

Bentonville City Council

Meeting Minutes

November 26, 2024



The City Council of Bentonville, Arkansas, met in regular session Tuesday, November 26, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez, Beckie Seba, Cindy Acree, Holly Hook, Chris Sooter, Aubrey Patterson, Gayatri Agnew 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 a Scout Member Rigley 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.

Motion was made by Council Member Burckart to approve the minutes of the November 12th, regular council meeting as presented, second by Council Member Acree. 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).

Other:

-Council Member Sooter motioned to move items 4, 5, and 6 under New Business to a consent agenda, seconded by Council Member Sanchez. There was no discussion. Motion carried (8-0).

-Council Member Patterson motioned to move the representative from NWA Giving Machine, to speak, seconded by Council Member Acree. There was no discussion. Motion carried (8-0).

Gina Miller from NWA Giving Machine, spoke regarding the nonprofit, how it will benefit the community, where it will be located, how it will work, and the organizations it will support. More information, and to view the presentation can be found by clicking [HERE](#)

I. New Business

1. Appointment: Eric Heaney to Advertising & Promotion Commission

Mayor Stephanie Orman recommends Eric Heaney for appointment to Bentonville's Advertising & Promotion Commission. This term will begin on January 1, 2025 and will expire December 31, 2028.

Motion was made by Council Member Sanchez, seconded by Council Member Agnew. There was no discussion, motion carried (8-0).

Kalene Griffith introduced Eric, he is the new GM at Motto, and is excited to have him on the board.

2. **Appointment: Dan Weese to the Ozark Regional Transit Board of Directors**

Mayor Stephanie Orman is recommending Dan Weese for appointment to the Ozark Regional Transit Board of Directors. Mr. Weese will be filling Dennis Birge's unexpired term that will end in March 11, 2027.

Motion was made by Council Member Sanchez, seconded by Council Member Seba. There was no discussion, motion carried (8-0).

3. **Ordinance 2024-173: Public Hearing and Ordinance Vacating Street Right of Ways (VAC24-0011)**

Public Hearing and approval of Ordinance vacating Street Right of Ways located at Lot 2 of Wal-Mart Campus Subdivision (VAC24-0011). No budget adjustment is needed.

Mayor Orman opened the public hearing online and in person. No discussion.

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)

la. **Consent Agenda Items *New Business***

4. **Resolution 11-26-24 A: Resolution to Enter into an Agreement with Progressive Trail Design for Trail Repair Work**

A Resolution authorizing the Mayor and City Clerk to enter into an agreement with Progressive Trail Design in the amount of \$267,788.85, through participation in the Sourcewell Cooperative, for trail repair work at Park Springs Park caused by the May 26 storm. A budget adjustment is needed.

5. **Resolution 11-26-24 B: Resolution Awarding Bid #IFB-24-35 to Clarity Pools, LLC for Melvin Ford Pump Room Renovation**

Awarding bid IFB-24-35 to Clarity Pools, LLC, in the amount of \$224,420.00, for the renovation of the pump room at Melvin Ford Aquatic Center. A budget adjustment is needed to reclassify funds.

6. **Resolution 11-26-24 C: Resolution Amending the 2024 Budget to Reclassify Funds for the Legal Department Move**

A Resolution adjusting the 2024 budget to move budgeted funds from the Legal Department Plants and Building account to the appropriate expense account. A budget adjustment is needed.

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

II. Utility Board - No Meeting Held on November 19, 2024

III. Planning

1. Ordinance 2024-174: Property Line Adjustment - JB Townhomes RW Dedication & Easement Plat - 823 Northwest 14th Street (PLA24-0027)

An Ordinance Accepting A Right Of Way And Easement Dedication Of Part Of Lot 2, Block 1, Braithwaite Park Addition And Lots 1 & 2 Of Northwoods Addition To The City Of Bentonville, Arkansas; And For Other Purposes.

The Planning Commission voted 7-0, recommending approval.

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

2. Ordinance 2024-175: Rezoning - Stelte - R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential - 312 Northwest 7th Street (RZ24-0043)

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.

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)

3. Ordinance 2024-176: Rezoning - Wal-Mart Stores Inc - RO, Residential Office to C-2, General Commercial - East Central Avenue (RZ24-0044)

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.

The Planning Commission voted 7-0, recommending approval.

