

1. Agenda

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[APRIL 14, 2015 CITY COUNCIL FULL AGENDA.PDF](#)

2. Short Agenda

Documents:

[APRIL 14, 2015 CITY COUNCIL SHORT AGENDA.PDF](#)



BENTONVILLE CITY COUNCIL AGENDA

**Committee of the Whole
NWA Conservation Authority (NACA)**

**Monday, April 13, 2015 6:00 p.m.
11579 Snavely Road, Bentonville, AR**

**Regular City Council Meeting
Community Development
Planning Commission Meeting Room**

**Tuesday, April 14, 2015 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: March 24, 2015**

AGENDA

1. Tour of NACA Facility. **(Monday Night Only)**
2. Visit Bentonville Report – Kalene Griffith.
3. Planning:
 - 3a. **Habitat for Humanity of Benton County, Inc.: Lots 9 and 10 Durham Place, Lot Split, Durham Place, Zoned R-3, Medium Density Residential.**

(Pages 6-9)

The planning commission voted 6-0 recommending approval.

The applicant is proposing a lot split that will create two lots from an existing lot to be known as Lot 10 (0.18 acres) and Lot 11 (0.38 acres) of Durham Place subdivision. The lot split shows the dedication of right-of-way along Durham Place per the master street plan. A variance was approved to the Lot & Area requirements by the Board of Adjustments on February 11, 2015.

- 3b. **Rod Sanders: Property Line Adjustment, Lot 26, Block 2 Clark's Second Addition, 308 Southwest 3rd Street, Zoned R-1, Single Family Residential.**

(Pages 10-13)

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Property Line Adjustment for Lot 20 and the west half of lot 21 Clark's Second addition. The new lot will be known as Lot 26 Block 2 Clark's Second Addition and will consist of .21 acres. A 20' utility easement is being dedicated along Southwest 3rd Street. One foot of right of way is dedicated to the Master Street Plan requirements for a local street.

- 3c. **Michael Wright: Rezoning from R-1, Single Family Residential to RC-2, Central Residential Moderate Density, 305 Southwest C Street.**
(Pages 14-19)
The planning commission voted 6-0 recommending approval.

The applicants are requesting a rezoning from R-1 to RC-2 to allow for single family homes to be built.

- 3d. **Burckart Construction, Inc.: Rezoning from R-1 Single Family Residential to A-1, Agricultural.**
(Pages 20-26)
The planning commission voted 6-0 recommending approval

The applicant has requested a rezoning from R-1 to A-1 to allow for livestock and hay production.

- 3e. **Food Hub NWA, LLC: Rezoning from I-2, Heavy Industrial to C-2, General Commercial, 801 Southeast 8th Street.**
(Pages 27-34)
The planning commission voted 6-0 recommending approval.

The applicants have requested a rezoning of the vacant Tyson Foods Krispy Kitchen in order to convert to a mixed commercial and educational use.

- 3f. **ATEX Investments: Lot Split, Lots 198,199 and 200 Stoneburrow Subdivision Phase 1, Town Vu Road, Zoned R-1, Single Family Residential.**
(Pages 35-39)
The planning commission voted 6-0 recommending approval.

The applicant has submitted a Lot Spit of Lot 197 Stoneburrow Subdivision Phase 1 at Town Vu Road and Southwest River Rock Street. Lot 197 will be split into three lots to be known as Lot 198 (.36 acres), Lot 199 (.25 acres) and Lot 200 (.33 acres). Lot 200 will have access to Southwest River Rock street only. The applicant is proposing Lots 199 and 198 have shared access to Town Vu Road. All utility and right of way exist for these lots.

- 3g. **Louise Bishop Revocable Trust: Lot split, Lots 1,2, and 3 Hogwild Subdivision, Southeast 28th Street and Southeast J Street, Zoned I-1, Light Industrial, C-2, General Commercial, and A-1 Agricultural.**
(Pages 40-43)
The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split for 19.41 acres located southwest of Southeast J Street and Southeast 28th Street. The 3 lot subdivision will be known as Hog Wild Subdivision. Lot 1 will consist of 14.75 acres, Lot 2 will consist of 4.60 acres while lot 3 will encompass 5.13 acres. Right of way is being dedicated along Southeast 28th street and Southeast J Street. Right of way for a 250' cul-de-sac is also being dedicated from Southeast 28th Street. Water and sewer are available along both frontages. Thirty-five feet of right way will also be dedicated along the west property line to meet the requirements of the collector street shown on the Master Street Plan.

4. A resolution setting a public hearing for a utility easement vacation located in Lot 1 Stuckey Subdivision. **(Pages 44-46)**
5. Appoint Mike Bender to serve as the City's representative on the Benton County Regional Solid Waste Management District's Board for a maximum term of four (4) years commencing in May 2015. Mike Bender replaces Mike Roberts who retired from the City effective March 27, 2015. **(Pages 47-48)**
6. Bentonville Police Department Perimeter Fence is now complete. To reconcile the quantities used and the final price of the contract, a reconciliation change order is needed. The final project cost is \$1,549.82 less than the currently contracted amount of \$65,000.00. **(Page 49)**
7. Budget adjustment in the amount of \$4,200.00 to be used to purchase uniforms for the purpose of establishing a Police Department Honor Guard program. The budget adjustment amount is sourced from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C.3750), sub-grant number 14-979-13L, and would be placed in our Uniform account to cover project expenses. **(Pages 50-54)**
8. Council approval of an ordinance authorizing the Mayor and City Council to enter into a contract with UCO Equipment for the transfer of an aerial device from an existing service truck to a new cab and chassis in the amount of \$26,783.00 and waiving the requirement of competitive bidding. This service is a "single source" item/service in the state of Arkansas. This is a 2015 budgeted item. **(Pages 55-61)**
9. Council approval of an ordinance authorizing the Mayor and City Council to enter into a contract with NovaTech for (1) Remote Terminal Unit for Bentonville's Substation "G" in the amount of \$29,422.50 and waiving bids. This equipment is a "single source" and matches the Remote Terminal Units at all existing Substations. All the Remote Terminal Units work with our existing central master station. This is a 2015 budgeted item. **(Pages 62-68)**
10. Council approval of an ordinance authorizing the Mayor and City Council to enter into an amended Power Supply Agreement with SWEPCO to modify the yearly billing process and waiving the requirement of competitive bidding. **(Pages 69-78)**

**City Council
Agenda
April 14, 2015**

Habitat for Humanity of Benton County, Inc.: Lots 9 and 10 Durham Place, Lot Split, Durham Place, Zoned R-3, Medium Density Residential.

The planning commission voted 6-0 recommending approval.

The applicant is proposing a lot split that will create two lots from an existing lot to be known as Lot 10 (0.18 acres) and Lot 11 (0.38 acres) of Durham Place subdivision. The lot split shows the dedication of right-of-way along Durham Place per the master street plan. A variance was approved to the Lot & Area requirements by the Board of Adjustments on February 11, 2015.

Rod Sanders: Property Line Adjustment, Lot 26, Block 2 Clark's Second Addition, 308 Southwest 3rd Street, Zoned R-1, Single Family Residential.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Property Line Adjustment for Lot 20 and the west half of lot 21 Clark's Second addition. The new lot will be known as Lot 26 Block 2 Clark's Second Addition and will consist of .21 acres. A 20' utility easement is being dedicated along Southwest 3rd Street. One foot of right of way is dedicated to the Master Street Plan requirements for a local street.

Michael Wright:: Rezoning from R-1, Single Family Residential to RC-2, Central Residential Moderate Density, 305 Southwest C Street.

The planning commission voted 6-0 recommending approval.

The applicants are requesting a rezoning from R-1 to RC-2 to allow for single family homes to be built.

Burckart Construction, Inc.: Rezoning from R-1 Single Family Residential to A-1, Agricultural.

The planning commission voted 6-0 recommending approval

The applicant has requested a rezoning from R-1 to A-1 to allow for livestock and hay production.

Food Hub NWA, LLC: Rezoning from I-2, Heavy Industrial to C-2, General Commercial, 801 Southeast 8th Street.

The planning commission voted 6-0 recommending approval.

The applicants have requested a rezoning of the vacant Tyson Foods Krispy Kitchen in order to convert to a mixed commercial and educational use.

ATEX Investments: Lot Split, Lots 198,199 and 200 Stoneburrow Subdivision Phase 1, Town Vu Road, Zoned R-1, Single Family Residential.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Lot Spit of Lot 197 Stoneburrow Subdivision Phase 1 at Town Vu Road and Southwest River Rock Street. Lot 197 will be split into three lots to be known as Lot 198 (.36 acres), Lot 199 (.25 acres) and Lot 200 (.33 acres). Lot 200 will have access to Southwest River Rock street only. The applicant is proposing Lots 199 and 198 have shared access to Town Vu Road. All utility and right of way exist for these lots.

Louise Bishop Revocable Trust: Lot split, Lots 1,2, and 3 Hogwild Subdivision, Southeast 28th Street and Southeast J Street, Zoned I-1, Light Industrial, C-2, General Commercial, and A-1 Agricultural.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split for 19.41 acres located southwest of Southeast J Street and Southeast 28th Street. The 3 lot subdivision will be known as Hog Wild Subdivision. Lot 1 will consist of 14.75 acres, Lot 2 will consist of 4.60 acres while lot 3 will encompass 5.13 acres. Right of way is being dedicated along Southeast 28th street and Southeast J Street. Right of way for a 250' cul-de-sac is also being dedicated from Southeast 28th Street. Water and sewer are available along both frontages. Thirty-five feet of right way will also be dedicated along the west property line to meet the requirements of the Collector street shown on the Master Street Plan.

Planning Commission Staff Report
Lot Split: Lots 9 and 10 Durham Place

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: April 7, 2015

GENERAL INFORMATION:

Project Number: 15-05000007

Applicant: Habitat for Humanity of Benton County, Inc.

Representative: Tim Sorey (Sand Creek Engineering)

Requested Action: Lot Split Approval

Location: Durham Place

Existing Zoning: R-3, Medium Density Residential

Land Use Plan: Mixed Use

BACKGROUND:

The applicant is proposing a lot split that will create two lots from one existing lot to be known as Lot 10 (0.18 acres) and Lot 11 (0.38 acres) of Durham Place subdivision. The lot split shows the dedication of right-of-way along Durham Place per the master street plan. A variance was approved to the Lot & Area requirements by the Board of Adjustments on February 11, 2015.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-3, Medium Density Residential	Mixed Use
South	R-3, Medium Density Residential	Mixed Use
East	R-3, Medium Density Residential	Mixed Use
West	R-1, Single Family Residential	Mixed Use

STREETS

Direction	Name	Classification
North	-	-
South	-	-
East	Durham Place	Local Street
West	-	-

TRAFFIC FINDINGS

- (a) Traffic data for the nearest intersections are as follows: No traffic data exists for this location.
- (b) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this is the location of a vacant lot within a multi and single family neighborhood located at the end of a cul-de-sac.

Drainage Report: A drainage report is not required for this lot split.

Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

Waiver(s): N/A

Analysis / Conclusion: This lot split **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 9 AND 10 DURHAM PLACE TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 9 and 10 Durham Place, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 7th day of April, 2015 and

WHEREAS, said lot split is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated and at other times, and voted to recommend the approval of said lot split to the City Council; and

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said lot split should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the lot split of Lots 9 and 10 Durham Place, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED THIS _____ DAY OF _____, 2015

ATTEST

APPROVED

CITY CLERK

MAYOR

Planning Commission Staff Report
Property Line Adjustment: Lot 26 Block 2 Clark's Second Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: April 7, 2015

GENERAL INFORMATION:

Project Number: 15-05000001

Applicant: Rod Sanders

Representative: Rod Sanders

Requested Action: Property Line Adjustment Approval

Location: 308 Southwest 3rd Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Downtown Mixed Use Residential

BACKGROUND:

The applicant has submitted a Property Line Adjustment for Lot 20 and the west half of lot 21 Clark's Second addition. The new lot will be known as Lot 26 Block 2 Clark's Second Addition and will consist of .21 acres. A 20' utility easement is being dedicated along Southwest 3rd Street. One foot of right of way is dedicated to the Master Street Plan requirements for a local street.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Downtown Mixed Use Residential
South	R-1, Single Family Residential	Downtown Mixed Use Residential
East	R-1, Single Family Residential	Downtown Mixed Use Residential
West	R-1, Single Family Residential	Downtown Mixed Use Residential

STREETS

Direction	Name	Classification
North		
South	Southwest 3 rd Street	Local Street
East		
West		

TRAFFIC FINDINGS

- (c) Traffic data for the nearest intersections are as follows: No traffic data exists for this location.
- (d) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this is the location of an existing single family residential home with the downtown area.

Drainage Report: A drainage report is not required for this lot split.

