

1. Agenda

Documents:

[JUNE 9, 2015 CITY COUNCIL FULL AGENDA.PDF](#)

2. Short Agenda

Documents:

[JUNE 9, 2015 CITY COUNCIL SHORT AGENDA.PDF](#)



BENTONVILLE CITY COUNCIL AGENDA

**Committee of the Whole
Community Development
Planning Commission Meeting Room**

**Tuesday, June 9, 2015 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, June 9, 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: May 26, 2015**

AGENDA

1. Distribution of Bentonville Public Library's 2014 Annual Report. **(Pages 4-16)**
2. Planning:
- 2a. **The Rateliff Family Trust(Charles Rateliff) Lot Split, Lots 1,2,& 3 of Rateliff Manor Addition, 1716 Southwest 2nd Street.**

(Pages 18-21)

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split application for property located at 1716 Southwest 2nd street in the R-1, Single Family zoning designation. The plat as provided shows the creation of 3 lots from one tract to be known as Lot 1 (1.04 acres), Lot 2 (1.04 acres) and Lot 3 (2.75 acres) of Rateliff Manor Addition. Right-of-way is being dedicated along Southwest 2nd Street pre the master street plan. In addition a 20 feet public utility easement and a private access easement are also being dedicated with the plat. Both water and sewer service will be available to all lots.

- 2b. **Todd Renfrow with Lamplighter Restoration, LLC: Lot Split, Lots 15, 16, 17 & 18 of Claypool Block Subdivision 219,221,223 & 225 Northwest 'A' Street, zoned DE, Downtown Edge.**

(Pages 22-25)

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split application for property located at 219, 221, 223 & 225 Northwest 'A' Street. The lot split will create 4 lots that from one existing lot to be known as Lots 15 (0.064 acres), Lot 16 (0.047 acres), Lot 17 (0.047 acres) and Lot 18 (0.053 acres) of Claypool Block Subdivision. The large scale development plans for this project were approved May 6, 2014. Right-of-way is being dedicated along Northwest 'A' Street per the master street plan and a 20 feet utility easement is being dedicated along the western property line of each lot to provide sewer service to each lot. Both water and sewer services are currently available to each lot.

- 2c. **Arvest Bank: Rezoning, 807 South Walton Boulevard, C-2 Neighborhood Commercial to C-3, Central Commercial.**

(Pages 26-33)

The planning commission voted 7-0 recommending approval.

The applicant has requested a rezoning from C-2 to C-3 in order to relocate the Arvest ATM and to make it consistent with surrounding properties.

- 2d. **Michael Wisdom: Rezoning, R-1, Single Family Residential to R-O, Residential Office.**

(Pages 34-38)

The planning commission voted 7-0 recommending approval

The applicant has requested a rezoning from R-1 to R-O in order to have a small office.

3. The appointment of Jim Grider effective July 1, 2015 to the Planning Commission to fill the expired term of James Stanley. Jim Grider will be appointed to a 5 year term ending July 1, 2020. **(Pages 39-41)**
4. Approve the resolution of support for Orchestra Works a digital media company identified within the Bentonville Blueprint as a target sector opportunity company. This resolution of support will enable the State of Arkansas to support Orchestra Works through the Equity Investment Tax Credit program administrated by Arkansas Economic Development Commission. **(Pages 42-43)**
5. A resolution for the Mayor and City Clerk to assign an airport ground lease from Charlie Scott to Larry and Rhonda Brantly dba Software Strategies Inc. Said lease is known as Hangar 500-1, commonly known as Suite 8 of 2550 SW Aviation St. **(Pages 44-47)**
6. A resolution setting a public hearing for an alley vacation request in Block 5, Dunn and Davis Addition. **(Pages 48-50)**
7. Staff is seeking a resolution for the Mayor and City Clerk to enter into a contract with Crafton, Tull & Associates, Inc. for the survey and design of drainage improvements to SE 10th Street, between SE "C" Street and SE "J" Street. **(Pages 51-60)**

8. Council approval of a resolution authorizing the Mayor and Clerk to grant right-of-way and temporary construction easements of City owned property to the South Main Street Improvements Project. Attached are warranty deeds and exhibits for the two locations. **(Pages 61-68)**
9. Recommend Mayor and City Council modify the Electric Capital Line item to replace "2-Ton Truck w/ Auto-Crane" with "Digger Derrick". **(Pages 69-70)**



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 9, 2015

Submitted by:

Hadi Dudley

Department

Library Director

Phone

271-3194

ACTION REQUIRED:

Distribution of Bentonville Public Library's 2014 Annual Report.

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	\$ -

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

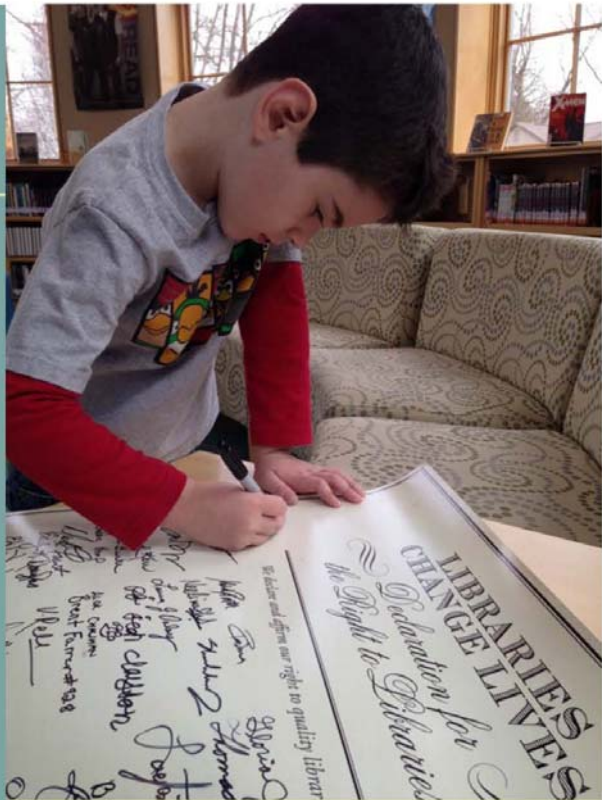


PLEASE RECYCLE



ANNUAL REPORT 2014

Libraries Change Lives



Our Mission:

To engage our community, encourage discovery and promote literacy by offering lifelong learning opportunities.



www.bentonvillelibrary.org

Libraries Change Lives.

From the Library Director

The accomplishments outlined in Bentonville Public Library's 2014 Annual Report illustrate values in the ***Declaration for the Right to Libraries***, a national campaign developed by 2013-2014 American Library Association President Barbara Stripling.

The *Declaration* is a strong statement that expresses all libraries' impact on our shared communities. Bentonville Public Library partnered with Bentonville Public Schools as active participants in the *Declaration* initiative in the spring of 2014.

Total participation across the Natural State was tallied with 58 libraries, collecting 7,927 signatures of support from citizens, students, library users, children, friends, government officials, Arkansas Governor Mike Beebe and "Cody the Dog." Learn about the *Declaration* at www.ilovelibraries.org/declaration.

- The year 2014 is in the record books for BPL's **highest circulation**, totaling 602,217 checkouts of physical items and downloadable content. Usage of print and audiovisual materials continues to climb, alongside eBooks, digital audiovisuals and magazines, plus streaming music.
- Bentonville Public Library was voted "**Best Library**" by the readers of NWA Media.
- BPL expanded access to technology with new eLearning resources and the debut of our **BPL Tech Card** program.
- Our Materials Recovery Program continues to promote responsible return of library assets, recouping **\$70,950** in materials, fines & fees (July 2012-December 2014).
- The Library realized increases in every category of use over the prior year, with a 7% growth in program attendance.
- BPL established a solid **partnership** with the Bentonville **Parks & Recreation** department with plans for a mini-branch library at the new Community Center. Preparatory work for the project in 2014 leads into a summer 2015 grand opening.



Dudley attended the 2014 ALA Midwinter Meeting in Philly, representing Arkansas libraries



Cody the Dog & Miss Lesley sign BPL's Declaration for Libraries

Bentonville Public Library Budget

Library Expenditures

Personnel Salaries	\$643,079.23
Personnel Benefits	\$173,365.31
Library Materials & Digital Resources	\$208,597.87
General Operating & Maintenance	\$230,685.18
Capital Expenditures	\$0.00
	\$1,255,727.59

Library Revenue

Cost-Recovery Fees & Overdue Fines*	\$58,960.36
Grant Funds & Donations**	\$52,480.00
	\$111,440.36

Contributions

Materials	\$49,451.90
Monetary Donations**	\$7,800.00
Volunteerism	\$150,462.54
	\$207,714.44



*Fees/Fines increased by \$1,117.23 due to BPL's Materials Recovery Program.