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

4. **Resolution 11-26-24 D: Future Land Use Map Amendment – Paulsen Revocable Trust - Agricultural to Low Density Residential (LDR) - 12815 Motley Road (RZ24-0046)**

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

The Planning Commission voted 7-0, recommending approval.

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 (7-1) Council Member Acree opposed.

5. **Ordinance 2024-177: Rezoning - Paulsen Revocable Trust - A-1, Agriculture to R-1, Low-Density Single-Family Residential - 12815 Motley Road (RZ24-0046)**

An Ordinance Changing Real Estate In The City Of Bentonville, Arkansas, From Its Present Zoning Classification Of A-1, Agricultural To R-1, Low Density Single Family Residential; And For Other Purposes.

The Planning Commission voted 7-0, recommending approval.

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

6. **Resolution 11-26-24 E: Future Land Use Map Amendment - Echelon - Open Space to Low Density Residential (LDR) - 1602 Northwest 3rd Street (PRD24-0004)**

A Resolution Amending The City Of Bentonville Future Land Use Map For A Specific Area From Open Space To Low-Density Residential; And For Other Purposes.

The Planning Commission voted 4-3, recommending approval.

City Attorney Andrew Myers read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew.

Various members of the neighboring communities spoke, and gave a PowerPoint presentation (view [HERE](#)), regarding their issues with the Echelon development in their area. Residents spoke on issues pertaining to traffic, safety, trash, how there are many unknowns that do not fit within the current area. Residents further discussed, how these homes were being marketed to people outside of the NWA area, and that these are not affordable housing options. Residents, believe in growth but do not see this being the appropriate area for this type of housing development. Largely due to Echelon being surrounded by multiple older established neighborhoods.

Bob David, the developer of Echelon spoke about how the Echelon community would create a mixed community, and gathering areas. Residents from Mr. Davids other

communities, such as Scissor Tail, spoke about how wonderful his developments are, and how well he and his partners adhere to the HOA needs. In all, residents of the surrounding subdivisions appreciate the caliber of work and design Bob David and partners put into their developments, however with Echelon not being a stand alone development, rather inside an area of land surrounded by larger older neighborhoods, the residents stated, they did not feel this project was appropriate for the area planned.

After all public, online and in person, who wanted to speak was completed, City Council discussed items, and asked questions to those present regarding clarifications etc. on the project.

Council Member Acree stated how interesting it is that there's a PRD available to developers but not private citizens. Acree acknowledged the fact that elected government officials cannot assume to know what is best for the citizens. She stated that we have got to listen to what the people want, and that the people in the single-family neighborhoods surrounding this development are not against change, they have legitimate concerns, for the new development.

Council Member Seba recognized and appreciated Council Member Acree's position on the matter. Seba also appreciated how many neighbors have come out to discuss what they want for their community, along with representatives from groups at large representing the city. Council Member Seba stated that we do need to consider the city is growing, and that there may be objections to things, but we need to look forward to development for the betterment of the city, as a whole. Seba discussed the worry about home value and noted that this development would not devalue any homes in the area, or in Bentonville as a whole. She further stated that the developer has listened and addressed the concerns, and believes this project is exactly what people have asked for, in plan Bentonville.

Council Member Agnew expressed her deep gratitude for everyone's time and commitment for the betterment of our broader community, and that these decisions are hard, irrespective of the outcome, she appreciates everyone in the room for being at council tonight.

Council Member Sanchez, stated how the citizens who reside next to any development are the ones most affected either positively or negatively by the development. There has been more talk regarding how the neighbors do not want the development here, and how that has been the biggest constant in the conversation. Sanchez stated that, he knows the developers have complied to many of the complaints, but there is not an agreement with what the developers want to build and what the neighbors want. With that in mind, it is the neighbors who need to be considered more.

Council Member Hook, discussed how there is a very high turn out from the neighbors of the surrounding communities voicing complaints about the project. She is concerned about the lack of sidewalks within the development. Hook acknowledged that the neighbors want people to come to their green space, but safety is her biggest concern after visiting and going to the planning meetings regarding Echelon.

Members of Council asked for clarification regarding the sidewalks of the development team. Members from the development team presented council with an updated document detailing where the sidewalks would be located. They discussed how the sidewalks will be at each of the crosswalks, and there will be a raised pedestrian crossing at each of the crosswalk.