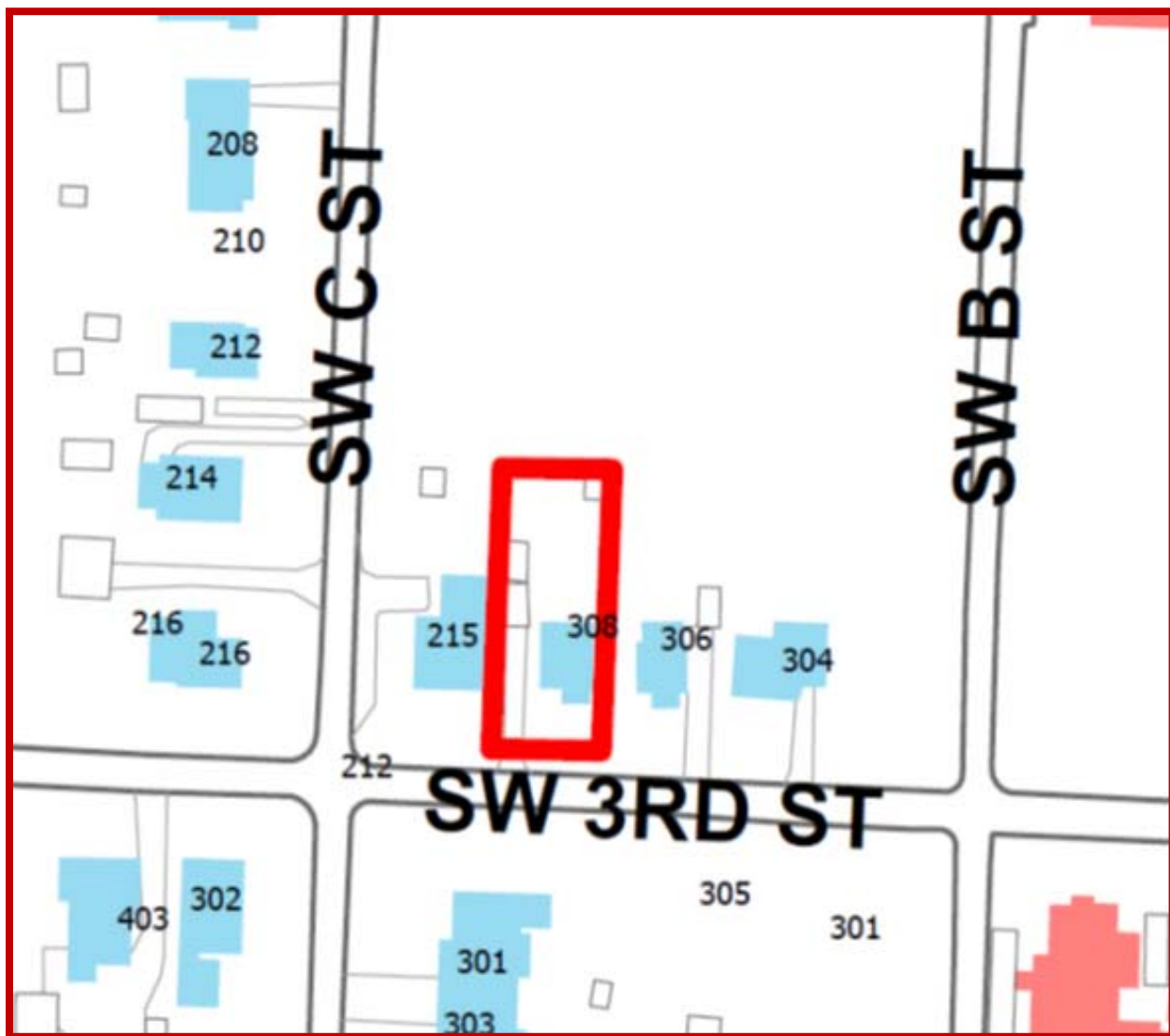
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

Waiver(s):

Analysis / Conclusion: This lot split DOES meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL.



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 26 BLOCK 2 CLARK'S SECOND ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment Lot 26 Block 2 Clark's Second Addition, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 7th day of April, 2015 and

WHEREAS, said property line adjustment is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said property line adjustment on the date stated and at other times, and voted to recommend the approval of said property line adjustment to the City Council; and

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said property line adjustment should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the property line adjustment of Lot 26 Block 2 Clark's second Addition, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said property line adjustment by certifying said acceptance on the approved property line adjustment.

PASSED AND APPROVED THIS _____ DAY OF _____, 2015

ATTEST

APPROVED

CITY CLERK

MAYOR



The City of Bentonville, Arkansas

PC Meeting of: April 7, 2015

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

**REZONING: Wright, R-1, Single Family Residential to RC-2, Central Residential
Moderate Density**

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Beau Thompson, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: April 7, 2015

GENERAL INFORMATION

H.T.E. Project Number:

Applicant/Current Owner:

Representative:

Requested Action: Rezoning

Location: 305 Southwest C Street

Existing Zoning: R-1, Single Family Residential

Proposed Zoning: RC-2, Central Residential – Moderate Density

Future Land Use Map Designation: Downtown Mixed Use Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is the site of an existing occupied single family home.

Previous Rezoning Requests for this Property: There is no known rezoning for this property.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Residential Duplex	R-1, Single Family Residential	Downtown Mixed Use Residential
South	Single Family Residence	R-1, Single Family Residential	Downtown Mixed Use Residential
East	Single Family Residence	R-1, Single Family Residential	Downtown Mixed Use Residential
West	Single Family Residence	R-1, Single Family	Downtown Mixed Use Residential

		Residential	
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Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North			
South	Alley	Alley	Asphalt Paved
East			
West	Southwest C Street	Local Street	2 lane, no curb or gutter

LEGAL NOTIFICATIONS

Public Notice: On **March 4, 2015** the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **March 4, 2015**. In addition, staff posted a notice of public hearing sign on the property on **March 20, 2015**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: The Master Land Use plan depicts this property as Downtown Mixed Use Residential. The Downtown Mixed Use Classification permits a range of residential types and densities surrounding the downtown core. Per the General Plan, Policy LU-23 Housing Types states "the City should encourage the development of a mix of housing types to the meet the needs of residents...". The proposed rezoning will meet the intent of both the Master Land Use plan and the General Plan therefore the request is consistent with good land use planning.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The proposed development will not create an increase to traffic danger in the area.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: The proposed zoning will not adversely impact the public infrastructure. Emergency services are adequate at this location.

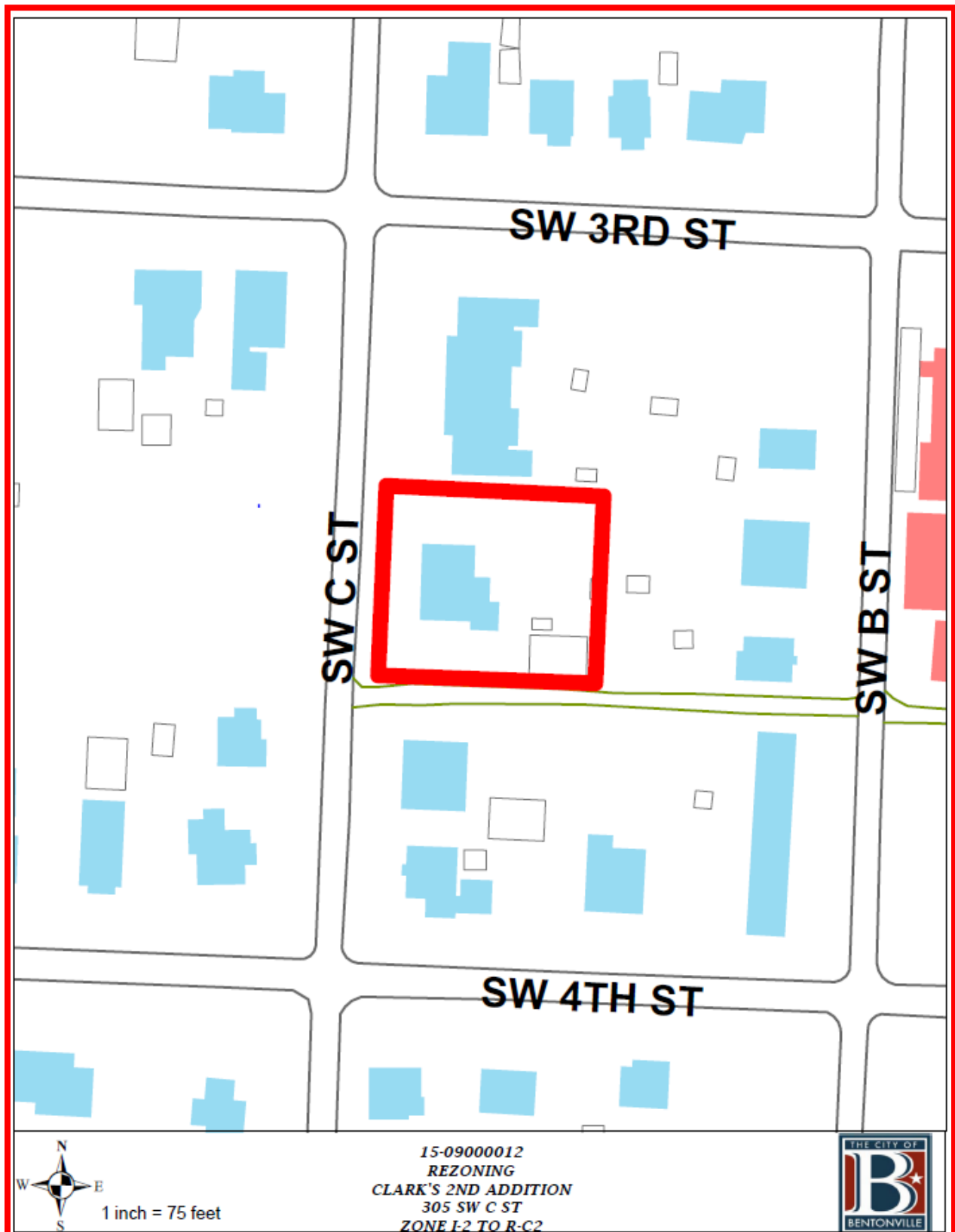
ANALYSIS, CONCLUSION, & SUMMARY

The RC-2 zoning district will help to establish moderate residential density in downtown that will provide a choice of housing types for a variety of lifestyles and economic levels and encourage urban design while providing consistent housing types with adjoining property.

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Downtown Mixed Use Residential.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from R-1, Single Family Residential to RC-2, Moderate Density Residential.



March 2, 2015

City of Bentonville
305 SW A Street
Bentonville, Arkansas 72712

Dear Mr. Stanley,

In keeping with Bentonville Downtown Master Plan to increase residential housing and to have a vibrant downtown, we are requesting that the property located at 305 SW C Street which is currently zoned R-1 to be rezoned to R-C2. This zoning change will allow for new single family homes to be built on this property later this year. This rezoning will only help to stabilize the neighborhood and improve the SW "C" street scape. In addition, this rezoning will allow us to build single family homes for individuals who do not want to be 100% car dependent and are looking for housing in the downtown area.

The property will only be used for single family homes which will be alley load to limit the impact that vehicles have on the streetscape. Traffic increase is expected, however will have a minimal impact on SW C street and no signage is proposed for the infill homes. The new houses will be served by existing water and sewer which are located along SW C Street

Todd Jacobs



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO RC-2, CENTRAL RESIDENTIAL-MODERATE DENSITY.

WHEREAS, Michael Wright duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-C2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

305 Southwest C Street

Lots 7 and 10, Block 7, Clark's Second Addition to the City of Bentonville, Benton County, Arkansas, as shown in Deed Record "Q" at page 502.
Also, the South half of the vacated alley running East and West and lying North of said Lot 7, Block 7, Clark's Second Addition to the City of Bentonville, pursuant to Ordinance No. 87-88.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 7th day of April 2015 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-C2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-C2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2015

ATTEST

APPROVED

CLERK

MAYOR



The City of Bentonville, Arkansas

PC Meeting of: April 7, 2015

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: Burkhart Construction, Inc. R-1, Single Family Residential to A-1, Agricultural

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Beau Thompson, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: April 7, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000013

Applicant/Current Owner: Burckart Construction, Inc.

Representative: Bill Burkhart

Requested Action: Rezoning

Location: 2303 Southwest Birch

Existing Zoning: R-1, Single Family Residential

Proposed Zoning: A-1, Agricultural

Future Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is the site of large vacant tract in a low density area.