**A special donation sponsoring the Teen Services Librarian position is included, plus grants and donations supporting library collections and technology access. Other gifts were donated through partner 501c3 groups.



Libraries Protect Our Right to Know.

Library Collections

Bentonville Public Library's collection size totals 121,905 items, valued at \$2,676,720.63.

“ I cannot live without books. ”

Thomas Jefferson

BPL Statistics

Circulation	602,217
Library Visits	296,819
Computer Usage	39,402
Staff Assistance	40,498
Program Attendance	39,402
Material Requests Filled	23,014
New Library Cards	7,065
Library Tours*	1,274
Outreach*	6,435
Meeting Room Groups	2,000
Meeting Room Attendees	19,500



Libraries are the Great Equalizer.

Digital & eLearning Resources

- Our innovative **BPL Tech Card** program debuted with Bentonville Public Schools providing eLearning resources for students, supporting digital & technology skills, information literacy and homework projects. A new **Student Portal** and curriculum support complement the project.
- Tutor.com** was purchased as a new eLearning tool providing reliable online tutors in various subjects, including math.
- BPL added streaming videos with **Overdrive**, plus new **Kids & Teen eReading Rooms** offer youth-friendly collections.
- Expanded content was added to **Reference USA**.
- Freegal Music** services were upgraded to 3 hours of streaming per day and 5 free song downloads per week.

Link to **BPL Downloadables**, **eLearning resources** and the **Student Portal** at www.bentonvillelibrary.org.



*Library Tours and Outreach attendance included with Program Attendance.

Libraries Help Us to Better Understand Each Other.

Teen Services

- New **programs** were added while existing programs were expanded and improved! Writing workshops, crafts, book discussions, film events and other programs were offered. BPL teens participated in national campaigns for **Teen Read Week** and **Teen Tech Week**.
- Program attendance for young adult events **grew 117%** over the prior year.
- The **ACT Prep Workshop** continues to help students develop preparation skills for standardized tests with 77% growth in 2014.
- Both the **Teen Volunteer Program** and **Teen Advisory Board (TAB)** are managed by the Teen Services Librarian. These programs support the library, and encourage community involvement for local teenagers. Programs like Peer Tutors, Study Buddies and Reading Buddies offer mentoring opportunities too.
- The TAB created and worked on a holiday book drive to benefit local children in need. The project '**1,000 Books for 1,000 Readers**,' collected approximately 2,000 donated books. Partner organizations included Bentonville Public Schools and Friends of the Bentonville Library. Used books were gathered and sorted by TAB members, then delivered to non-profit organizations based on need: The Call (Arkansas Foster Care Group), Children's Advocacy Center, Children's Shelter of NWA, Court Appointed Special Advocates (CASA), New Beginnings Children Home, The Salvation Army and Youth Bridge.



Reading Buddies

Teen volunteers are paired with kids to practice reading skills. Grant helps Max with sight words and vocabulary.



Meet Athena!

- The Teen Department unveiled a new logo, created just for BPL.
- **Athena** is Ardy's 'big sister.'
- Custom designed and donated by **Ard Hoyt**, graphic artist/children's book illustrator.

[R: TAB was recognized during a BHS football game]



Libraries Empower the Individual.

Adult Services

- Library programs for adults **expanded** in the number and variety of public offerings.
- Attendance at adult programs **increased by 22%** over prior years.
- **Annual events** returned to BPL with Tim Ernst and Still on the Hill, while attendance in the adult book club steadily grew.
- Sessions providing **tech help** and **résumé** assistance continued with good patron response.
- New programs offered include **TableToppers**, **Doctor Who**, plus workshops on **finance** topics.
- The second annual **Free Comic Book Day** continued as a successful annual event for all ages.



Libraries Strengthen Families.

Children's Services

- Special author visits by **Barbara O'Connor** and **Roland Smith** were offered as opportunities for community children to gain experience with creative writing.



- Library programs for youth and families were attended by **33,460** children, caregivers and educators.
- For the **5th year**, BPL partnered with Bentonville Public Schools to promote **"One District, One Book,"** featuring *The Fantastic Secret of Owen Jester* by Barbara O'Connor. The program culminated in a finale event— hosted by Crystal Bridges Museum of American Art.
- **Annual events** continued at Bentonville Public Library with the Chinese New Year celebration and Family Learning Days.
- The **Ruff Ruff Read** program expanded as three therapy dogs regularly visit BPL for special storytime events.
- New programs offered include **LEGO® Club, Bentonville Birding, Invention Convention and Safety Day.**



Summer Reading Report

Thank you to our Friends of the Bentonville Library, Anderson Merchandising and other donors for sponsoring our summer reading programs: Fizz Boom Read, Spark a Reaction and Literary Elements!

- Children, teens & adults read **25,290 hours** during June and July
- **9,265 people** attended summer events at the Library
- **116,777 items** checked out during our two month reading program



“ A great book is never out of reach at the
Bentonville Children's Library. ”

Ardy the Owl

Libraries Preserve Our Nation's Cultural Heritage.

Sharing History

Special displays at the library featured photographs and artifacts of local interest and historical significance. **"Preserving Places"** by the Rogers Historical Museum and a **Vaudeville** exhibit on loan from the private collection of Bea Nilsson Carney were shared with library patrons.



Libraries Support Literacy & Lifelong Learning.

The American Dream Starts @ your library

Bentonville Public Library concluded our "American Dream Starts @ your library" grant with special activities to promote family literacy.

- Chinese New Year: 2014—Year of the Horse
- Family Learning Day: World of Water
- BPL's American Dream success was featured in an *Arkansas Libraries* journal article [spring 2014 issue].
- American Library Association conference session, a national venue, featured Bentonville Library in "Stories from the Field," a panel discussion that illustrated the grant's impact. BPL featured immigration interviews and community partnerships that promote literacy and celebrate diversity.

The \$10,000 award was made by the American Library Association from the Dollar General Literacy Foundation.



Libraries Build Communities.

During the course of the year, many partnerships emerge to support BPL services. The City of Bentonville is a key partner. The Library recognizes and thanks:

- Custodial Team
- Fire Department
- Parks & Recreation Department*
- Police Department
- Public Works Department

*Special thanks to **David Wright** and **Lee Farmer** for partnering with BPL staff to plan our new mini-branch library at the Community Center!



Youth Literature Festival 2015

In 2014, hard work began on Bentonville's Inaugural Youth Literature Festival in preparation for its spring 2015 debut. It is with the warmest regard and gratitude, that BPL recognizes the commitment and passion of **Bethany Culpepper**, co-founder and dedicated volunteer, for the Youth Lit Fest!

Libraries Strengthen Our Nation.



[Left] Special thanks to the Global Integration, CTC Team from Walmart Leverage for volunteering at Bentonville Public Library. [Right] John Robert Purvis, a teen volunteer, shelves children's picture books.



Library Advisory Board

Library Advisory Board members represent our community, advising on all library business. The volunteers are presented by the Mayor of Bentonville for appointment by the City Council.

[L to R] Aaron Jones, Judy Marquess, Judy DeGarmo, Elaine Kerr, Octavio Sanchez | [not pictured] Chair: Hadi Dudley, Ex Officio: Brenda Compton, Luci Henderson & Michelle Vargas

Teen Advisory Board 2014-2015

Teens apply and are selected through a panel interview process. These young leaders advise on library services that support our community's teenagers.