Council Member Patterson asked about the dead end streets and why it is not a cul-de-sac? The development team stated that it depends on the fire marshal.

Council Member Seba asked if the raised sidewalks changed anything for parking? Development stated, it gave everyone in these lots, an additional depth in each lot. When going to planning, and discussed lowering the structure height, the roads can now be narrower, which gave additional room for the lots as well as sidewalks, which also added green space.

Council Member Patterson, asked a few questions to Tyler Overstreet, regarding the PRD and if any other zone would be better? As she is uncomfortable with PRDs.

Council Member Burckart discussed the benefits of PRDs for modifications as needed, but the unpredictability is definite cause for concern.

Council Member Acree and Burckart discussed traffic density, and Acree stated a development like this in that area will add more traffic issues. Council Member Agnew discussed how the bike lane on 3rd street while noted as a hindrance, is also one thing she gets the most compliments about. But it is imperfect, it needs adjustments, and council needs to continue to hear how to better this for all parties. However, she does recognize the 3rd street issue as a separate entity of what is being presented through the Echelon project, and that it has met the qualifications, and passed through planning.

This opened the discussion to if DN-1 could be established for outside of the downtown area noted, it was mentioned by Council Member Seba that DN-1 does allow for 3 story.

Council Member Agnew motioned to call the question and move to a vote, seconded by Council Member Burckart. Mayor Orman indicated that this will be a roll call vote.

Motion failed (3-5) [Yes, Agnew, Burckart, Seba] [No. Sooter, Hook, Sanchez, Patterson, Acree]

7. **Ordinance 2024-178: Planned Residential Development - Echelon - R-1, Low-Density Single-Family Residential and R-E, Residential Estate to Planned Residential Development (PRD) - 1602 Northwest 3rd Street (PRD24-0004)**

An Ordinance Changing Real Estate In The City Of Bentonville, Arkansas, From Its Present Zoning Classification Of R-1, Low Density Single Family Residential And R-E, Residential Estate To PRD, Planned Residential Development; And For Other Purposes.

The Planning Commission voted 5-2, 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 failed (3-5) [Yes, Agnew, Burckart, Seba] [No. Sooter, Hook, ., Patterson, Sanchez, Acree]

Motion to adjourn the meeting Council Member Acree, seconded by Council Member Hook
All in favor

Meeting adjourned.

IV. Other Business/Announcements/Comments

1. Council Member Patterson: Ribbon Cutting for the NWA Giving Machine on the 5th.

2. Council Member Seba:

Airport Board: had a special meeting regarding the new neighborhood of hangers, and what all the people were concerned about. Much revolved around the paving, and how that would or would not inhibit when the hangers are built, and will not cost the city extra.

3. Council Member Sooter:

Parks Board: Met and heard the annual report regarding participation. The report can be viewed online.

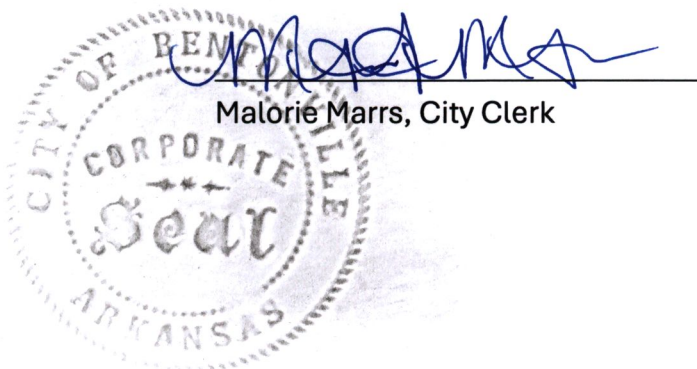
4. Council Member Agnew:

Finance: reviewed budget and will come to the next council meeting. Discussed the contract with ORT, ORTs board adjusted federal allocation. Bentonville will receive \$664,000, making the funding more stable.

5. Council Member Hook: Thank you to the Finance Committee & Bonnie dealing with ORT

Tree and Landscaping: everyone's biggest concern is the tree canopy. Discussion about how to get people excited about planting trees in the community. The Tree and Landscaping award will come back after the winter months.

The next Bentonville City Council meeting will be on Tuesday December 10, 2024.



Malorie Marrs, City Clerk

The image shows a blue ink signature of Stephanie Orman over a horizontal line. The signature is written in a cursive style.

Stephanie Orman, Mayor