Previous Rezoning Requests for this Property: There are no known rezoning's for this property.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Single Family Subdivision	R-1, Single Family Residential	Low Density Residential
South	Agricultural Land	R-1, Single Family Residential	Low Density Residential
East	Agricultural Land	Benton County	Low Density Residential
West	Single Family Subdivision	R-1, Single Family Residential	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest Birch Street	Local	2 lane curb and gutter
South	-	-	-
East	-	-	-
West	Southwest Ellington Street	Local	2 lane curb and gutter

LEGAL NOTIFICATIONS

Public Notice: On March 18, 2015, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on March 20, 2015. In addition, staff posted a notice of public hearing sign on the property on March 4, 2015. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: The master land use plan depicts this property has low density residential. The A-1, Agricultural zoning designation requires 5 acres per unit therefore it is recommended as a suitable zoning district for the Low Density Residential classification by the City of Bentonville General Plan.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: No traffic data exist for Southwest Birch Road at this time. Based on the current uses allowed by right in the A-1, Agricultural zoning designation the transportation infrastructure is adequate.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

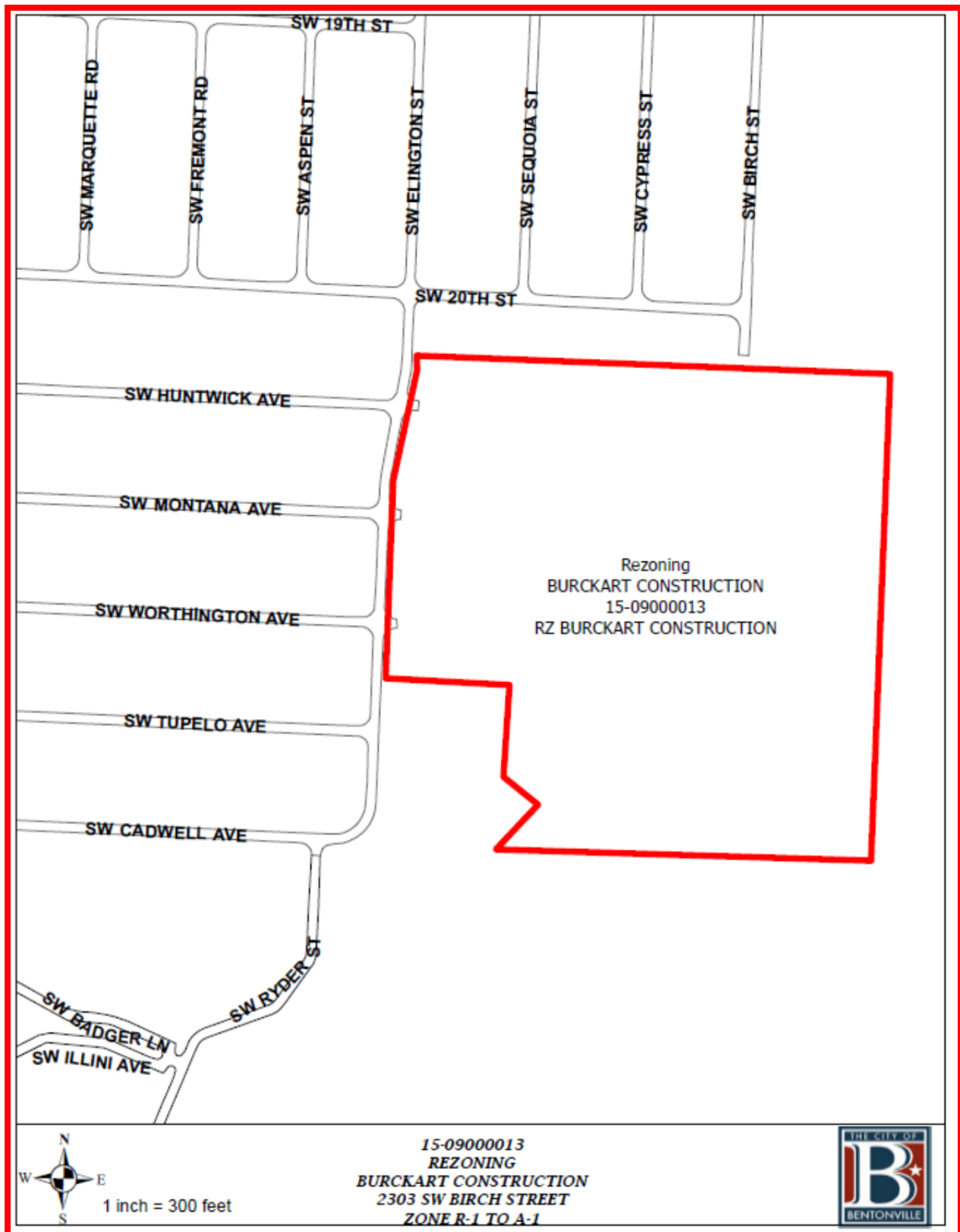
Finding(s) of Staff: The proposed zoning will not adversely impact the public infrastructure. Both water and sewer service are available at this location. Emergency services are adequate at this location.

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Low Density Residential.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from R-1, Single Family Residential to A-1, Agricultural.



022415

City of Bentonville Planning Department
305 SW A Street
Bentonville, Ar. 72712

RE: Rezoning of 36.471 +- Acres @ 2303 SW Birch

Dear Planning Staff and Commission Members,

I am writing to request the rezoning of parcel# 01-00823, otherwise commonly know as 2303 SW Birch. Burckart Construction, Inc. requests the parcel to be rezoned to A-1 from its current zoning of R-1.

The property is intended to be a private residence and the owner intends on using the acres for general livestock and hay production. The home is being built on the east side of the creek, see pad location note on the map provided.

Sewer is available near but water is over 800 lf away. The owner intends on drilling a well and providing private septic service due to the hardship in providing all services to the residence. Owner has discussed in general with staff regarding this matter and staff had no objections with their plans.

We greatly appreciate your review and hope you approve of our rezoning request.

Sincerely,



W.P. Burckart
Burckart Construction, Inc.

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO A-1, AGRICULTURAL.

WHEREAS, Burckart Construction, Inc. duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to A-1 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

Located in a part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Fractional Section 1, Township 19 North, Range 31 West, to the City of Bentonville, Benton County, Arkansas, more precisely described as follows: Starting at a found 5/8" rebar at the NE Corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Fractional Section 1 for the True Point of Beginning; thence along the East line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, South 02°47'04" West 1317.60 feet to a found 5/8" rebar; thence along the South line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, North 87°09'22" West 1015.72 feet to a set 5/8" rebar; thence North 44°44'49" East 163.31 feet to a set 5/8" rebar; thence North 48°02'12" West 118.64 feet to a set 5/8" rebar; thence North 02°25'52" East 242.54 feet to a set 5/8" rebar; thence North 87°26'53" West 325.53 feet to a set 5/8" rebar; thence North 02°33'07" East 522.85 feet to a set 5/8" rebar; thence along a tangent curve to the right, with a radius of 75.00 feet, an arc length of 10.91 feet, and a chord of North 06°43'12" East 10.90 feet to a set 5/8" rebar; thence North 10°53'17" East 286.92 feet to a set 5/8" rebar; thence along a tangent curve to the left, with a radius of 125.00 feet, an arc length of 18.77 feet, and a chord of North 06°35'08" East 18.76 feet to a set 5/8" rebar; thence North 02°16'58" East 44.62 feet to a set 5/8" rebar; thence along the North line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, South 87°07'09" East 1285.59 feet to a found 5/8" rebar and the True Point of Beginning, containing 36.471 acres, more or less, and being subject to the Right of Way of SW Elington Street, and any easements of record.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 7th day of April 2015 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to A-1 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to A-1 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2015

ATTEST

APPROVED

CLERK

MAYOR



The City of Bentonville, Arkansas

PC Meeting of: April 7, 2015

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: Food Hub NWA LLC, I-2, Heavy Industrial to C-2, General Commercial
Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Beau Thompson, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: April 7, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000014

Applicant/Current Owner: Food Hub NWA, LLC

Representative: CEI Engineering (Tom Oppenheim)

Requested Action: Rezoning

Location: 801 Southeast 8th Street

Existing Zoning: I-2, Heavy Industrial

Proposed Zoning: C-2, General Commercial

Future Land Use Map Designation: Mixed Use

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is the site of the closed Tyson Plant on Southeast 8th Street

Previous Rezoning Requests for this Property: There is no record of a rezoning at this location.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Railroad R/W and Office	I-2, Heavy Industrial	Mixed Use
South	Single Family Residential	R-1, Single Family Residential and R-3, Medium Density Residential	Mixed Use
East	Vacant	I-2, Heavy Industrial	Mixed Use
West	Bentonville Castings/Manufacturer	I-2, Heavy Industrial	Mixed Use

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	-	-	-
South	Southeast 8 th street	Arterial	2 lane no curb or gutter
East	-	-	-
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: On **March 10, 2015**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on **March 4, 2015**. In addition, staff posted a notice of public hearing sign on the property on **March 20, 2015**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: The future land use plan depicts this property as Mixed Use. Southeast 8th Street will soon become a major arterial street that the subject property will front. The proposed zoning designation would allow for future redevelopment along a corridor that will contain a variety of mixed use.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The proposed zoning does have the potential to cause an adverse effect on current traffic danger and congestion. The scheduled improvements to Southeast 8th

Street will help to alleviate any concerns. The impact on traffic conditions will be assessed at the time of development and improvements will be provided as needed.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

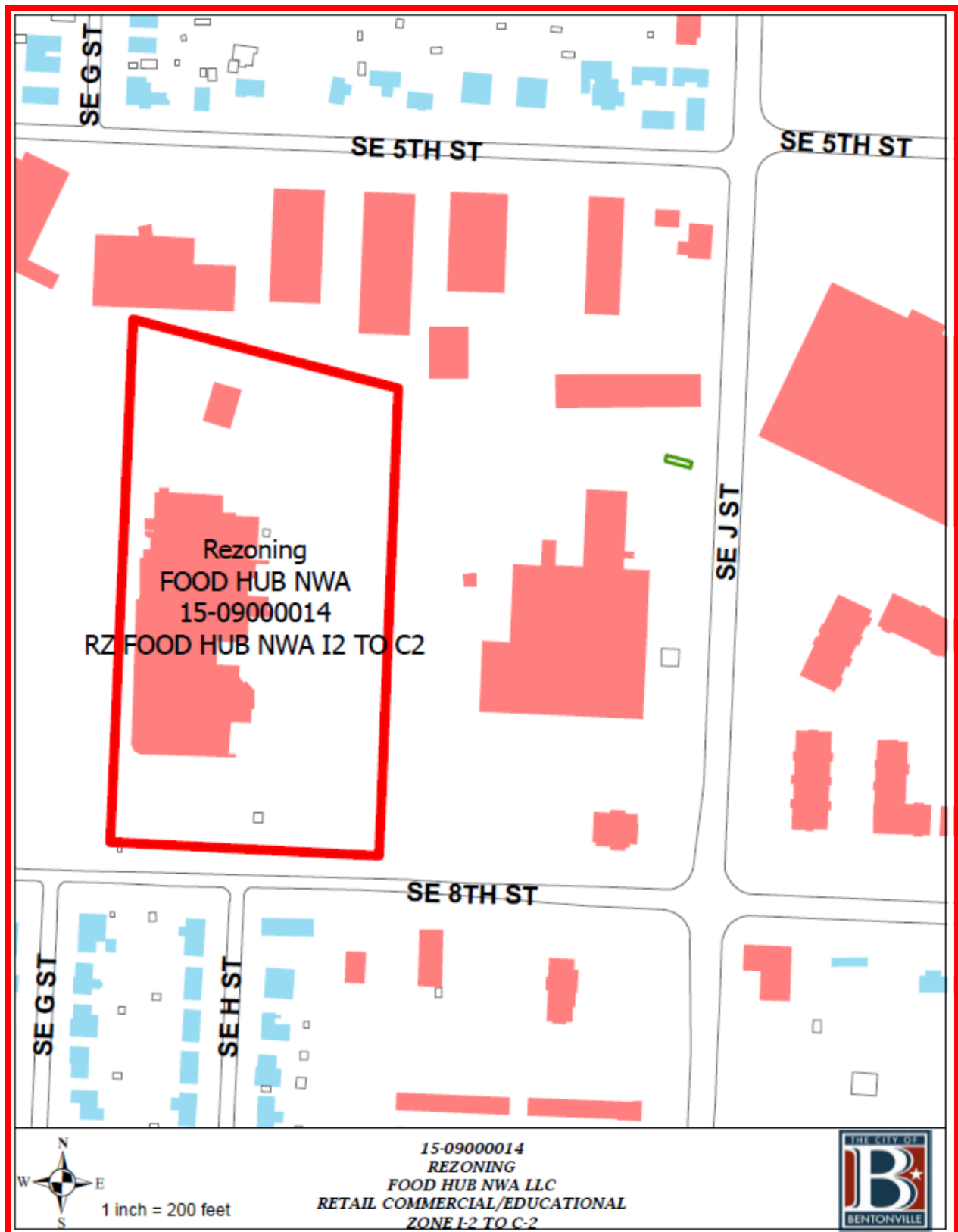
Finding(s) of Staff: Water and sewer are available at this location. Pressure and capacity is adequate for the scope of the project.

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Mixed Use.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from I-2, Heavy Industrial to C-2, General Commercial.