[L to R] Trevor Smith, Daniel Garcia-Carvajal, Kayla Spitzer, Vakula Mallapally, Vinita Devarasetty, Sarah Gowdy, Mattie Couch, Delaney Pollard, Sranita Devarasetty, Brenner Orendorff, Shelby Costley



Adult Volunteers

Sadaf Ahmed	Yao Fu	Mark Lloyd	Marilyn Ross
Kimberly Bennett	Andrew G George	Jeanne Lombardo	Brenda A Russell
Karen L Boen	Nicole Gnecco	Melissa Mammay	Georgia Russow
Sandy Buckley	Theresa Goncalves	Emma Mancera	Akshaya Samy
Ronny Cerniga	Melissa Halsema	Amanda McGee	Jessica Smith
Cristina Clayton	Mark Henkle	Pranom McNeil	Tiffany Stephenson
Dylan Combs	Mariana Hernandez-Cortes	Jeff Myers	Arpita Tat
Kristin Cook	Archana Kalidindi	Kiranmai Nanduri	Alexandra Thomas
Margaret Curry	Narmadha Karthick	Kim Oehlerking	Melissa Thompson
Justin Davis	Angelene Kemp	Denisse Ollivier	Afshan Toor
Judy DeGarmo	Christy Kewan	Cathy Otto	Shannda M Turner
Kalpana Devarasetty	Mounika Korivi	Vandhanaa Ramesh	Uma Udharaju
Ray Dixon	Suguna Krishnamurthy	Charlotte Rodgers	John H Watson
Ciber Fleck	Llahona Lavea	Joshua L Ross	Pamela Willis

Teen Volunteers

Gabrielle Agcaoili	Mohan Dodda	Dhivya Kannan	Paula Ryburn
Jessie Agcaoili	Colin Doege	Mandeep Kaur	Moushumi Sahu
Lily Agnacion	Nicole Dougherty	Melody Kerperien	Hannah Sebastian
Jose Aguilar	Yatish Dubasi	Savannah King	Emily Sellers
Dee-Anna Ancliff	Brynlee Duty	Savannah Kirk	Shiva Shanmugonathan
Ashley Arnolts	Saivipulteja Elagandhula	Aneesh Komanduri	Lauren Skinner
Michayla Ashley	Olivia Ellis	Preetika Kondepudi	Trevor Smith
Faizullah Asif	Chris Enslin	Gourab Kundu	Tollie Sneed
Jax Ball	Katherine Espina	Sophia Lacy	Alex Solis
Tarun Baskar	Austin Estabrook	Hannah Lancaster	Jacob Spinato-Taylor
Maddy Baumhover	Hayden Etz	Stephanie Little	Haley Stephens
Beatrice Becerra	Jake Fennell	Jacob Loukota	Sabrina Stephenson
Shiloh Beeler	Marissa Fennell	Natalie Macias	Hannah Stolt
Ethan Beere	Kaleigh Fischer	Shreya Majagi	MaKenna Strasser
Jake Bevill	Sophie Flint	Teja Makkapati	Anindhitha Sudhakaran
Charlee Blair	Mykenzie Fowler	Vakula Mallapally	Swathi Sunil
Erin Branca	Beth Francis	Victoria Mantel	Amirthavarshini Sureshbabu
Jack Branca	Paige Francis	Molly Myers	Christian Sylvester
Nikita Britto	Stephanie Galen	Pooja Naik	Rachna Talluri
Morgan Brothers	Daniel Garcia-Carvajal	Nikhita Nakka	Hooria Tariq
Amanda Bryson	Veronica Garcia-Carvajal	Pranav Natargjan	Kinsey Tate
Harrison Buchanan	Jahnavi Gattu	Caylea Nell	Prudhi Tavva
Sarah Burks	Aaron Gbedey	Rebecca Norton	Abby Terlouw
Keysharria Candler	Winona Gbedey	Sarah Oakley	Andrea Thompson
Michael Chapman	Jay Giordano	Susan Onyebueke	Michael Tiberghien
Matthew Chastain	Namrata Gopinath	Brenner Ordendorff	Sam Trujillo
Srikar Chikkala	Remington Gould	Wesley Parker	Cameron Turner
Caitlin Clark	Mackie Gregory	Rachna Paruchuri	Christian Turner
Kayton Coffee	Zander Gregory	Michael Pierson	Paige Van Oudheusden
Kelsy Conkling	Alec Gudenau	Delaney Pollard	Brenden Vaughan
Jenna Cook	Courtney Gutche	Katelyn Pool	Angel Vizcaino
Amber Cooper	Whitney Haak	Sareena Potter	Mikenna Voirol
Jessica Cortez	Grace Hamilton	Sarah Price	Sagar Vonteru
Shelby Costley	Diana Hart	John Robert Purvis	Vanna Vu
Mattie Couch	Shaylee Harviston	Kiana Radcliffe	Emily Walker
Abraham Delgado	Seth Hastings	Saloni Ramnathkar	Michel Waterhouse
Seth Dennis	Layla Haymore	Tyler Randall	Alexia Whitfield
Shruti Dere	Ryan Hicks	Melodey Reeves	Ariya Williams
Kismet Derkovitz	Alyssa Hobbs	Seth Rippetoe	Timothy Wilson
Sophia DeToro	Erica Hudson	Autumn Roberts	Madison Withey
Sranita Devarasetty	Elizabeth Jennings	Katelyn Robinson	Alli Wolbert
Vinita Devarasetty	Madison Johnson	Joshua Rugger	Sterling Yang

The Value of Volunteers

At BPL, our volunteers are the greatest! From shelving to book repair to craft prep, many people give time and talent! From service on boards to program expertise, we are grateful for everyone who serves. In 2014, 245 volunteers gave 6,522 hours.* This is valued at \$150,462.54!

*Library volunteers only; Genealogy, Foundation and Friends volunteered a combined total of 3,500+ hours to support BPL



Volunteers in Action

[Left] Ally, sixth grader at Ardis Ann, is a Junior Partner at BPL and volunteers with her dad, Kevin.

[Right] Volunteers are recognized during BPL's annual recognition event. Last year's program at Crystal Bridges Museum of American Art was sponsored by Friends of the Library.



Program Volunteers

David Adair
Karen Akins
The Ayers Family
Katrina Baker
Trevor Bartlett
Madison Bigelow
Jenny Brown
Sarah Burkes
Nancy Busen
Steven Byess
Carissa Clifton
Cody the Dog
Dr. Lisa Das

Colin Doege
Lesley Evans
Marissa Fennell
Mark Foster
Remington Gould
Binod Gupta
The Hofmann Family
Kathleen Holmes-Smith
Trish Jennings
Jesse the Dog
Danielle Koerner
The Lai Family
Rick Marshall

Randy McCrory
Jennifer Michaels
Marshall Mitchel
Autumn Mitchell
Julie Murdock
Misty Murphy
Kiranmai Nanduri
Scott Nigemann
Sarah Oakley
Brenner Orendorff
Christy Paxton-Tureman
Hannah Pikel
Lauren Ray

Roman Rios
Teresa Robinson
Tim Robinson
Jennifer Rollins
Tommy Rollins
Holly Smardo
Nichole Smith
Dawn Spragg
Ann Turner
Sandra Underwood
Mike Vass
Anitha Yerneni
Zaida the Dog

Junior Partners

Tanisha Banerjee
Tina Banerjee
Lisa Bowman
Raiden Bowman
Chloe Hicks
Kristy Hicks

Brigham Hill
Hunter Hill
Phillip Hill
Arjun Krishna
Arthi Krishna
Chitra Krishna

Oliver Mammay
Skyler Mandella
Traci Mandella
Camille Newell
Geoff Rahmer
Kasey Rahmer

Sean Ramsey
Ally Swindell
Kevin Swindell



Genealogy Volunteers

Volunteers from the Northwest Arkansas Genealogical Society dedicated 1,697.5 hours assisting library patrons with family history research. 2014 Volunteers: Cary Anderson . Robert Bowers . Jacque Carpino . Pam Coots . Anita Frevert . Kurt Frevert . Wanda Haines . Beth Hickman . Karen Hotaling . June Melton . Dorothy Miller . Cathy Otto . Alta Ramsey . Mary Wynne

Community Partners & Corporate Sponsors

Academy of Professional Cosmetology	Master Gardeners of Benton County
Alderac Entertainment Group	McDonald's
Amazeum of Northwest Arkansas	Museum of Native American History
American Library Association	National Novel Writing Month
Anderson Merchandising	Northwest Arkansas Area Alumnae Chapter of Delta Sigma Theta Sorority, Inc.
Arkansas Arts Council	Northwest Arkansas Community College
Arkansas Game & Fish Commission	Northwest Arkansas Conservatory of Classical Ballet
Arkansas State Library	Northwest Arkansas Council
Asian American Living	Northwest Arkansas Master Naturalists
Atlas Games	Northwest Arkansas Naturals
Barnes & Noble	Northwest Technical Institute
Benton County Sheriff's Office	NWA Audubon Society
Bentonville Convention & Visitor's Bureau	Ozark Philharmonic Youth Orchestra
Bentonville Fire Department	Panera Bread
Bentonville Garden Club	Paranormal Ozarks
Bentonville Police Department	Perot Museum of Science and Nature
Bentonville Public Schools	Phat Tire
Bentonville Public Schools - ESL Center	Project Play Every Day
Bentonville/Bella Vista Chamber of Commerce	Random House
Bentonville/Bella Vista Daybreak Rotary Club	Reef Ready
Bentonville High School Drama Students	Rio Grande Games
Bike Bentonville	Rogers Historical Museum
Care A Child Tutoring	Rotary Club of Bentonville
Central Garden & Pet	ShurTech Brands
Chick-Fil-A	Steve Jackson Games
Compton Gardens	Student Library Advisory Board (SLAB at BHS)
Crystal Bridges Museum of American Art	Swasthan Seva Foundation
Diamond Comic Distributors	Teen Action & Support Center
Dollar General Literacy Foundation	The Make a Difference Youth Foundation
Downtown Bentonville, Inc.	The Spice and Tea Exchange of Bentonville
Galaxy Games	Trike Theatre
Illinois River Watershed Partnership (IRWP)	University of Arkansas
John Brown University	Vintage Stock
Kumon Math and Reading Center	Walmart Corporate Teams
LeaderOne	Walmart Foundation
Learning RX	Walmart Volunteerism Always Pays
Literacy Council of Benton County	Yum Yo's Frozen Yogurt
Malco Theaters	Zaxby's

“ Thank you to all who contribute their time and resources to help make Bentonville a special place to visit, work and live! ”

Bob McCaslin,
Bentonville Mayor

Local Organizations Support BPL



The Library's trellis garden, visible from Main Street, is planted and maintained by the **Bentonville Garden Club**. The flowering landscape changes with the seasons and is a lovely example of the Garden Club's beautification projects around town.



