/in person.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no

discussion. Motion passed (8-0).

6. **Resolution 9-10-34 C: Resolution approving Little Osage Trib 2 Ph 2 Drainage Improvements - Crafton Tull Amendment 5:** Staff recommends approving an amendment with Crafton Tull for additional professional services. Additional services include bidding services, construction redesign, easement documentation, and project management. 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. There was no discussion. Motion passed (8-0).

7. **Resolution 9-10-24 D: Resolution approving SE Walton and SE J Street Intersection - Garver Amendment 1:** Staff recommends approving an amendment with Garver for additional professional services. In general, the additional services include additional bidding services, value engineering which resulted in cost savings and geotechnical services. 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. There was no discussion. Motion passed (8-0).

8. **Resolution 9-10-24 E: Resolution approving SE Walton and SE Medical Center Parkway Intersection - Garver Amendment 1:** Staff recommend approving an amendment with Garver for additional professional services. In general, the additional services include additional bidding services, value engineering which resulted in cost savings, geotechnical services, and additional fees for construction inspection. 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. There was no discussion. Motion passed (8-0).

9. **Resolution 9-10-24 F: Resolution to Award Bid IFB-24-53 to Grant Garrett Excavating for the 2024 Street Overlay:** Resolution to award bid IFB-24-53 to Grant Garrett Excavating in the amount of \$488,069.05 for the 2024 Overlay of

Bentonville Streets. Grant Garrett Excavating was the only responsive bid received. 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 Agnew. There was no discussion. Motion passed (8-0).

10. Resolution 9-10-24 G: Resolution approving the Application and

Acceptance of FAA-AIG Grant: A resolution authorizing the application and acceptance of a FAA-AIG grant, in the amount of \$566,553.00 from the Federal Aviation Administration, for the previously constructed runway 18-36 lighting reconstruction project. 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. There was no discussion. Motion passed (8-0).

11. Resolution 9-10-24 H: Resolution approving the Application and Acceptance of FAA-AIP Grant Taxiway B: A resolution authorizing the application and acceptance of a grant from the Federal Aviation Administration, in the amount of \$1,255,314.00, to fund construction of the Southeast Taxiway B Extension. 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 Hook. There was no discussion. Motion passed (8-0).

II. Utility Board – No Meeting Held on September 3, 2024

III. Planning

- 1. Ordinance 2024-131: Property Line Adjustment - Lot 24 of Corley's Addition - 212 Southwest F Street (PLA24-0018):** An Ordinance Accepting A Property Line Adjustment Of Lot 1 Of Corley's Addition Creating New Lot 24 Of Corley's Addition To The City Of Bentonville, Arkansas; And For Other Purposes. The Planning Commission voted 7-0 on September 3rd, recommending approval.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve by

Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion passed (8-0).

2. **Ordinance 2024-132: Lot Split - Lots 17, 18, & 19, Block 2 of Armstrong Addition - 413 Southeast 4th Street (LS24-0024):** An Ordinance Accepting A Lot Split Of Lot 10, Block 2 Of Armstrong Subdivision Creating New Lots 17, 18, And 19, Block 2 Of Armstrong Subdivision To The City Of Bentonville, Arkansas; And For Other Purposes. The Planning Commission voted 7-0 on September 3rd, recommending approval.

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

Mayor Orman called for a motion to end the voting portion of the agenda, motion moved by Council Member Burckart, seconded by Council Member Hook. Motion passed unanimously.

IV. **Other Business/Announcements/Comments**

1. Public Comment: Speaker discussed his problems with the Momentary noise during concerts. He also expressed concern for the older population regarding the noise, specifically at Durham Place.
Tyler Overstreet, discussed they are working through various measures to address the noise issues, with the overall plan. Council discussed the different way to measure types of noise, and that base is measured differently. Overstreet mentioned that the ordinance states that after 11pm the noise does not go away, it just changes the level of noise.
2. Committee Reports
 - a. Council Member Sanchez:
 - i. Library Advisory Board: will be closing in a few weeks, to prepare for the grand re-opening, later this year.
 - ii. Utility Board: did not meet, but had an update from Preston regarding the water line install project, which will be saving the city about \$5.6 million. Council Members asked questions regarding business implications when the project would start-goal is fall of 2025.

b. Council Member Acree:

- (i) Traffic & Signage: Approval of *Simple Savings Dr.* striping, which Walmart is going to fund. October 25th is the Glow Ride. Study of mid-block crossing. Approval of street closures for UP Summitt Approval of road closures in front of Main Street

c. Council Member Seba:

- (i). Public Arts Committee: Great response over Humungus Fungus, are going to call for people to wear costumes in front of it for Halloween. October 5th, is the Bentonville together event. Working to manage damage artwork from the tornado, there will be a time, where they will go through and assess conditions of all the art work, but for now they are only going to deinstall 2 due to the tornado. Red Ball Project will be in Bentonville on Sept 11 & 15. Working through a storm pavilion proposal. More information on public art committee can be found [HERE](#)

d. Council Member Sooter:

- (i). Parks and Recreation Board: Met at Phillips Park, which will be done around Feb/March 2025. Thursday Sept. 12 is the groundbreaking for the new Gateway Park. A St. in front of the courthouse will be opening soon.

e. Council Member Agnew:

- (i) Finance Committee: There are 2 meetings left until budget day on October 15. Before then there will be discussions on ORT and Capital improvement projects.

Mayor Orman Discussion Items:

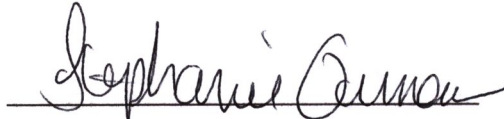
1. Saturday September 14th is Clean the Streets Day
2. September 29th, is the UP Summitt where there will be flying cars, and will be open to the public.
3. Discussion around the final areas impacted by debris, and what that entails for the city clean up wise. As these are areas FEMA was not applicable to help. Mayor Orman noted that the city cannot pick up on state highways, but this is being addressed and contractors are going out.

Meeting Adjourned

The next Bentonville City Council meeting will be on September 24, 2024.



Malorie Marrs, City Clerk



Stephanie Orman, Mayor