ENGINEERS ■ SURVEYORS ■ PLANNERS
LANDSCAPE ARCHITECTS ■ ENVIRONMENTAL SCIENTISTS

3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844
www.ceieng.com

March 2, 2015

Mr. Beau Thompson
City of Bentonville
Planning Department
Community Development Building
305 SW A St.
Bentonville, AR 72712

**Re: Food Hub NWA, LLC – Tyson Plant Conversion
Rezoning Application**
801 SE 8th Street
CEI #28259.0

Mr. Thompson,

Food Hub NWA LLC submits its request for rezoning approval for parcels 01-00704-000, 01-00704-001, and 01-00705-000. Information required for this submittal follows:

- The 9.55-acre property includes the existing vacant Tyson Foods Krispy Kitchen building and wastewater treatment structures and is zoned I-2 for the former industrial use. The facility is proposed to be converted to a mixed commercial and educational use conforming to a C-2 General Commercial zoning. The educational component is a planned Northwest Arkansas Community College Culinary Arts school within a dedicated portion of the building and a Conditional Use application is submitted by separate application with this rezoning request. The remainder of the building is tentatively planned for commercial use, including retail and food service occupancy. The building will be set up as a commercial condominium with the Community College space owned by a non-profit corporation. The remaining commercial portions of the building will be owned by a limited liability corporation established for that purpose by the current property owner.
- This rezoning request is necessary because the current I-2 zoning does not allow a number of the potential commercial uses, including artisan shop, bakery, bar, lounge, or tavern, restaurant, or retail sales. This property lies within the Market District established by the City of Bentonville and the requested zoning will more closely match the uses proposed within the Market District.
- Uses among the surrounding properties include residential to the south of 8th street; industrial to the east, commercial office to the north, and undeveloped to the west. The C-2 zoning is more compatible to both the properties lying north and south of the site. The existing manufacturing facility to the east of the site has been in place for several decades and its operations do not result in negative impacts, such as noise, odors, or

Providing Consolidated Land Development Services

CALIFORNIA ■ TEXAS ■ ARKANSAS ■ MINNESOTA ■ GEORGIA ■ PENNSYLVANIA

heavy traffic to the site. The property to the west is undeveloped and is therefore not impacted by nor does it currently impact the site.

- The rehabilitated facility proposed use is educational, retail commercial, and food service.
- Access to the facility is currently by driveways onto 8th Street at the southeast and southwest corners of the site and is expected to provide adequate access and circulation as presently configured. The facility owner is evaluating potential additional access off of 6th Street and reconfiguration of the southwest driveway.
- Signage shall conform to City of Bentonville requirements
- The exterior façade of the existing building is to be upgraded from its current all-block construction. Additional entry points and windows are to be added to the building.
- Water and sewer infrastructure on the site is more than adequate due to the former use of this facility for prepared chicken processing. Sanitary sewer is located along the west side and the north side of the site and will provided adequate service to the facility. Water located on 8th Street will serve the facility with either existing water services or new water services to the building.

Please find enclosed submittal materials as specified on the Conditional Use Checklist. Should you have any questions, feel free to contact me at your convenience (479) 273-9472.

Sincerely,
CEI Engineering Associates, Inc.



Thomas C. Oppenheim, P.E., CPESC
Project Manager

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO C-2, GENERAL COMMERCIAL.

WHEREAS, Food Hub NWA, LLC duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to C-2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

801 Southwest 8th Street

Tracts 1 and 2 as shown in Plat Record "Q" at page 215 lying in the SE 1/4 of the NW 1/4 of Section 32, Township 20 North, Range 30 West, Benton County, Arkansas, more particularly described as follows, to-wit:

Commencing at the calculated position of the Southeast corner of said forty acre tract; Thence North 02°58'15" West a distance of 25.00 feet; Thence North 87°01'45" West a distance of 590.31 feet to a found 5/8" rebar at the Southwest corner of said Tract 2 for the Point of Beginning;

Thence continuing along said line, North 87°01'45" West, a distance of 476.67 feet to a found 5/8" rebar at the Southwest corner of said Tract 1; Thence along the West boundary of said Tract 1, North 02°28'57" East, a distance of 924.50 feet to the North line of said Tract 1; Thence along the North line of said Tracts 1 and 2, South 75°24'46" East a distance of 487.33 feet to the Northeast corner of said Tract 2; Thence along the East boundary of said Tract 2, South 02°28'18" West a distance of 826.37 feet to the Point of Beginning, containing 417,204 Square Feet or 9.58 Acres, more or less.

Less and Except

A strip of land lying in the Southeast Quarter of the Northwest Quarter of Section 32, Township 20 North, Range 30 West, Fifth Principle Meridian, being a remnant of Tract 1 of Plat Book Q, Page 215, created by Deed Book 2009, page 18471, being described by metes and bounds as follows:

Beginning at a 5/8" rebar at the Southwest corner of said Tract 1; Thence along the West line of said Tract 1, North 02° 28' 57" East, a distance of 924.50 feet to the North line of said Tract 1; Thence along said line, South 75° 24' 46" East a distance of 1.46 feet to the West line of said Deed Book 2009, Page 1847; Thence along the fence line and said line the following seven courses:

1. South 02° 28' 13" West, crossing a set 5/8" rebar with cap (LS 1337) at a distance of 10.00 feet, and continuing for a total distance of 127.54 feet;

2. South 02° 14' 57" West a distance of 12.93 feet;
3. South 02° 35' 44" West a distance of 142.13 feet;
4. South 02° 25' 42" West a distance of 112.95 feet;
5. South 02° 33' 41" West a distance of 268.30 feet;
6. South 02° 27' 21" West a distance of 141.60 feet;
7. South 02° 29' 08" West a distance of 118.75 feet to the South line of said Tract 1;
8. North 87°01'45" West a distance of 1.02 feet to the POINT of BEGINNING and containing 1,113 Square Feet or 0.03 Acres.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 7th day of April 2015 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to C-2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to C-2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2015

ATTEST

APPROVED

CLERK

MAYOR

Planning Commission Staff Report
Lot Split: Lots 198, 199 and 200 Stoneburrow Subdivision Phase 1

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: April 7, 2017

GENERAL INFORMATION:

Project Number: 15-05000003

Applicant: ATEX Investments

Representative: Larry Matlock

Requested Action: Lot Split Approval

Location: Town Vu Road

Existing Zoning: R-1, Single family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a Lot Split of Lot 197 Stoneburrow Subdivision Phase 1 at Town Vu Road and Southwest River Rock Street. Lot 197 will be split into three lots to be known as Lot 198 (.36 acres), Lot 199 (.25 acres) and Lot 200 (.33 acres). Lot 200 will have access to Southwest River Rock street only. The applicant is proposing Lots 199 and 198 have shared access to Town Vu Road. All utility and right of way exist for these lot.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	A-1, Agricultural	Residential Estate
South	A-1, Agricultural	Low Density Residential
East	R-1, Single Family Residential	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North	Town Vu Road	Collector
South		
East		
West	Southwest River Rock Street	Local Street

TRAFFIC FINDINGS

- (e) Traffic data for the nearest intersections are as follows: No traffic data exists for this location.
- (f) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this is the location of a vacant lot with a developing single family residential subdivision.

Drainage Report: A drainage report is not required for this lot split.

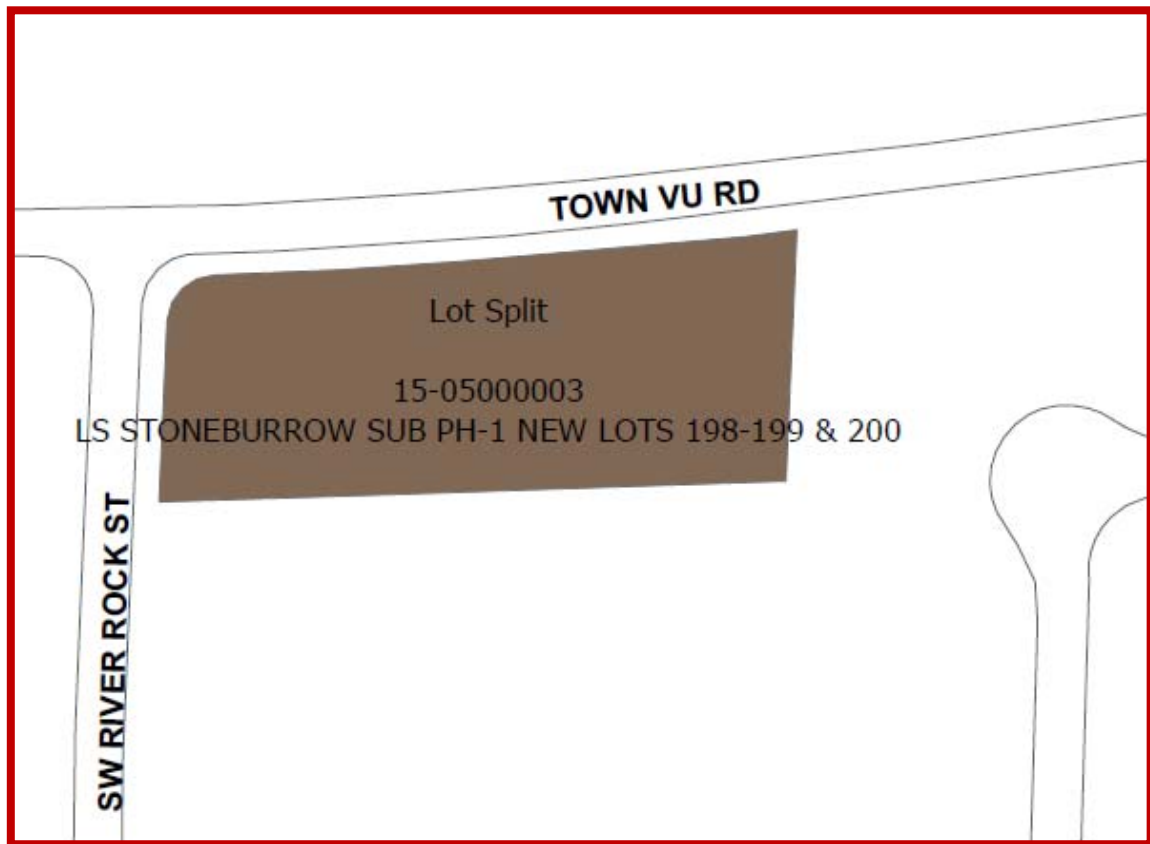
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

Waiver(s): The applicant has submitted a waiver to the access requirements as it relates to Residential and Subdivision access. No residential lot shall have direct access to a collector street. The applicant is proposing a shared driveway between lots 198 and 199 that would provide a turn around on each lot and facilitate safer egress onto Town Vu Road.

Analysis / Conclusion: This lot split DOES NOT meet the minimum requirements of the subdivision regulations due to the waiver request.

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL.



We respectfully request a waiver for the following development ordinances as specified by the City of Bentonville Subdivision Regulations, Section 1100.9.C, Residential and Subdivision Access.

We are planning to divide Lot 197, Stoneburrow Addition into three (3) single family lots along Town Vu Road in Bentonville. Our desire is to access Lot 200 (see attached exhibit) off of SW River Road and share an access for Lots 198 and 199 off of Town Vu Road. Per the regulation noted above, access for residential lots is not permitted off of a collector street. Other options for accessing Lots 198 and 199 is to plat a public alley along the south side of Lots 199 and 200, 15' in width and construct a public paved alley. Currently the rear setback on these lots is 25'. If we dedicate a public alley as noted, the building setback will be 25' from the public alley, effectively reducing the buildable lot depth from approximately 70' to approximately 55'. Additionally, the cost to construct the alley will make developing the lots not cost effective. Further, our research has shown that rear access lots are very difficult to sell in this area. Highpointe Addition was subdivided in 2006, and 56 of the 138 lots, or over 40%, still remain unsold and owned by the original developer. The last five lots sold were to Behr, LLC in 2014, and of the five homes they built, only two have sold. Finally, the location of these lots are just a few hundred feet from the City limits, therefore access would not affect traffic along Town Vu Road. In order to address any concerns about cars backing out onto Town Vu Road, builders will be required to build a turn-around for each driveway accessing Lots 198 and 199 and we have added a note to the plat stating "A turn-around shall be provided for driveway accesses to Town Vu Road".

In conclusion, it is our opinion that not allowing a single access to Lots 198 and 199 would cause the sale and development of these lots to be cost prohibitive.

Please consider this waiver requests on the ordinances described. If you have any questions or need additional information, please call.

Sincerely,



Larry J. Matlock
Agent for ATEX Investment, LLC

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 198,199 AND 200 STONEBURROW
SUBDIVISION PHASE 1 TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 198,199 and 200 Stoneburrow Subdivision Phase 1, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 7th day of April, 2015 and

WHEREAS, said lot split is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated and at other times, and voted to recommend the approval of said lot split to the City Council; and

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said lot split should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the lot split of Lots 198,199 and 200 Stoneburrow Subdivision Phase 1, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED THIS _____ DAY OF _____, 2015

ATTEST

APPROVED

CITY CLERK

MAYOR

Planning Commission Staff Report
Lot Split: Lots 1, 2, and 3 Hogwild Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: April 7, 2015

GENERAL INFORMATION:

Project Number: 15-05000004

Applicant: Louise Bishop Revocable Trust

Representative: Bill Watkins and Alan Reid

Requested Action: Lot Split Approval

Location: Southeast 28th Street and Southeast J Street

Existing Zoning: I-1, Light Industrial, C-2, General Commercial, and A-1, Agricultural

Land Use Plan: Commercial and Office

BACKGROUND:

The applicant has submitted a lot split for 19.41 acres located southwest of Southeast J Street and Southeast 28th Street. The 3 lot subdivision will be known as Hog Wild Subdivision. Lot 1 will consist of 14.75 acres, Lot 2 will consist of 4.60 acres while lot 3 will encompass 5.13 acres. Right of way is being dedicated along Southeast 28th street and Southeast J Street. Right of way for a 250' cul-de-sac is also being dedicated from Southeast 28th Street. Water and sewer are available along both frontages. Thirty-five feet of right way will also be dedicated along the west property line to meet the requirements of the Collector street shown on the Master Street Plan

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	C-1, Neighborhood Commercial	Commercial
South	A-1, Agricultural	Office
East	R-3, Medium Density Residential	Commercial
West	A-1, Agricultural	Open Space

STREETS

Direction	Name	Classification
North	Southeast 28 th Street	Arterial
South		
East	Southeast J Street	Arterial
West		

TRAFFIC FINDINGS

(g) Traffic data for the nearest intersections are as follows: No traffic data exists for this location.