A **Bentonville/Bella Vista Daybreak Rotary Club** grant totaling \$4,500 was awarded to support BPL's eReader Loan Program. The funds purchased new eBooks for the library's circulating devices. This is the second grant provided by Daybreak Rotary to our library in recent years.

Public Librarianship

- BPL's Circulation and Reference Librarians attended the Public Library Association national conference.
- The Children's Librarian attended the annual children's workshop.
- The Library Director and Reference Librarian attended the Arkansas Library Association conference.



National Advocacy

Heather Hays and Hadi Dudley [far left] attended National Library Legislative Day in Washington, D.C. Hays served as the Arkansas Library Association's Legislative Committee Chair.

The association sponsored Hays' travel costs for the event. Dudley's expenses were sponsored by Friends of the Library.

Libraries Advance Research and Scholarship.

BPL Leadership and Professional Development

- Librarians at BPL continued leadership at local, state and national levels. These accomplishments included, but are not limited to: national legislative advocacy, executive board participation, conference attendance and professional development presentations to library colleagues, committee work and more.
- Bentonville Public Library hosted two training sessions in partnership with the Arkansas State Library for regional colleagues in the spring and fall.
- All five librarians at Bentonville Public Library published professional articles in the *Arkansas Libraries* journal.
- The Library Director was awarded the LaNell Compton Prize by the Arkansas Library Association for the best article published in *Arkansas Libraries* journal within a two-year period.
- The Reference Librarian began serving as the Associate Editor for *Arkansas Libraries* journal.
- The Circulation Librarian was selected to participate in the Leadership Benton County program.

[Above L: Librarians present BPS Superintendent Mike Poore with his own BPL Tech Card.]

11

Library Foundation Board

Kathryn Jones, President . Howard Kerr, Vice President . Shelley McMillon, Secretary / Treasurer
Pat Carroll . Rustin Chrisco . Daniel Cruz . Johnny Haney . Madeline Knight . Chip Stacy . Tammy Thurow
Ex Officio: Mayor Bob McCaslin . Hadi Dudley . Luci Henderson . Brenda Compton
Advisory: Mary Baggett . Ed Clifford . Galen Havner . Cindy Suter . Steve Trolinger

Friends of the Library

Brenda Compton, President . Jean Batta, Vice President . Luci Henderson, Treasurer . Emily Douglas,
Secretary | Bookstore Volunteers . Friends Membership . Ex Officio: Hadi Dudley

Supporting Our Library

The **Bentonville Library Foundation** spearheaded a successful holiday giving program with Elaine and Howard Kerr serving as campaign chairs. A \$5,000 donation launched the initiative and the non-profit organization raised more than \$29,000 to support Bentonville Public Library.

The **Friends of the Bentonville Library** sponsored the Summer Reading Club with a generous donation of \$6,000. The Library also benefited from Scholastic Book Fairs, with over \$12,000 worth of new books, display units, supplies and more added to BPL's inventory.

Both organizations fulfilled a **significant pledge** benefiting our Library's Teen Services department.

Volunteers for the Foundation and Friends provided a combined 2,000+ hours during the year too! From attendance at meetings, special events and bookstore help, the gift of time also supports BPL.



Donations & Grants

The Daughters of the American Revolution donated a book to the Genealogy Society.

Arkansas Representative Jim Dotson presents the Library Director with a NWA Economic Development District GIF grant for \$5,500 to purchase new computer furniture.



Farewell, Rexy!

In April, BPL bid farewell to REXY, the much-loved 1/2-sized replica of a Tyrannosaurus Rex, who starred in the film, *Night at the Museum*. While he dwelled here, BPL hosted five annual REXY events [2008-2012]. Each celebration brought learning to life by focusing on education and literature. From multiculturalism to history to scientific inventions, REXY events were extremely popular with attendance totaling 2,625 across the 5-year timeframe. REXY joined the Arkansas Discovery Network as part of a traveling dinosaur exhibit. We wish him safe travels on his exciting journey and know that other Arkansans will enjoy REXY as much as our community.



405 S Main Street . Bentonville, AR 72712
479.271.3192 . www.bentonvillelibrary.org
Monday—Thursday 9:00—8:00 pm . Friday—Saturday 9:00—5:00 pm

**City Council
Agenda
June 9, 2015**

The Rateliff Family Trust(Charles Rateliff) Lot Split, Lots 1,2,& 3 of Rateliff Manor Addition, 1716 Southwest 2nd Street.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split application for property located at 1716 Southwest 2nd street in the R-1, Single Family zoning designation. The plat as provided shows the creation of 3 lots from one tract to be known as Lot 1 (1.04 acres), Lot 2 (1.04 acres) and Lot 3 (2.75 acres) of Rateliff Manor Addition. Right-of-way is being dedicated along Southwest 2nd Street pre the master street plan. In addition a 20 feet public utility easement and a private access easement are also being dedicated with the plat. Both water and sewer service will be available to all lots.

Todd Renfrow with Lamplighter Restoration, LLC: Lot Split, Lots 15, 16, 17 & 18 of Claypool Block Subdivision 219,221,223 & 225 Northwest 'A' Street, zoned DE, Downtown Edge.

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split application for property located at 219, 221, 223 & 225 Northwest 'A' Street. The lot split will create 4 lots that from one existing lot to be known as Lots 15 (0.064 acres), Lot 16 (0.047 acres), Lot 17 (0.047 acres) and Lot 18 (0.053 acres) of Claypool Block Subdivision. The large scale development plans for this project were approved May 6, 2014. Right-of-way is being dedicated along Northwest 'A' Street per the master street plan and a 20 feet utility easement is being dedicated along the western property line of each lot to provide sewer service to each lot. Both water and sewer services are currently available to each lot.

Arvest Bank: Rezoning, 807 South Walton Boulevard, C-2 Neighborhood Commercial to C-3, Central Commercial.

The planning commission voted 7-0 recommending approval.

The applicant has requested a rezoning from C-2 to C-3 in order to relocate the Arvest ATM and to make it consistent with surrounding properties.

Michael Wisdom: Rezoning, R-1, Single Family Residential to R-O, Residential Office.

The planning commission voted 7-0 recommending approval

The applicant has requested a rezoning from R-1 to R-O in order to have a small office.

Planning Commission Staff Report
Lot Split: Lots 1, 2 & 3 of Rateliff Manor Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: June 2, 2015

GENERAL INFORMATION:

Project Number: 15-05000017

Applicant: The Rateliff Family Trust (Charles Rateliff)

Representative: John Wary with Morrison Shipley Engineers

Requested Action: Lot Split Approval

Location: 1716 Southwest 2nd Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Residential Estate

BACKGROUND:

The applicant has submitted a lot split application for property located at 1716 Southwest 2nd street in the R-1, Single Family zoning designation. The plat as provided shows the creation of 3 lots from one tract to be known as Lot 1 (1.04 acres), Lot 2 (1.04 acres) and Lot 3 (2.75 acres) of Rateliff Manor Addition. Right-of-way is being dedicated along Southwest 2nd Street pre the master street plan. In addition a 20 feet public utility easement and a private access easement are also being dedicated with the plat. Both water and sewer service will be available to all lots.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Residential Estate
South	R-O, Residential Office & PUD, Planned Unit Development	Mixed Use
East	A-1, Agricultural & R-e, Residential Estate	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North	-	-
South	Southwest 2 nd Street	Arterial
East	-	-
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 an existing single family residential home.