(h) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.
3. A bond must be submitted and approved by the City Engineer for the construction of a 250' cul-de-sac prior to filing of the plat.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this is the location of an existing single family residential home within a large vacant parcel.

Drainage Report: A drainage report is not required for this lot split.

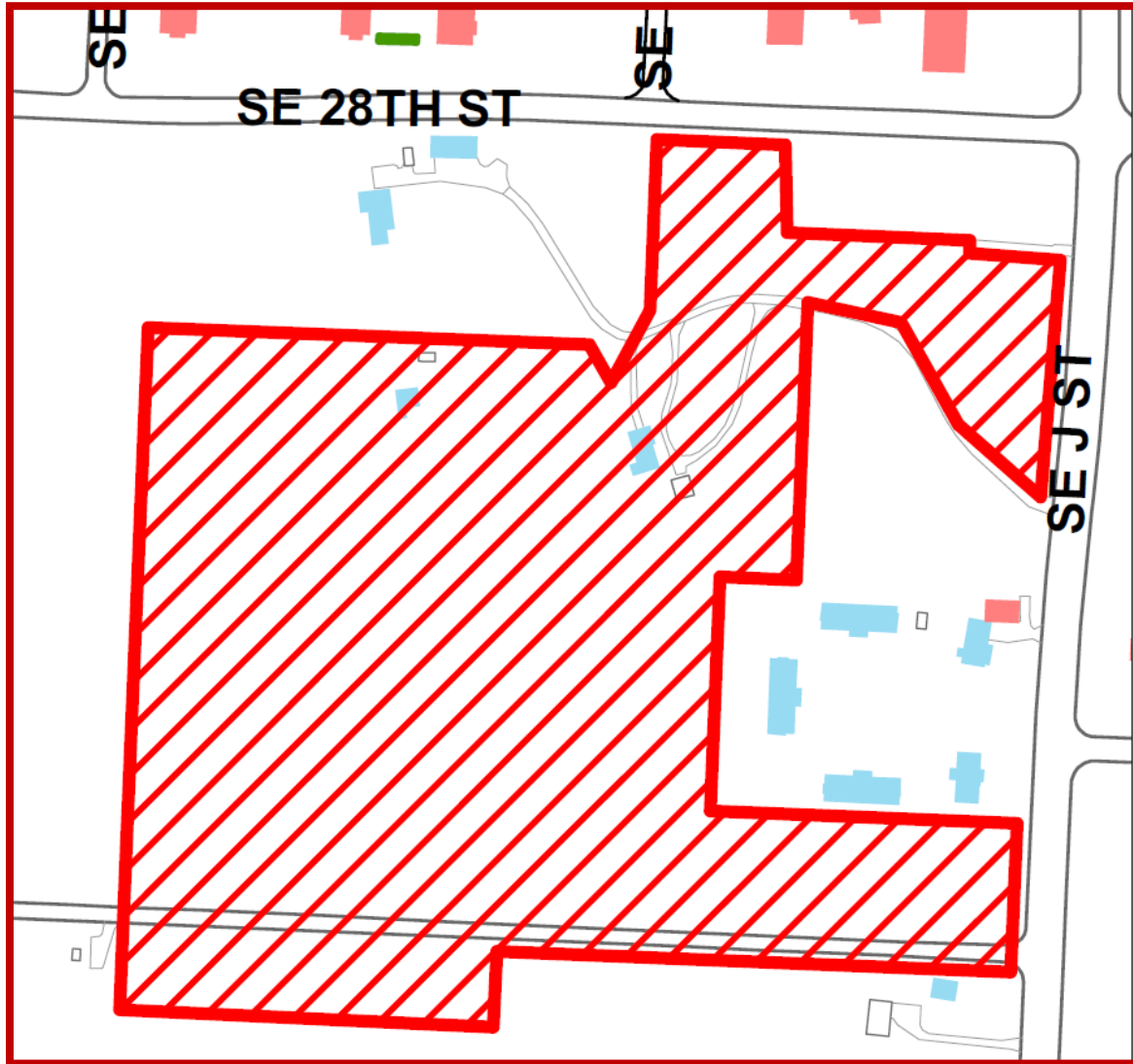
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

Waiver(s):

Analysis / Conclusion: This lot split DOES meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL.



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 1,2, AND 3 HOGWILD SUBDIVISION
TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 1,2 and 3 Hogwild Subdivision, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 7th day of April, 2015 and

WHEREAS, said lot split is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated and at other times, and voted to recommend the approval of said lot split to the City Council; and

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said lot split should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the lot split of Lots 1,2 and 3 Hogwild Subdivision, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED THIS _____ DAY OF _____, 2015

ATTEST

APPROVED

CITY CLERK

MAYOR



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

April 14, 2015

Submitted by: Ben Peters

Department: Engineering

Phone: 479-271-3166

ACTION REQUIRED:

A resolution setting a public hearing for a utility easement vacation located in Lot 1 Stuckey Subdivision.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount: \$0

☒ One time amount ☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head: [Signature] Date: 4-1-15

Purchasing Agent: [Signature] Date: [Blank]

Finance Director: [Signature] Date: 4-8-15

CT: [Signature] Date: 4/8/15

Staff Attorney: [Signature] Date: 4/09/15

Mayor: [Signature] Date: [Blank]

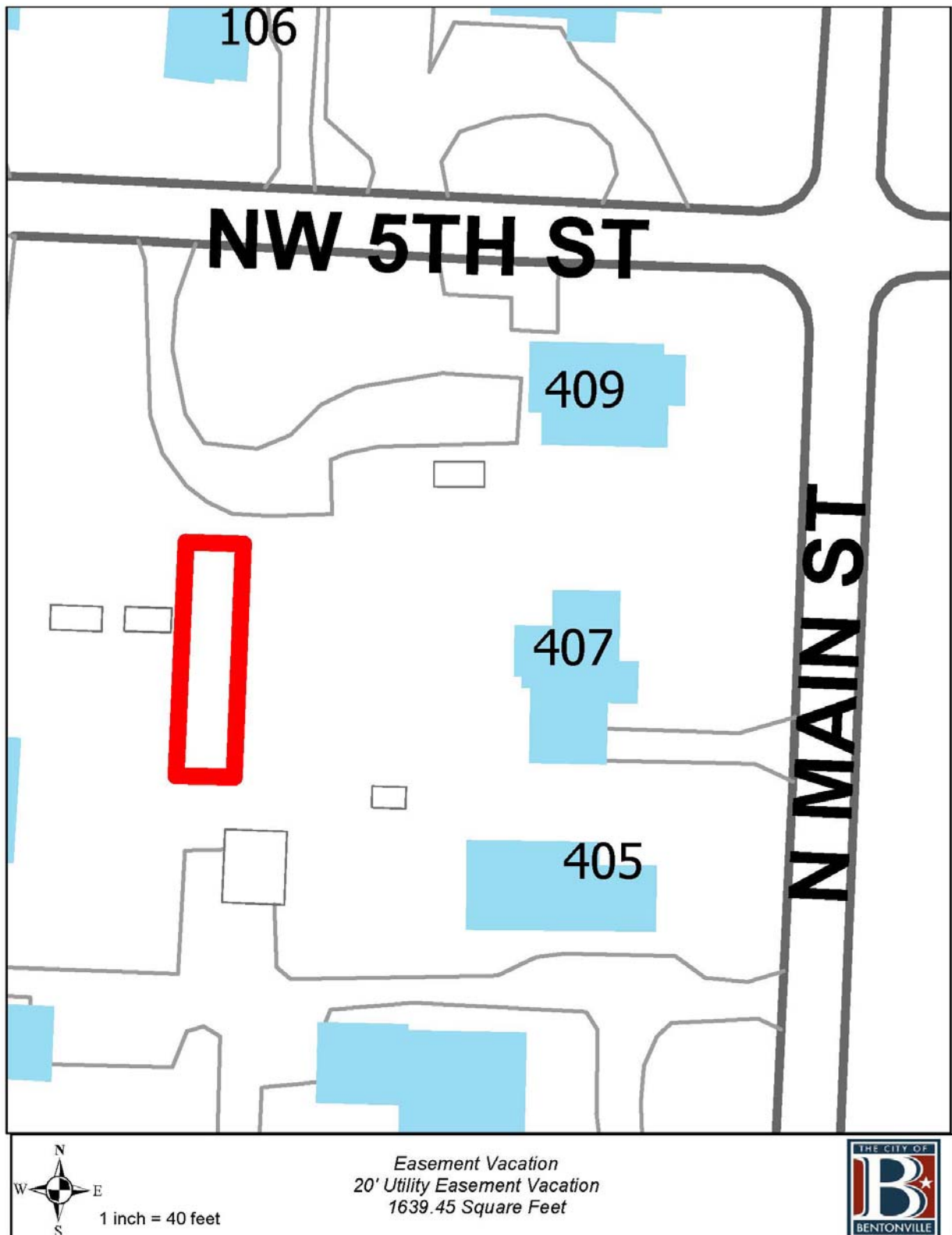
This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE





RESOLUTION NO. _____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by Karen and Andy Stuckey, requesting a utility easement vacation within the City of Bentonville, Arkansas be vacated, which said utility easement is described as follows:

A 20 ft. easement located along the west line of Lot 1 Stuckey Subdivision, Bentonville, Arkansas, Benton County, Arkansas filed in Book 2014 Page 507.

WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published in and having general circulation in Bentonville, Benton County, Arkansas.

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to close and vacate a utility easement at the above described property is set for hearing on April 28, 2015 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved and adopted the _____ day of _____ 2015 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Linda Spence, City Clerk
Bentonville, Arkansas

Bob McCaslin, Mayor
City of Bentonville, Arkansas



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
	Informational	
	Ordinance	
	Resolution	
X	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

April 14, 2015

Submitted by: Mike Bender

Department

Public Works Director

Phone

271-6720

ACTION REQUIRED:

Appoint Mike Bender to serve as the City's representative on the Benton County Regional Solid Waste Management District's Board for a maximum term of four (4) years commencing in May 2015. Mike Bender replaces Mike Roberts who retired from the City effective March 27, 2015.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head

3/30/15
Date

Purchasing Agent

Date

Finance Director

DL
4-8-15
Date

CT
Staff Attorney

4/8/15
Date

POM
Mayor

4/09/15
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Benton County Regional Solid Waste Management Board City Delegate Appointment

Pursuant to Arkansas Code 8-6-707, any city with a certified population over 2,000 must place a representative on the Board of the Benton County Solid Waste District.

Arkansas Code Annotated § 8-6-707.

(b) (1) Each regional solid waste management board shall be composed of representatives of the counties within the district and representatives of all first class cities, of all cities with a population over two thousand (2,000) according to the latest federal decennial census, and of the largest city of each county within the district.

(2) The county judge of each county within the district and the mayor of each city entitled to a representative in the district shall serve on the board, unless the county judge or mayor elects instead to appoint a member as follows:

(A) The county judge, with confirmation by the quorum court of each county within the district, shall appoint one (1) member to the board; and

(B) The mayor, with confirmation by the governing body of each city entitled to a representative in the district, shall appoint one (1) member.

Appointees may serve a maximum of four (4) years.

Mayor's Appointee

I, Bob McCaslin, Mayor of the City of Bentonville, do hereby appoint Mike Bender to serve as the City's representative on the Benton County Regional Solid Waste Management District's Board at any regular or special Board meeting and at any Committee meeting.

Confirmation

Appointment of the Member was confirmed by the City Council / City Board on

April 14, 2015. I am attaching a copy of the meeting minutes indicating this confirmation.

Mayor

Date



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
x	Change Order	
	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

April 14, 2015

Submitted by: Jon Simpson

Department: Police

Phone: (479) 271-3172

ACTION REQUIRED:

Bentonville Police Department Perimeter Fence is now complete. To reconcile the quantities used and the final price of the contract, a reconciliation change order is needed. The final project cost is \$1,549.82 less than the currently contracted amount of \$65,000.00.

COST TO CITY:

Cost of this Request: (\$1,549.82)

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ 65,000.00
Funds Expended to Date	57,105.16
Remaining Budget	7,894.84
Budget Adjustment	(1,549.82)
Remaining After Adjustment	\$ 6,345.02

Department Head

Date

Purchasing Agent

Date

Finance Director

Date

Staff Attorney

Date

Mayor

Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





CHECK ALL THAT APPLY		
	Bid Award	Bid #
x	Budget Adjustment	
	Change Order	
	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

April 14, 2015

Submitted by:

Jon Simpson

Department

Police

Phone

271-3172

ACTION REQUIRED:

Budget adjustment in the amount of \$4,200.00 to be used to purchase uniforms for the purpose of establishing a Police Department Honor Guard program. The budget adjustment amount is sourced from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C.3750), subgrant number 14-979-13L, and would be placed in our Uniform account to cover project expenses.

COST TO CITY:

Cost of this Request:

W

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head

Date

Purchasing Agent

Date

Finance Director

Date

Staff Attorney

Date

Mayor

Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

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www.bentonvillear.com



PLEASE RECYCLE





Date of Request: April 14, 2015

[illegible]

Funds received through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to be used to purchase Honor Guard uniforms.

Date: _____ Date entered: _____ By: _____





STATE OF ARKANSAS

OFFICE OF INTERGOVERNMENTAL SERVICES

**Department of Finance
and Administration**

1515 West Seventh Street, Suite 400
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 683-5604
Fax: (501) 682-5206
<http://www.dfa.arkansas.gov>

March 16, 2015

For recipients of LLEBG grants:

Enclosed is a check for \$4200.00 for the block grant that was previously awarded to your city/county. We are also enclosing a copy of the fully executed award document for your records. The award period for this grant began on February 1, 2015, so if you have already made purchases, they are an allowable use of these enclosed funds. **The grant period ends on April 30, 2015, but a no-cost extension of 30 days may be obtained if you are unable to complete all of your purchases. To receive that extension, you must show that you made the order of equipment within 15 days of the receipt of this check.**

It is a pleasure for our office to be able to provide funds to roughly 200 cities and counties in our state this year, and we hope that the purchases you are able to make with the grant will provide valuable assistance to your law enforcement community.

By this time, you have established a working relationship with the analyst that is assigned to your grant, and we encourage you to speak with them if you have any questions regarding your grant funds and their expenditure.

The Department of Finance and Administration is proud of the federal grant funds that it has been able to move out into the local jurisdictions in our state, and this LLEBG grant is another example of that ongoing commitment.

Please spend your funds as quickly as possible, and return your documentation and closeout information. When that is done you will no longer have reporting requirements to our office. Failure to provide your reports in a timely manner can result in a reduction of your award during the next grant cycle.

Best regards,

Diana K. Wilson
JAG Grants Coordinator

Dkw

Encl: check and award document

cc: Melissa Trostel-Hall
Sonny Scott
James Lawson
Assiah Lewellen

JAG Special Purpose Mini Grant (aka LLEBG)

SUBRECIPIENT RESPONSIBILITIES

(List of Actions Required to Maintain Compliance)

PLEASE MAKE SURE THE GRANT CONTACT RECEIVES THIS DOCUMENT

Grant Period End Date: 04/30/2015

REPORTING

Your agency has received a check for awarded grant funds. **Monthly reporting is now required.**

- **MONTHLY REPORT DUE BY 10th OF EACH MONTH**
- **MONTHLY REPORTS TO BE SIGNED BY AUTHORIZED OFFICIAL**
- **MONTHLY REPORT TO INCLUDE SHORT NARRATIVE**

Please submit the first monthly report by the 10th of April. If no spending has occurred in the previous month, simply report \$0. You are required to continue to submit monthly reports (on previous month expenses) by the 10th of each month until the balance of the grant funds are expended. The report should include a short narrative of how purchases have/will enhance or improve local law enforcement operations.

The Authorized Official is required to sign the reports (for city=mayor, for county=judge). Reports may be scanned and submitted via email.

Take photos of purchased items when you receive them. The photos will be submitted later as part of the closing process. PLEASE NOTE: If the items have serial number labels, you will need to get a close up photo of that number in addition to a photo of the item overall. If the item is apparel with the agency's logo, please get a close up of the logo/patch. If you purchased multiples of the same items, please get a good photo of one and indicate in writing how many were purchased.

Funds should be spent by 04/30/15, if you have a problem completing expenditures by that date, please contact your analyst.

GRANT CLOSING

When your agency has spent all of the awarded funds, we will need to complete the grant closing process. **Documentation for the grant closing process:**

- **INVENTORY REPORT SIGNED BY AUTHORIZED OFFICIAL**
- **INVOICES**
- **PROOF OF PAYMENT**
- **PHOTOS OF PURCHASED ITEMS**

The inventory report will be submitted after all purchases are complete and the balance of the grant funds are expended (when you are ready to close). Please include copies of the final receipts/invoices. Please include proof of payment. Bank processed or canceled check images (front and back) are required proof of payment (image of back of check includes information that the bank prints on the check to show when the check was paid / cleared). Please submit photos of the purchased items. Photo documentation of the purchased items is required supporting documentation for the inventory report. If the items have serial number labels, you will need to get a close up photo of that number in addition to a photo of the item overall. If the item is apparel with the agency's logo, please get a close up of the logo/patch. If you purchased multiples of the same items, please get a good photo of one and indicate in writing how many were purchased.

QUESTIONS? CALL 501-683-5604 OR EMAIL YOUR ASSIGNED ANALYST – THANK YOU

AR DFA-IGS-JAG 20180301



ARKANSAS DEPARTMENT OF
FINANCE AND ADMINISTRATION

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 400
PO Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
<http://www.dfa.arkansas.gov>

Edward Byrne Memorial
Justice Assistance Grant (JAG) Program
Local Law Enforcement Block Grant

CFDA #:16.738

☐

JAG

☒

RSAT

LLEBG

1. SUBGRANTEE NAME AND ADDRESS (Including Zip Code)

Bob McCaslin, Mayor
City of Bentonville
908 Southeast 14th Street
Bentonville, AR 72712

4. SUBGRANT NUMBER: 14-979-13L

5. FEDERAL AWARD NUMBER: JAG-12/13/14-DJ-BX...

6. START DATE: February 01, 2015

END DATE: April 30, 2015

7. AWARD DATE: February 01, 2015

2. MODIFICATION EFFECTIVE DATE:

Change End Date from
Award Amount Modified Consistent with Approved Subgrant Budget

8. ACTION: ☒

Initial

☐

Modification

2A. MODIFICATION AMOUNT \$

FEDERAL \$

LOCAL MATCH \$

9. AWARD AMOUNT \$

FEDERAL \$ 4200.00

STATE

LOCAL MATCH

3. COMMON NAME: Bentonville Police Dept.

10. FFATA ELIGIBLE: YES ☐ NO ☒

HAVE YOU RECEIVED MORE THAN 300,000 IN FEDERAL FUNDS IN THE LAST FULLCALENDER YEAR? YES ☐ NO ☒

11. SPECIAL CONDITIONS (check if applicable)

☒

THE ABOVE GRANT AWARD IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS SET FORTH IN THE APPLICATION AND ALL CERTIFICATIONS, ASSURANCES AND SPECIAL CONDITIONS PREVIOUSLY AGREED TO. THOSE DOCUMENTS IMMEDIATELY FOLLOW THIS AWARD DOCUMENT.

Please note that Special Condition #20 requires Subgrantee action.

This project is supported under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3750).

AGENCY APPROVAL

SUBGRANTEE APPROVAL

12. TYPED NAME AND TITLE OF APPROVING IGS OFFICIAL

Doris Smith, Administrator
Intergovernmental Services

13. TYPED NAME AND TITLE OF AUTHORIZED SUBGRANTEE OFFICIAL

Bob McCaslin, Mayor
City of Bentonville

14. SIGNATURE OF APPROVING OFFICIAL

[Redacted Signature]

15. SIGNATURE OF AUTHORIZED OFFICIAL

[Redacted Signature]

16. DATE

03.04.2015



CHECK ALL THAT APPLY	
	Bid Award
	Budget Adjustment
	Change Order
	Informational
X	Ordinance
	Resolution
	Other

AGENDA FORM

CITY COUNCIL MEETING OF:

April 14, 2015

Submitted by: Travis Matlock

Department Electric

Phone 271-3135

ACTION REQUIRED:

Council approval of an ordinance authorizing the Mayor and City Council to enter into a contract with UCO Equipment for the transfer of an aerial device from an existing service truck to a new cab and chassis in the amount of \$26,783.00 and waiving the requirement of competitive bidding. This service is a "single source" item/service in the state of Arkansas. This is a 2015 budgeted item.

COST TO CITY:

Cost of this Request: \$26,783

Additional Budget Amount

☒ One time amount ☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	
Budget Adjustment	
Remaining After Adjustment	\$

TJM 4/16/15
Department Head Date

CT 4/9/15
Staff Attorney Date

Purchasing Agent Date

PM 04/09/15
Mayor Date

TD 4-8-15
Finance Director Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

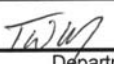
117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



REQUEST FOR WAIVER OF BID

Date	<u>4/14/2015</u>		
Requested by:	<u>Travis Matlock</u>		
Department:	<u>Electric</u>		
DESCRIPTION OF REQUEST:			
Type of Equipment:	<u>Transfer of Aerial Device</u>		
Year & Model:	<u>2015</u>		
Serial #	<u>Altec Model AT37G Aerial Device</u>		
To Be Purchased From:	<u>UCO Equipment</u>		
	<u>4045 Highway 5</u>		
	<u>Cabot, AR 72023</u>		
Amount:	Base Amount:	\$	<u>26,783.00</u>
	Tax:	\$	<u>2,410.47</u>
	*Other:		<u> </u>
	TOTAL	\$	<u>29,193.47</u>
* List all other costs:			
JUSTIFICATION FOR REQUEST FOR WAIVER OF BID:			
This is a single source service in the state of Arkansas. We will be transferring an existing aerial device (boom) from an existing service truck to a new cab/chassis that was purchased earlier this year. This is a 2015 budgeted item.			
 _____ Department Head		 _____ Director of Finance & Administration	
Revised 6-18-99			

MEMORANDUM

DATE: April 6, 2015

TO: Planning Commission, City Council, Mayor McCaslin

FROM: Travis Matlock, Engineering Director

RE: Boom transfer services – UCO Equipment

The City of Bentonville Electric Department recommends entering into an agreement with UCO Equipment for the transfer of an aerial device from an existing service bucket truck (40' boom) to a new cab/chassis purchased earlier this year. The cost of transfer services is \$26,783.00. The cab/chassis was purchased for \$42,924.00, bringing the total cost of the vehicle to \$69,707.00.

UCO will evaluate the existing cab/chassis and if there is nothing mechanically wrong, they will apply up to \$3,000.00 as trade-in value towards the transfer.

The Electric Department will use this opportunity with the 40' bucket to judge the possibility of performing this service in the future with the larger bucket trucks. This would extend the life of the Electric Department's fleet.



4045 Highway 5
Cabot, AR 72023
(501) 941-4330 – office
(501) 941-2211 – fax
www.ucoequipment.com

Larry Gordon
(501) 944-5940 – mobile
larry@ucoequipment.com

Page 1 of 3

February 10, 2015
Quotation Number 20215 Revision-1
City Of Bentonville

Bentonville, Arkansas
Attn: Mr. Doug Charest
Dear Doug,

We are pleased to furnish our Quotation 20215 for a (Customer Furnished) New 2015 Dodge 5500 and removing Aerial Device and Body from old Ford F550 Chassis and reinstall Customer Furnished Altec Model AT37G Aerial Device on New Chassis.

- Remove AT37G Altec and Service Body from old Chassis.
- Remove all accessories from Service Body.
- Extend rear frame of chassis to match tailshelf.
- Reinstall Customer Furnished Model AT37G Altec Aerial Device and Service Body.
- Install Heavy Duty Power Take Off for Hydraulic Pump.
- Install New Hydraulic Pump to supply Aerial Device Hydraulics.
- Install all new hydraulic hoses below rotation.
- Reinstall Special Sub Frame for mounting of Aerial Device and "H" Style Outriggers.
- Install Outrigger Control Valves at rear.
- Install Pintle Hook with safety "D" Rings at rear of Bed
- Fill Hydraulic Reservoir with Hydraulic Bucket Oil.
- Install Two Speed Throttle assembly for Aerial Device.
- Reinstall Start/Stop for Aerial Device.
- reinstall Outrigger Boom Interlock system.
- Install 120 Volt Dimensions 12/3000N Power Inverter.
- Install Rope Lighting in boxes and Service Body Compartments.
- Install Strobe Lights in front Grille and rear bumper.
- Install two (2) Stryker GO Lights mounted each side of Body.
- Install Marine Carpet in bottom of Bins and Tool Box.
- Dielectric Test Aerial Device.
- Stability Test the Aerial Device
- Install Safety Decals.

Page 2 of 3

- Paint Aerial Device, Utility Body inside and outside, and Boom Support.
- Gel Coat upper fiberglass boom and lower boom insert and Bucket.
- Paint Non-Skid material on all walk surfaces.