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

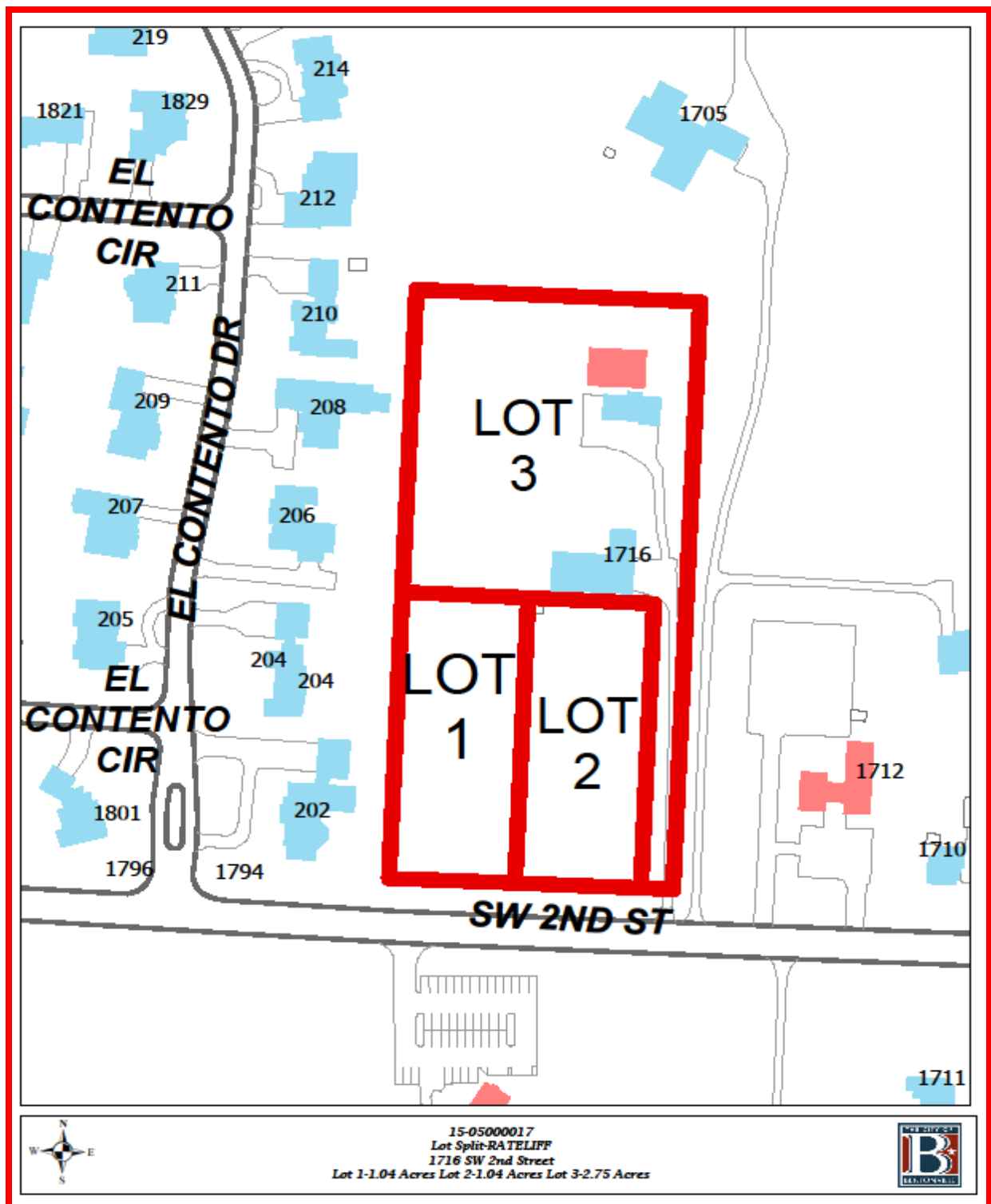
Water / Sewer: Per the G.I.S. site, water and sewer are currently in use on the site.

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 1, 2 & 3 OF RATELIFF MANOR ADDITION 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 & 3 of Rateliff Manor Addition, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 2nd day of June, 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 & 3 of Rateliff Manor 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 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 15, 16, 17 & 18 of Claypool Block Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: June 2, 2015

GENERAL INFORMATION:

Project Number: 15-05000019

Applicant: Todd Renfrow with Lamplighter Restoration, LLC

Representative: Ken Booth with Sand Creek Engineering

Requested Action: Lot Split Approval

Location: 219, 221, 223 & 225 Northwest 'A' Street

Existing Zoning: DE, Downtown Edge

Land Use Plan: Mixed Use

BACKGROUND:

The applicant has submitted a lot split application for property located at 219, 221, 223 & 225 Northwest 'A' Street. The lot split will create 4 lots that from one existing lot to be known as Lots 15 (0.064 acres), Lot 16 (0.047 acres), Lot 17 (0.047 acres) and Lot 18 (0.053 acres) of Claypool Block Subdivision. The large scale development plans for this project were approved May 6, 2014. Right-of-way is being dedicated along Northwest 'A' Street per the master street plan and a 20 feet utility easement is being dedicated along the western property line of each lot to provide sewer service to each lot. Both water and sewer services are currently available to each lot.

SURROUNDING LAND USES AND ZONING:

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

STREETS

Direction	Name	Classification
North	Northwest 3 rd Street	Local
South	-	-
East	Northwest 'A' Street	Collector
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 four (4) existing single family residential town homes within a developed 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): 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 15, 16, 17 & 18 OF CLAYPOOL BLOCK 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 15,16, 17 & 18 of Claypool Block Subdivision, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 2nd day of June, 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 15,16, 17 & 18 of Claypool Block 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



The City of Bentonville, Arkansas

PC Meeting of: June 2, 2015

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

**REZONING: Arvest Bank, C-2 Neighborhood Commercial to C-3, Central Commercial
Current Planning Division Correspondence: Planning Commission Staff Report**

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 2, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000019
Applicant/Current Owner: Arvest Bank
Representative: Sammi May with Morrison Shipley Engineers
Requested Action: Rezoning
Location: 807 South Walton Boulevard
Existing Zoning: C-2, General Commercial
Proposed Zoning: C-3, Central Commercial
Future Land Use Map Designation: Commercial

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is the site of an existing Automatic Tell Machine (ATM) in a developed commercial area.

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

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Commercial Restaurant	C-3, Central Commercial	Commercial
South	Commercial/Office Parking	C-2, General Commercial	Commercial
East	Commercial/Office Parking	C-2, General Commercial	Commercial
West	Commercial Restaurant/Bank	C-2, General Commercial	Commercial

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southwest 8 th Street	Arterial	2 lane asphalt curb & Gutter with center turn lane

South	-	-	-
East	-	-	-
West	South Walton Boulevard	Arterial	4 lane asphalt curb & Gutter with center turn lane

LEGAL NOTIFICATIONS

Public Notice: On **April 29, 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 **May 1, 2015**. In addition, staff posted a notice of public hearing sign on the property on **May 18, 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 C-3, Central Commercial zoning classification is a recommended zoning district with the Commercial designation on the future land use map. Per the City of Bentonville General plan a mixed of uses should be encouraged at intersection of arterial streets to encourage activity nodes.

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

Finding(s) of Staff: The property is currently located with close proximity to the intersection of two arterial streets. Current traffic conditions should not be altered by the proposed zoning. The expansion and extension of Southwest 8th Street should further facilitate traffic movements within the proximity.

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.

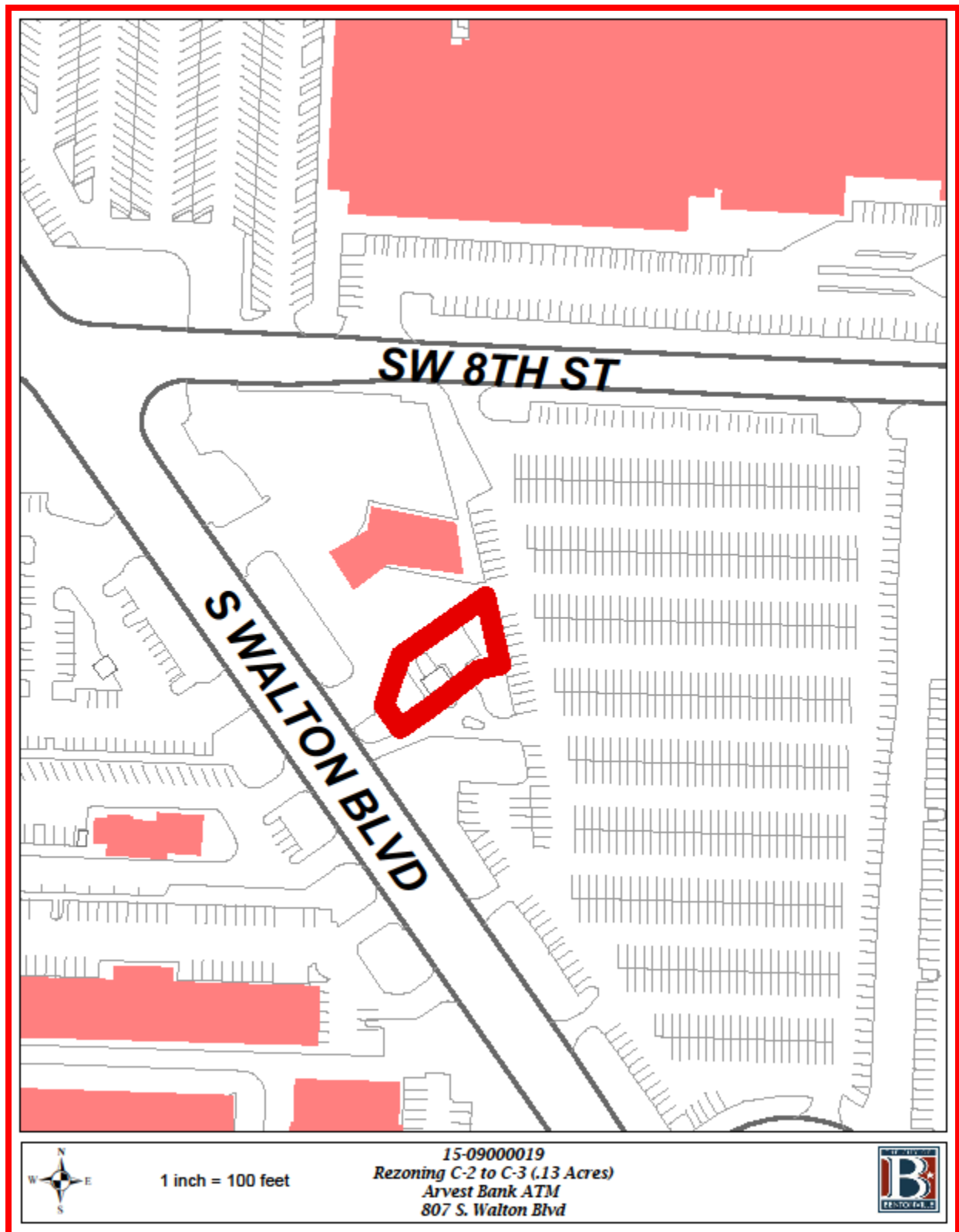
Finding(s) of Staff: City services are adequate at this location.

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request is consistent with the City of Bentonville's Future Land Use Map, which depicts this property as commercial. The property is located within a commercial activity node based on the land use map. The general plan encourages a mix of uses in those centers and specifically encourages the C-3 district which will help densify development while allowing compatible uses with horizontal and vertical separation.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from C-2, General Commercial to C-3, Central Commercial.





MORRISON SHIPLEY

ENGINEERS • SURVEYORS

April 24, 2015, 2015
Planning Department
City of Bentonville
315 S.W. "A" St.
Bentonville, AR 72712

**Re: Arvest ATM, 807 S. Walton Boulevard, Bentonville, AR
Rezoning Request**

We are representing a request by Arvest Bank to rezone a portion of their property located at 807 S. Walton Boulevard. This property is just south of Jimmy John's sub shop near the southeast corner of the intersection of SW 8th Street and S. Walton Boulevard. The portion of the property requested to be rezoned is approximately the northern 50' of their current property bounds as shown on the attached exhibit; they are planning to convey this portion to the adjacent property owner to the north to enlarge the northern lot for development. We are concurrently submitting a replat that will adjust the property lines; this rezone is needed so that the entire northern property will have the same C-3 zoning. The ATM will be relocated to the southern portion of the property that Arvest will maintain ownership of; the current C-2 zoning of the southern portion will stay the same. Please find below the narrative addressing the required items under the Rezoning Request Checklist.

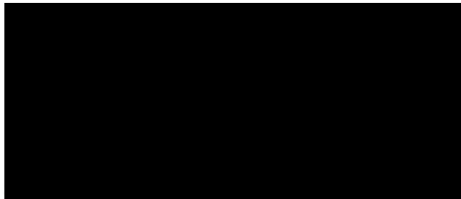
- The property is currently zoned C-2, General Commercial; the proposed zoning would be C-3, Central Commercial.
- The rezone is requested in order to match the existing zoning of the property that is being combined. The C-3 zoning to the north was requested in order to reduce setbacks and to accommodate the proposed height of building. The plan for the site is to build a five story office, retail, and restaurant facility.
- This facility will have office space, retail stores, and restaurants that will serve the area. The Wal-Mart General Offices (zoned C-2) is located north across SW 8th Street; Wal-Mart General Offices Parking (zoned C-2) is located along the south and east sides of the property; Belmont Business Center and Wendy's (zoned D-3) are located west across S.

Walton Boulevard; Bank of America (zoned C-2) is located west across S. Walton Boulevard, and Iberia Bank (zoned D-2) is located Northwest across S. Walton Boulevard. The current site plan proposes a shared entrance between the proposed development and the Arvest ATM.

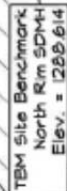
- The proposed use of the property is a multi-story office, retail/restaurant, and parking facility. There will be retail/restaurant on the first floor, parking on the second and third floors and offices on the fourth and fifth floors. Parking will also be provided in a basement level.
- The proposed building contains 16,000 square feet of planned retail/restaurant space and 55,000 square feet of planned office space. There are 182 planned parking spaces located on the basement, and second and third levels.
- Signage is preliminarily anticipated to be located on the building.
- The planned exterior for the facility is shown on the attached drawings.
- The proposed building will be provided gravity sewer via the new utilities that are to be installed with the 8th Street project. There is currently an existing 8" water main running along the west side of the property along S. Walton Boulevard. With the proposed 8th Street improvements, there will be a new 8" along the south side of 8th Street that will be available to be tied into.

Sincerely,

Morrison Shipley Engineers, Inc.



Sammi May, P.E.
Project Manager



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-3, CENTRAL COMMERCIAL.

WHEREAS, Arvest Bank, 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-3 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

Part of Lot 3, A & T Addition, Bentonville, Benton County, Arkansas, as filed for record in Plat Record 13 at page 381, and being more particularly described as follows:

Commencing at an existing chiseled "X" at the Northeast Corner of Lot 1, A & T Addition; Thence by bearing and distance the following courses (basis of bearing, Grid North).
South 33°42'19" East, 93.70 feet to an existing 1/2" rebar with PS 1301 cap;
North 87°14'59" West, 29.93 feet to an existing 1/2" rebar;
South 12°41'13" East, 112.01 feet to an existing chiseled "X" in concrete at the Northeast Corner of said Lot 3, A & T Addition and the POINT OF BEGINNING;
Thence South 12°41'53" East along the east line of said Lot 3 a distance of 62.43 feet; Thence leaving said east line, South 77°21'46" West, 19.50 feet; Thence South 52°18'15" West, 53.04 feet; Thence South 55°12'47" West, 36.30 feet to the east right-of-way line of U.S. Highway 71B, (Walton Boulevard); Thence North 34°50'52" West along said east right-of-way line a distance of 25.55 feet to the Northwest Corner of said Lot 3; Thence leaving said east right-of-way line, North 19°00'55" East along the north line of said Lot 3 a distance of 46.99 feet; Thence North 55°17'04" East, continuing along said north line a distance of 92.91 feet to the Point of Beginning.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 2nd day of June 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-3 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-3 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



PC Meeting of: June 2, 2015

The City of Bentonville, Arkansas

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

REZONING: Wisdom, R-1, Single Family Residential to R-O, Residential Office
Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: June 2, 2015

GENERAL INFORMATION

H.T.E. Project Number: 15-09000021
Applicant/Current Owner: Michael Wisdom
Representative: Michael Wisdom
Requested Action: Rezoning
Location: 1202 Southeast 'J' Street
Existing Zoning: R-1, Single Family Residential
Proposed Zoning: R-O, Residential Office
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 a duplex on the perimeter of an established single family neighborhood.

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

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Multi Family	R-3, Medium Density Residential	Commercial
South	Vacant Parcel	R-O, Residential Office	Commercial
East	Industrial Warehouse	I-2, Heavy Industrial	Industrial
West	Single Family Home	R-1, Single Family Residential	Low Density Residential

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	-	-	-
South	-	-	-
East	Southeast 'J' Street	Arterial	4 lane asphalt w/ curb & gutter and center turn lane
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: On **April 29, 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 **May 1, 2015**. In addition, staff posted a notice of public hearing sign on the property on **May 18, 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 intent of the R-O, Residential Office zoning classification is to establish
a
longer transition area where the continuation of residential activity is no
will act practical between residential and non-residential uses. The property
and the as such a transition between the single family residential to the west
commercial and industrial corridor along Southeast J Street to the
east.