MATERIAL AND LABOR	TOTAL PRICE	\$ 26,783.00
--------------------	-------------	--------------------

OPTIONAL:

- A- Trade In of a 2006 F550 Ford Chassis when the AT 37 G is removed from it.
Vin 1FDAF57P16ED28859 with Appx. 92,136 mileage DEDUCT -(\$ 3,000.00)

OPTIONS:

Notes:

- Prices are FOB Cabot, Arkansas See above prices.
- Prices exclude any applicable Taxes.
- Any repairs necessary to the aerial device are not included in the above price and will Be invoiced additional.(Items such as, Hoses or Covers, etc)
- Terms: Net 10 Days after receipt of Invoice.
- Quotation good for 30 days. Contact us for a possible extension if required.
- Delivery approximately 120/150 Days after receipt of purchase order.
- IF you have any questions please give me a call 1-501-944-5940 or office Toll Free 1-877-941-4330

UCO Equipment, Inc.
4045 Highway 5
Arkansas

Accepted By: _____ Cabot,

Purchase Order Number: _____

Date: _____


Larry D. Gordon
Vice President

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT WITH UCO EQUIPMENT FOR THE TRANSFER OF AN AERIAL DEVICE FROM AN EXISTING SERVICE TRUCK TO A NEW CAB AND CHASSIS FOR THE CITY OF BENTONVILLE ELECTRIC UTILITIES DEPARTMENT AND WAIVING THE REQUIREMENT OF COMPETITIVE BIDDING.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an Agreement with UCO Equipment for the transfer of an aerial device from an existing service truck to a new cab and chassis for the City of Bentonville Electric Utilities Department in an amount of \$26,783.00 as set forth in the attached Exhibit "A".

Section 2: Because UCO is the sole provider of said remounts service in this region, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2015.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
	Informational	
X	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

April 14, 2015

Submitted by: Travis Matlock

Department Electric

Phone 271-3135

ACTION REQUIRED:

Council approval of an ordinance authorizing the Mayor and City Council to enter into a contract with NovaTech for (1) Remote Terminal Unit for Bentonville's Substation "G" in the amount of \$29,422.50 and waiving bids. This equipment is a "single source" and matches the Remote Terminal Units at all existing Substations. All the Remote Terminal Units work with our existing central master station. This is a 2015 budgeted item.

COST TO CITY:

Cost of this Request: \$29,423

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

[Signature] 4/6/15
Department Head Date

CT 4/9/15
Staff Attorney Date

Purchasing Agent Date

POM 04/09/15
Mayor Date

[Signature] 4/8/15
Finance Director Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



MEMORANDUM

DATE: March 31, 2015

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineer Director

RE: Ordinance for the Mayor and City Council to enter into an agreement with NovaTech to supply an RTU for Substation "G"

The Electric Department recommends entering into an agreement with NovaTech to provide one RTU (Remote Terminal Unit) to the City of Bentonville for Substation "G" in the amount of \$29,422.50. The RTU allows the station to communicate with Bentonville's master SCADA system. This is part of the continual process of upgrading all Bentonville's substations to SCADA. This is a 2015 budgeted item.

REQUEST FOR WAIVER OF BID

Date	<u>4/14/2015</u>		
Requested by:	<u>Travis Matlock</u>		
Department:	<u>Electric</u>		
DESCRIPTION OF REQUEST:			
Type of Equipment:	<u>Substation Remote Terminal Unit</u>		
Year & Model:	<u>2015</u>		
Serial #	<u>Various pieces, see attached itemized list</u>		
To Be Purchased From:	<u>Novatech, LLC.</u>		
	<u>13555 West 7th Street</u>		
	<u>Lenexa, KS 66219</u>		
Amount:	Base Amount:	\$	<u>29,422.20</u>
	Tax:	\$	<u>2,648.00</u>
	*Other:		<u> </u>
	TOTAL	\$	<u>32,070.20</u>
* List all other costs:			
JUSTIFICATION FOR REQUEST FOR WAIVER OF BID:			
This is a single source item from our SCADA vendor Novatech. We currently have this same unit in service at all of Bentonville's Substations. This unit will be installed at Substation "G" located at 5498 Barron Road.			
 _____ Department Head		 _____ Director of Finance & Administration	
Revised 6-18-99			



Proposal

City of Bentonville
Pricing for Substation G RTU
Proposal 0315-076
March 18, 2015

Introduction

This proposal describes our offering to supply one RTU for Substation G to the City of Bentonville. This offering is per request on 03/16/2015 from Wayman Thurman of the City of Bentonville to NovaTech. We have attempted to be fully responsive, but if there are questions, please feel free to contact the following individuals:

NovaTech V.P. Business Development/Southeast Region Utility Sales - Kevin Johnson at 570.498.4409, e-mail at kevin.johnson@novatechweb.com.

Director of Operations - BJ Weil at 913.451.1880, fax 913.451.2845, or e-mail bj.weil@novatechweb.com.

Scope

NovaTech will supply Bentonville with an RTU solution that will utilize NovaTech's DDIO Modules. This offering includes the required Orion to provide connectivity to bring the Substation onto the WEBserver SCADA System. Bentonville will provide the required iNET radio.

The RTU will be completely assembled and tested by NovaTech personnel at NovaTech's Lenexa, Kansas, facility prior to shipment.

The bill of materials of major equipment is as follows:

Qty	Mfg	Part #	Description
1	NovaTech	OrionLX-A3-B2-ENXX-IHV-HVXX-01-03-04-07-42-44	OrionLX Automation Platform See Appendix A for part number description
1	NovaTech	DDIO-SER-N-WR-111-HV-42-RACK	Distributed Discrete I/O, 24 DI Rack mount, communicating via Ethernet
3	NovaTech	DDIO-SER-N-WR-110-HV-42-RACK	Distributed Discrete I/O, 16in/8out Rack mount, communicating via Ethernet
1	Hoffman	PTDHW482424G	48"x 24"x24" Nema12 Double-Hinged Wall-Mount Cabinet with window
1	Hoffman	CP4824	48"x24" Back Panel
1	Vicor	VI-JT3-EW-B1	Power Converter
22	P&B	KUEP-7D15-24	Interposing Relay, non-latching
2	P&B	KUL-11D15D-24	Interposing Relay, latching
24	P&B	20C318	Interposing Relay Hold-Down Spring
Lot	Various	TBs and Fuses	Terminal Blocks and Fuses for Customer Interconnect Wiring
1	GarrettCom	4K24CR - 125V dc	24 Port Ethernet Switch (125V dc)



Proposal

City of Bentonville
Pricing for Substation G RTU
Proposal 0315-076
March 18, 2015

Clarifications

- The above BOM is based on Substation H per Wayman Thurman's instruction.
- This offering does not include onsite commissioning, installation, or WEBserver configuration, and will be provided under a separate proposal if needed.
- NovaTech will work with Wayman Thurman to modify the drawings for this RTU prior to submission.
- Assumed Substation G is powered by 125V DC.

Commercial

Supply one RTU for Substation G as specified
Standard Price:\$ 30,615.00 USD

Combined with an NCare Agreement:

RTU Price:\$ 30,615.00 USD
Less 10% Discount of OrionLX:\$ (640.00) USD
Less 10% Discount of DDIO Modules:\$ (552.50) USD

Resulting RTU Price:\$ 29,422.50 USD

The price quoted includes one electronic license-free copy of NovaTech Communications Director (NCD) configuration software and one RS-232 null-modem configuration cable. One electronic copy of all product documentation is also supplied on CD-ROM. Customer is permitted to make additional electronic or hard paper copies of documentation as required. Additional electronic copies of documentation and/or hard copies can be supplied for additional cost.

The prices quoted do not include taxes, duties, packing or shipping.

Delivery: 10-12 Weeks ARO
Terms: NET 30
Validity: 60 Days



Proposal

City of Bentonville
Pricing for Substation G RTU
Proposal 0315-076
March 18, 2015

Appendix A - OrionLX Part Number

OrionLX-A3-B2-ENXX-IHV-HVXX-01-03-04-07-42-44

- Three configurable RS-232 expansion serial ports (A3)
- Two configurable RS-485 expansion serial ports (B2)
- Single Copper Ethernet TCP/IP 10BaseT/100BaseTX (ENXX)
- 48V dc or 125V dc nominal inputs (IHV)
- Single 48V dc to 125V dc/120V ac Power Supplies (HVXX)
- DNP3 Master (01)
- DNP3 IP Master (03)
- Modbus Master (04)
- Modbus IP Master (07)
- DNP3 Slave (42)
- DNP3 IP Slave (44)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT WITH NOVATECH FOR THE PURCHASE OF CERTAIN REMOTE TERMINAL UNIT EQUIPMENT FOR THE CITY OF BENTONVILLE ELECTRIC UTILITIES DEPARTMENT AND WAIVING THE REQUIREMENT OF COMPETITIVE BIDDING.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement with NovaTech for the purchase of certain Remote Terminal Unit (RTU) and related SCADA equipment for the City of Bentonville Electrical Utilities Department, as set forth more fully in the attached proposal, in an amount not to exceed \$29,422.50.

Section 2: Because this SCADA equipment corresponds with equipment currently utilized by the department and because such equipment is a sole source item, it would be neither practical nor feasible to bid this item and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2015.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY	
	Bid Award
	Budget Adjustment
	Change Order
	Informational
X	Ordinance
	Resolution
	Other

AGENDA FORM

CITY COUNCIL MEETING OF:

April 14, 2015

Submitted by: Travis Matlock

Department: Electric

Phone: 271-3135

ACTION REQUIRED:

Council approval of an ordinance authorizing the Mayor and City Council to enter into an amended Power Supply Agreement with SWEPCO to modify the yearly billing process and waiving the requirement of competitive bidding.

COST TO CITY:

Cost of this Request: _____

Additional Budget Amount: _____

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

TJM _____ 4/14/15
Department Head Date

Purchasing Agent Date

DM _____ 4-8-15
Finance Director Date

CT _____ 4/9/15
Staff Attorney Date

Pom _____ 4/10/15
Mayor Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



MEMORANDUM

DATE: April 3, 2015

TO: Planning Commission, City Council, Mayor McCaslin

FROM: Travis Matlock, Engineering Director

RE: Revised Power Supply Agreement with SWEPCO

The City of Bentonville Electric Department recommends entering into a revised Power Supply Agreement with SWEPCO to revised Section 5.04 Demand, Energy and Fuel Rates. This section deals with the process by which SWEPCO calculates Bentonville's monthly bill.

Currently, the rate Bentonville is billed is based on the actual costs incurred by SWEPCO for the preceding calendar year and a Return on Common Equity. That rate will stay in effect until May 31st of the next year. At the end of each calendar year, actual rates are determined based on actual costs and demands for that year. SWEPCO will calculate the difference in rates billed and the actual rates and Bentonville is responsible to for the difference. If the rate increases, Bentonville pays a "true-up" the following year. If the rate decreases, SWEPCO will pay Bentonville a "true-up". Depending on the difference in the rate, this "true-up" amount could reach \$2,000,000.

In the revised process, SWEPCO will meet with Bentonville in January of each calendar year and provide an estimate of the current year's rates and potential peak demand load. The rates will be checked each April to see if there needs to be an adjustment at that time. Once we have past the summer months (peak demand months), SWEPCO will again adjust the rates and demands based on actual metered demands. At the end of each year, SWEPCO will continue to use the current process to determine the actual rates and calculate the "true-up" for the difference in the rates billed and the actual rates. The hope is that due to the coordination between Bentonville and SWEPCO, the "true-up" will be closer to \$0 (perfect year), and not the \$2mil amount.

Currently, Bentonville and Hope Light and Water are the only SWEPCO customers that are NOT being invoiced using this revised process, but Hope is in the process of modifying their Power Supply Agreement. Approving this revised agreement will bring Bentonville current with all the other SWEPCO customers.

RATE SCHEDULE NO. 126

**POWER SUPPLY AGREEMENT
BETWEEN
SOUTHWESTERN ELECTRIC POWER COMPANY
AND
CITY OF BENTONVILLE, ARKANSAS**

Tariff Submitter: **Southwestern Electric Power Company**
FERC Tariff Program Name: **FERC FPA Electric Tariff**
Tariff Title: **SWEPCO Rate Schedules and Service Agreements Baseline**
Tariff Record Proposed Effective Date: January~~March 1, 2015~~2014
Tariff Record Title: **Bentonville PSA**
Option Code: **A**
Record Content Description: **Rate Schedule No. 126**

specified in the "Related Documents", as the same are in effect from time to time, which meanings are incorporated herein by reference and made a part hereof. In the event of any inconsistency between a definition contained herein and a definition contained in a "Related Documents", the definition in this Agreement shall control for purposes of this Agreement.

1.01 Affiliate

Affiliate means, with respect to any person, any other person (other than an individual) that, directly or indirectly, through one or more intermediaries, controls, or is controlled by, or is under common control with, such person. For this purpose, "control" means the direct or indirect ownership of fifty percent (50%) or more of the outstanding capital stock or other equity interests having ordinary voting power.

1.02 Agreement

Agreement means this Power Supply Agreement, including the Exhibits and Related Documents, as amended, modified or supplemented from time to time.

1.03 Ancillary Services

Ancillary Services means those services set forth in the applicable Open Access Transmission Tariff, filed with FERC, that are necessary to support the transmission of capacity and energy from resources to loads while maintaining reliable operation of the Transmission Provider's and Transmission Owner's(s) Transmission System in accordance with Good Utility Practice.