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

Finding(s) of Staff: Current traffic conditions should not be altered by the proposed zoning as the existing point of ingress/egress is located on Southeast 12th Street and will be utilized and no access will be allowed onto Southeast 'J' Street.

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: City services are adequate at this location.

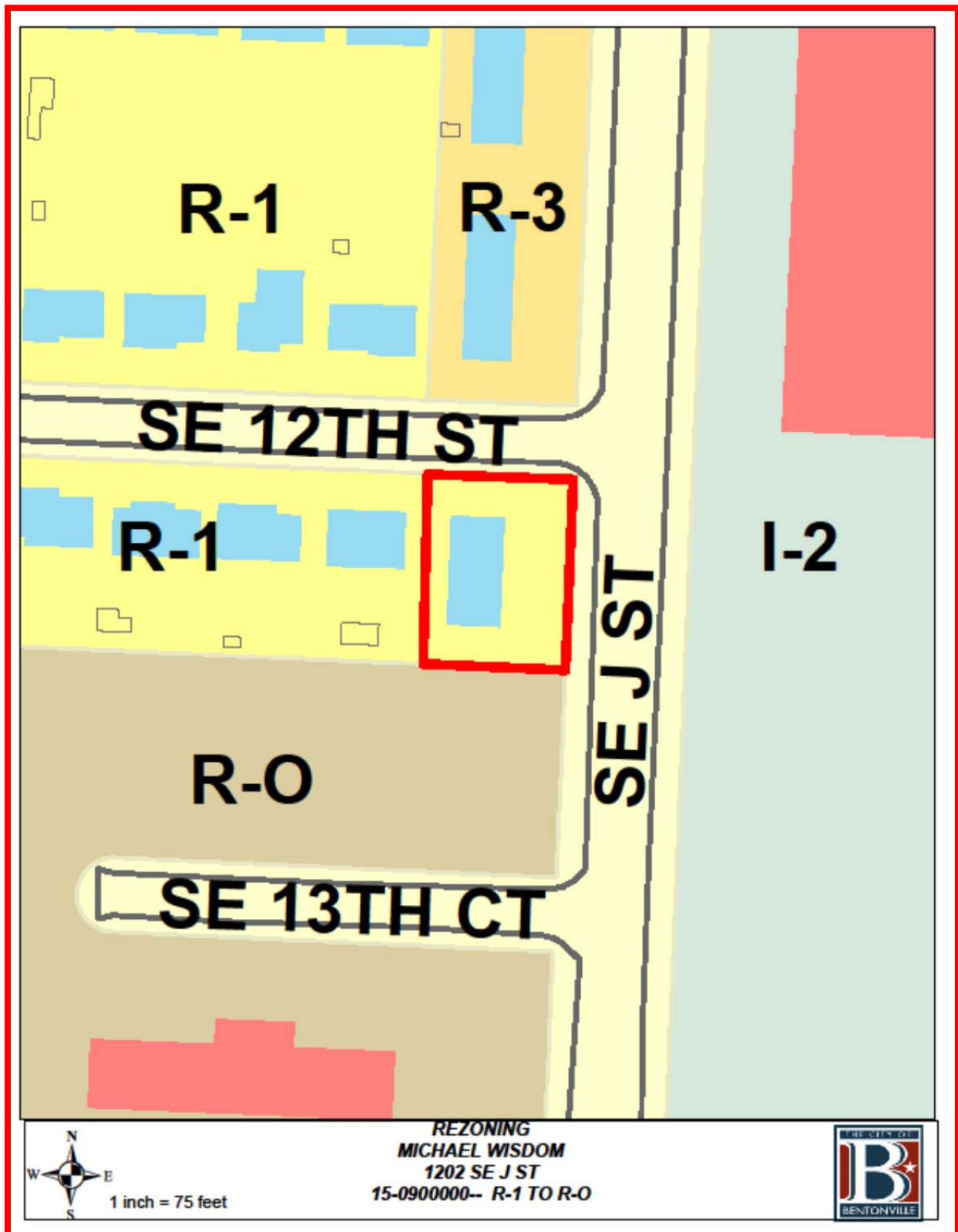
ANALYSIS, CONCLUSION, & SUMMARY

The proposed zoning classification will serve as a transition between the intense commercial and industrial uses allowed along Southeast J Street and the residential to the west. This property should

create a buffer from Southeast 'J' Street therefore reducing the need for additional commercial uses east of this property.

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 R-O, Residential Office.



ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-O, RESIDENTIAL OFFICE.

WHEREAS, Michael Wisdom, 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-O property to be used in accordance with city zoning laws and state laws; which property is described as follows:

Lot 24, Block 1, Debbie's Addition, Bentonville, Benton County, Arkansas, as shown in plat record S at Page 348.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 2nd day of June 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-O 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-O 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



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 9, 2015

Submitted by:

Troy Galloway

Department

Planning

Phone

271-6809

ACTION REQUIRED:

The appointment of Jim Grider effective July 1, 2015 to the Planning Commission to fill the expired term of James Stanley. Jim Grider will be appointed to a 5 year term ending July 1, 2020.

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	\$ -

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





June 4, 2015

To: City Council Members & City Clerk
From: Mayor Bob McCaslin
Subject: Appointment of Jim Grider to the City of Bentonville's
Planning Commission.

I recommend Jim Grider for appointment to the City of Bentonville's Planning Commission. Mr. Grider's term will expire on July 1, 2020.

A handwritten signature in dark ink, appearing to read "Bob McCaslin", is written above the printed name.

Bob McCaslin



APPLICATION FORM

For appointment to City of Bentonville Boards & Commissions

Please Print or Type all Answers

FOR OFFICE USE ONLY

Board / Commission Appointed to:

Date of Appointment:

Term Expires:

Terminate:

Replaced:

APPLICANT INFORMATION

Name

Jim Grider

* Must be a Bentonville resident to serve on a Bentonville Board or Commission.

If married, spouse's name:

Suzanne

Home Address

City

Home/Cell Phone

Business Phone

Email Address

Occupation

Employer

Length of Residency in Bentonville

46 yrs

REFERENCES

Name

Chris Sooter

Phone

Email

Name

Eddy Austin

Phone

Email

Please select all commissions / boards for which you would like to be considered:

- | | |
|---|--|
| ☐ Advertising & Promotion Commission | ☐ Library Advisory Board |
| ☐ Airport Advisory Board | ☐ Ozark Regional Transit Authority (Bentonville representative) |
| ☐ Bentonville Facility Board | ☐ Parks & Recreation Advisory Board |
| ☐ Board of Adjustment | ☒ Planning Commission |
| ☐ Bentonville Housing Authority | ☐ Public Art Advisory Committee |
| ☐ Criminal Nuisance Abatement Board | ☐ Tree & Landscape Advisory Committee |
| ☐ Community Development Block Grant Advisory Committee | |

1. What are your qualifications for serving on this commission or board, including education and expertise in the subject matter?

Graduate U of A Fayetteville AR, Retired U.S. Army
Six years experience City of Bentonville Planning Commission
and Board of Adjustments
14 years Alder man, City Council, City of Bentonville

2. Why would you like to be considered for appointment to this commission or board?

I believe I have the experiences and more importantly the desire to serve. Bentonville is a growing community and this growth must be controlled in a way that meets the need of today but also take into consideration the future growth of Bentonville.

RETURN THIS APPLICATION TO: Mayor's Office, 117 West Central, Bentonville, AR 72712 or email to jhopkins@bentonvillear.com.
If you have any questions, call 271-3112.

If you are not appointed, your application will be kept for one year and will automatically be resubmitted during that time. After a year if you want to be considered for a position, you will need to reapply.



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 8, 2015

Submitted by:

Brian Bahr

Department

Community Development

Phone

271-6809

ACTION REQUIRED:

Approve the resolution of support for Orchestra Works a digital media company identified within the Bentonville Blueprint as a target sector opportunity company. This resolution of support will enable the State of Arkansas to support Orchestra Works through the Equity Investment Tax Credit program administrated by Arkansas Economic Development Commission.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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. _____

**A RESOLUTION SUPPORTING THE LOCATION, STARTUP AND EXPANSION
OF ORCHESTRA WORKS, A DIGITAL MEDIA AND RETAIL TECHNOLOGY
COMPANY, IN BENTONVILLE, ARKANSAS.**

WHEREAS, the City of Bentonville adopted the Bentonville Blueprint, Bentonville's strategic economic development plan, on January 27, 2015; and,

WHEREAS, the Bentonville Blueprint identifies digital media and retail technologies as target sector priorities over the next five years; and,

WHEREAS, Orchestra Works is a digital media and retail technology company wishing to locate in Bentonville;

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

Section 1. That the City of Bentonville supports the location, startup and expansion of Orchestra Works, a digital media and retail technology company, in Bentonville, Arkansas, fostering the implementation of the Bentonville Blueprint.