1.04 Billing Demand

Billing Demand means the average of the four summer month's hourly kilowatt demands at the Points of Receipt coincident with Company's actual system hourly peak demands for each summer month (June, July, August, and September), measured at the Points of Receipt, and adjusted for the appropriate distribution and transmission losses to the Points of Delivery, less any capacity credit for SWPA Hydro Peaking Power. ~~The Billing Demand shall be determined each calendar year after September 30. Such Billing Demand shall be used to determine the demand charges for Requirements Service after September 30 and shall remain in effect until September 30 of the next calendar year.~~ The Billing Demand used for the annual adjustment of the charges for Requirements Service shall be the Billing Demand established for the summer months of the calendar year in which the adjustment applies, and shall remain constant for each Billing Period of such calendar year.

1.05 Billing Energy

Billing Energy means the total kilowatt-hours of Firm Energy as measured during the Billing Period at the Points of Receipt, and adjusted for the appropriate

5.02 Capacity Credit.

The capacity credit for SWPA Hydro Peaking Power for each month shall be the lessor of a) 18,000 kilowatts; or b) the number of kilowatts of firm hydro peaking power Customer is entitled to receive from SWPA under similar terms and conditions as described in the Power Sales Contract dated November 28, 1995 between Customer and the United States of America..

5.03 Energy and Fuel Credit.

For the purposes of determining the energy and fuel charges during any Billing Period, the energy and fuel credit shall be equal to the total energy scheduled for delivery to the Transmission System during a given Billing Period as SWPA Hydro Peaking Power, less adjustments for losses incurred in delivery to the Transmission System.

5.04 Demand, Energy and Fuel Rates.

Except as otherwise expressly provided herein, prior to January 31 of each Contract Year, estimatedThe initial Demand Rate and Energy Rates and monthly charges for electric service for such Contract YearRate under this Agreement shall be determined annually pursuant to the cost of service formulas set forth in Exhibit B hereto. Such estimates of rates and monthly charges shall be made available to Customer no later than January 31 of each such Contract Year.

The Company's estimated, based upon the actual costs incurred by Company for the preceding calendar year and the ROE developed in accordance with Section 5.05 based upon data for December of that calendar year. The Demand Rate and Energy Rates and monthly charges, or any revised estimated rates and monthly chargesRate so determined by the Company after discussions between the Parties with respect to Company's original estimates, shall be made effective June 1 of the current calendar year and remain in effect until the 31st day of May of the following calendar year, except, however, the Demand Rate and Energy Rate effective January 1, 2008 shall be made effective April 1 of the Contract Year to which such estimates relate. The billing statement sent to Customer for April of each Contract Year shall show an adjustment equal to the difference between the sums charged Customer in the months of January, February and March under the estimated rates and monthly charges for the prior Contract Year and the amount which would have been due in such months under the estimated rates and monthly charges for the current Contract Year made effective on April 1. rates determined pursuant to the cost of service formulas using 2006 calendar year costs.

Each Contract Year, Company shall redetermine Customer's load share responsibility for such Contract Year based upon actual system peak demands for each summer month (June, July, August, and September) during such Contract Year and Customer's contributions to such peak demands. New estimated Demand and Energy Rates and monthly charges for such Contract Year shall be determined based on such redetermination of Customer's load share responsibility. Such new estimated rates and

monthly charges shall be made effective with the October 1 billing cycle of such Contract Year and shall continue in effect until March 31 of the succeeding Contract Year, subject to adjustment with respect to the first three months of such succeeding Contract Year as provided in the preceding paragraph.

A Fuel Rate shall be determined monthly pursuant to the cost of service formulas set forth in Exhibit B hereto. Customer shall be billed each month a fuel charge based upon an estimated Fuel Rate. As soon as practicable, the fuel charge will be determined based upon the actual fuel costs incurred in such Billing Period. Any difference between the fuel charges so estimated and the actual fuel charge shall be billed or credited to Customer on the first bill rendered after such actual fuel charge has been determined. Company shall use reasonable diligence when estimating the Fuel Rates so as to avoid any significant difference between estimated and actual fuel charges to Customer.

5.05 Return on Common Equity (ROE).

The Return on Common Equity, as used in Exhibit B, shall be determined annually as the average of the December yields of the Moody's Seasoned Baa Corporate Bond, as reported by the Federal Reserve in the H.15 statistical release plus 5.35%. As long as the result of this computation yields a Return on Common Equity of 9.0% to 18.0%, the Parties agree that the Return on Common Equity used to compute the composite cost of capital in Exhibit B shall not be subject to change under Sections 205 or 206 of the Federal Power Act ("FPA"), absent the mutual written consent of the Parties. In the event that the Return on Common Equity produced as a result of the calculation provided for herein is either below 9.0% or above 18.0%, the Parties understand and expressly agree that either may seek FERC review of the Return on Common Equity value under the "just and reasonable" standard of Sections 205 and 206 of the FPA.

5.06 Determination of Monthly Bill.

Company shall maintain an accurate record of the electric power and energy received, sold and delivered under this Agreement and on or before the 5th Business Day of each month shall prepare and submit to Customer a billing statement setting forth:

- a) The amount of power and energy delivered to the Points of Delivery during the preceding Billing Period.
- b) The demand, energy, and fuel charges for Requirements Service provided during the preceding Billing Period.
- c) The amounts due either Party from the other for services or reimbursements not included in any of the other charges, including applicable taxes, fees and assessments.

ARTICLE X NOTICES, REPRESENTATIVES OF THE PARTIES

10.01 Notices.

Any notice, demand, or request required or authorized by this Agreement to be given by one Party to another Party shall be in writing. Such notice shall be sent by facsimile, electronic messaging (confirmed by telephone), courier, personally delivered or mailed, postage prepaid, to the representative of the other Party designated in this Article X. Any such notice, demand, or request shall be deemed to be given (i) when received by facsimile or electronic messaging, (ii) when actually received if delivered by courier, overnight mail or personal delivery, or (iii) three (3) days after deposit in the United States mail, if sent by first class mail.

Notices and other communications by Company to Customer shall be addressed to:

Mayor
City of Bentonville, Arkansas
115 West Central
Bentonville, AR 72712
Phone: (479) 271-5966
Facsimile: (479) 271-5913

With a copy to:

Director of Utilities
City of Bentonville, Arkansas
608 Southeast Third Street
Bentonville, Arkansas 72712
Phone: (479) 271-3135
Facsimile: (479) 271-5994

Notices and other communications by Customer to Company shall be addressed to:

Vice President – Market Operations~~Energy Marketing~~
American Electric Power Service Corporation
1 Riverside Plaza
~~155 W. Nationwide Blvd., Suite 500~~
Columbus, OH 43215
Phone: (614) 716-2663~~583-6408~~
Facsimile: (614) 716-6569~~583-1626~~

With a copy to:

IN WITNESS WHEREOF, the Parties have caused their duly authorized representatives to execute this Agreement on their behalf as of the date first above written.

City of Bentonville, Arkansas

By: _____

Name: _____

Title: _____

Southwestern Electric Power Company

By: _____

Name: _____

Title: _____

File: BENTONVILLE_#347295_v4b

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE MAYOR AND THE
CITY CLERK TO ENTER INTO AN AMENDED POWER
SUPPLY AGREEMENT WITH SWEPCO TO MODIFY THE
YEARLY BILLING PROCESS AND WAIVING THE
REQUIREMENT OF COMPETITIVE BIDDING.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an Amended Power Supply Agreement with SWEPCO, as attached hereto as Exhibit "A", in order to modify the yearly billing process.

Section 2: Because this SWEPCO is the sole source of wholesale power available to the City of Bentonville in this area, and because this agreement is a modification to the existing power supply agreement between the parties and only amends certain billing provisions, it would be neither practical nor feasible to bid this item and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2015.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



BENTONVILLE CITY COUNCIL AGENDA

**Committee of the Whole
NWA Conservation Authority (NACA)**

**Monday, April 13, 2015 6:00 p.m.
11579 Snavelly Road, Bentonville, AR**

**Regular City Council Meeting
Community Development
Planning Commission Meeting Room**

**Tuesday, April 14, 2015 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: March 24, 2015**

AGENDA

1. Tour of NACA Facility. **(Monday Night Only)**
2. Visit Bentonville Report – Kalene Griffith.
3. Planning:
 - 3a. **Habitat for Humanity of Benton County, Inc.: Lots 9 and 10 Durham Place, Lot Split, Durham Place, Zoned R-3, Medium Density Residential.**

The planning commission voted 6-0 recommending approval.

The applicant is proposing a lot split that will create two lots from an existing lot to be known as Lot 10 (0.18 acres) and Lot 11 (0.38 acres) of Durham Place subdivision. The lot split shows the dedication of right-of-way along Durham Place per the master street plan. A variance was approved to the Lot & Area requirements by the Board of Adjustments on February 11, 2015.

- 3b. **Rod Sanders: Property Line Adjustment, Lot 26, Block 2 Clark's Second Addition, 308 Southwest 3rd Street, Zoned R-1, Single Family Residential.**

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Property Line Adjustment for Lot 20 and the west half of lot 21 Clark's Second addition. The new lot will be known as Lot 26 Block 2 Clark's Second Addition and will consist of .21 acres. A 20' utility easement is being dedicated along Southwest 3rd Street. One foot of right of way is dedicated to the Master Street Plan requirements for a local street.

- 3c. **Michael Wright: Rezoning from R-1, Single Family Residential to RC-2, Central Residential Moderate Density, 305 Southwest C Street.**

The planning commission voted 6-0 recommending approval.

The applicants are requesting a rezoning from R-1 to RC-2 to allow for single family homes to be built.

- 3d. **Burckart Construction, Inc.: Rezoning from R-1 Single Family Residential to A-1, Agricultural.**

The planning commission voted 6-0 recommending approval

The applicant has requested a rezoning from R-1 to A-1 to allow for livestock and hay production.

- 3e. **Food Hub NWA, LLC: Rezoning from I-2, Heavy Industrial to C-2, General Commercial, 801 Southeast 8th Street.**

The planning commission voted 6-0 recommending approval.

The applicants have requested a rezoning of the vacant Tyson Foods Krispy Kitchen in order to convert to a mixed commercial and educational use.

- 3f. **ATEX Investments: Lot Split, Lots 198,199 and 200 Stoneburrow Subdivision Phase 1, Town Vu Road, Zoned R-1, Single Family Residential.**

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Lot Spit of Lot 197 Stoneburrow Subdivision Phase 1 at Town Vu Road and Southwest River Rock Street. Lot 197 will be split into three lots to be known as Lot 198 (.36 acres), Lot 199 (.25 acres) and Lot 200 (.33 acres). Lot 200 will have access to Southwest River Rock street only. The applicant is proposing Lots 199 and 198 have shared access to Town Vu Road. All utility and right of way exist for these lots.

- 3g. **Louise Bishop Revocable Trust: Lot split, Lots 1,2, and 3 Hogwild Subdivision, Southeast 28th Street and Southeast J Street, Zoned I-1, Light Industrial, C-2, General Commercial, and A-1 Agricultural.**

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split for 19.41 acres located southwest of Southeast J Street and Southeast 28th Street. The 3 lot subdivision will be known as Hog Wild Subdivision. Lot 1 will consist of 14.75 acres, Lot 2 will consist of 4.60 acres while lot 3 will encompass 5.13 acres. Right of way is being dedicated along Southeast 28th street and Southeast J Street. Right of way for a 250' cul-de-sac is also being dedicated from Southeast 28th Street. Water and sewer are available along both frontages. Thirty-five feet of right way will also be dedicated along the west property line to meet the requirements of the collector street shown on the Master Street Plan.

4. A resolution setting a public hearing for a utility easement vacation located in Lot 1 Stuckey Subdivision.
5. Appoint Mike Bender to serve as the City's representative on the Benton County Regional Solid Waste Management District's Board for a maximum term of four (4) years commencing in May 2015. Mike Bender replaces Mike Roberts who retired from the City effective March 27, 2015.
6. Bentonville Police Department Perimeter Fence is now complete. To reconcile the quantities used and the final price of the contract, a reconciliation change order is needed. The final project cost is \$1,549.82 less than the currently contracted amount of \$65,000.00.
7. Budget adjustment in the amount of \$4,200.00 to be used to purchase uniforms for the purpose of establishing a Police Department Honor Guard program. The budget adjustment amount is sourced from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C.3750), sub-grant number 14-979-13L, and would be placed in our Uniform account to cover project expenses.
8. Council approval of an ordinance authorizing the Mayor and City Council to enter into a contract with UCO Equipment for the transfer of an aerial device from an existing service truck to a new cab and chassis in the amount of \$26,783.00 and waiving the requirement of competitive bidding. This service is a "single source" item/service in the state of Arkansas. This is a 2015 budgeted item.
9. Council approval of an ordinance authorizing the Mayor and City Council to enter into a contract with NovaTech for (1) Remote Terminal Unit for Bentonville's Substation "G" in the amount of \$29,422.50 and waiving bids. This equipment is a "single source" and matches the Remote Terminal Units at all existing Substations. All the Remote Terminal Units work with our existing central master station. This is a 2015 budgeted item.
10. Council approval of an ordinance authorizing the Mayor and City Council to enter into an amended Power Supply Agreement with SWEPCO to modify the yearly billing process and waiving the requirement of competitive bidding.