Section 2. This Resolution shall be in full force and effect from and after the date of its passage and approval.

PASSED and APPROVED this ____ day of _____, 2015.

APPROVED:

Mayor Bob McCaslin

ATTEST:

City Clerk



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

AGENDA FORM

CITY COUNCIL MEETING OF:

May 26, 2015

Submitted by:

Ben Peters

Department

Engineering

Phone

271-5993

ACTION REQUIRED:

A resolution for the Mayor and City Clerk to assign an airport ground lease from Charlie Scott to Larry and Rhonda Brantly dba Software Strategies Inc. Said lease is known as Hangar 500-1, commonly known as Suite 8 of 2550 SW Aviation St.

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	\$ -

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

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PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Ben Peters
CC: Travis Matlock
Date: June 1, 2015
Re: Lease Assignment

Larry and Rhonda Brantly dba Software Strategies Inc. would like to be assigned the ground lease currently held by Charlie Scott known as Hangar 500-1, 2550 SW Aviation St.

The current lease was entered on March 31, 2000. It is a 35 year lease. The lease rate is \$0.05 per square foot for the life of the lease.

The Airport Advisory Board has reviewed this assignment and has unanimously voted to recommend the assignment for approval.

Thank you for your consideration of this request.

Assignment of Ground Lease Agreement

The assignment of a certain Lease Agreement (the "Assignment") is made this ____ day of June 2015 between Charles Scott (the "Assignor") and Software Strategies Inc. (the "Assignee")

Effective _____, 2015, the assignor assigns his Lease Agreement with Bentonville for property identified as Suite 8 of 2550 SW Aviation St. Bentonville, AR 72712 to the Assignee.

The Assignee fully agrees to and accepts all terms and conditions of the Agreement and agrees to honor and adhere to these terms and conditions for the duration of the agreement.

By: _____ Date: _____
Charles Scott

By: _____ Date: _____
Larry Brantly
Software Strategies Inc.

This assignment is with the recommendation of the Airport Advisory Board and the permission of the City Council of Bentonville, AR, in accordance with the "Assignment" paragraph of the Agreement, attached.

By: _____ Date: _____
 Bob McCaslin
 Mayor, City of Bentonville

Attest: _____ Date: _____
Linda Spence
City Clerk

Acknowledgement

State of Arkansas)
) SS.
County of Benton)

On this day before me, a Notary Public, duly commissioned, qualified and acting within and for the County and State aforesaid, personally appeared the within named _____, to me well known, who acknowledged himself to be the _____ of _____, the Lessee in the above and forgoing Lease Agreement, and that he, in such capacity, being authorized so to do, executed the forgoing instrument for the purposes therein contained, by signing the name of said limited liability company by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____ day of _____ 2015

Notary Public

My Commission Expires:

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY
CLERK TO ASSIGN A LAND LEASE AGREEMENT FOR
A HANGAR SITE LOCATED AT THE BENTONVILLE
MUNICIPAL AIRPORT.**

Whereas: the City of Bentonville entered into a ground lease for an airplane hangar located at Suite 8 at 2550 SW Aviation street.;

Whereas: said lease contains a provision to assign the lease to a new lessee;

Whereas: a request has been made by Software Strategies, Inc. to be assigned the lease currently held by Charles Scott;

Whereas: the Airport Advisory Board has considered said assignment and unanimously recommends assignment;

**NOW, THEREFORE, BE IT RESOLVED 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 a Land Lease Assignment with Software Strategies Inc. for a hangar located at the Bentonville Municipal Airport. The provisions of the existing land lease shall be transferred in its entirety.

Section 2: This resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this _____ day of _____, 2015.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 9, 2015

Submitted by:

Ben Peters

Department

Engineering

Phone

271-5993

ACTION REQUIRED:

A resolution setting a public hearing for an alley vacation request in Block 5, Dunn and Davis Addition.

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	\$ -

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 Bike Rack Group, requesting an alley vacation within the City of Bentonville, Arkansas be vacated, which said alley vacation is described as follows:

Part of Block 5, Dunn and Davis Addition, City of Bentonville, Benton County, Arkansas, and more particularly described as follows:

The East 144 Feet of a 12 Foot wide alley adjacent and between the South line of Lot 5 and the North line of Lot 8 of said of said Block 5, Dunn and Davis Addition.

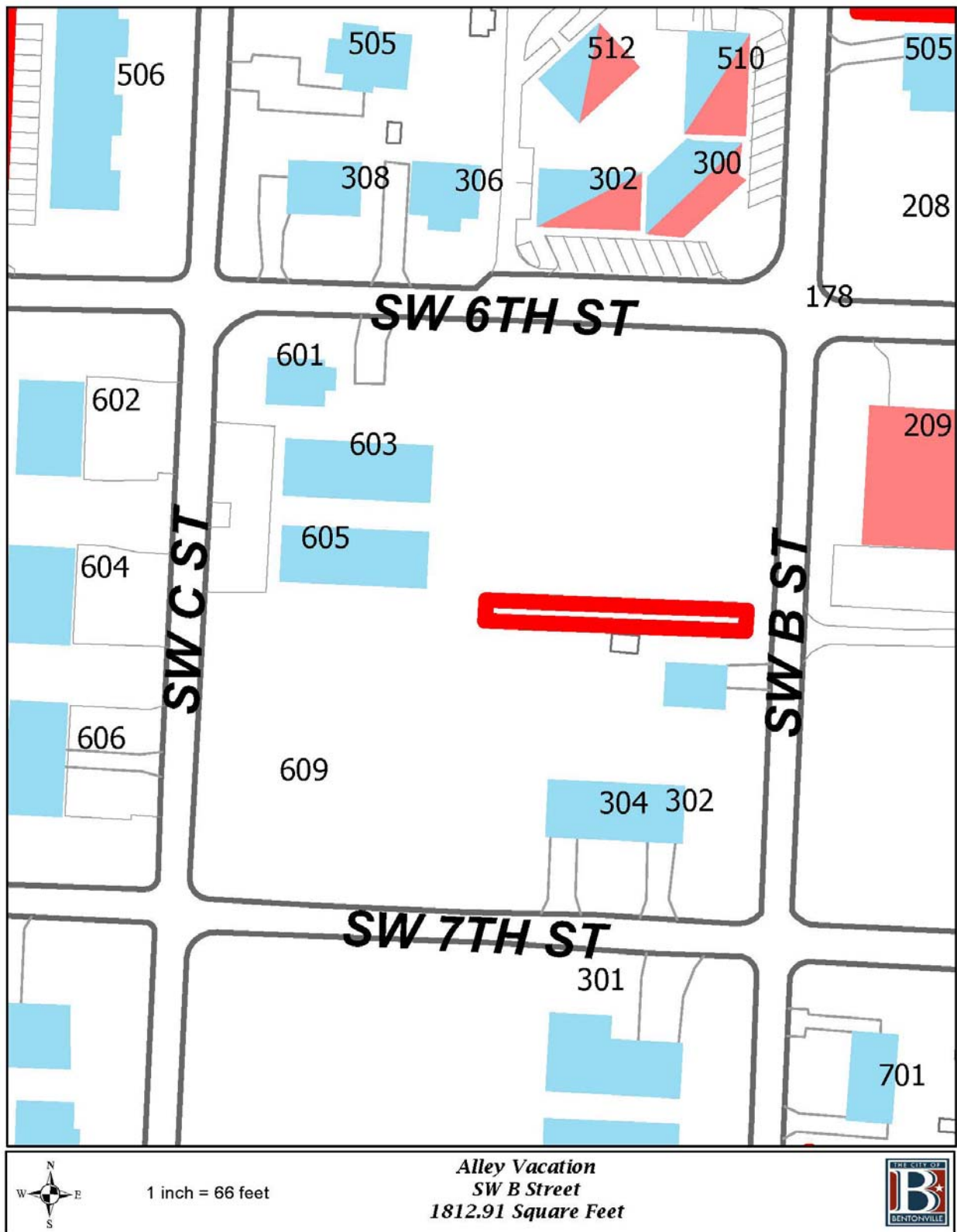
WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published 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 an alley and right of way at the above described property is set for hearing on June 23, 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	
☐	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

June 9, 2015

Submitted by:

Ben Peters

Department

Engineering

Phone

271-5993

ACTION REQUIRED:

Staff is seeking a resolution for the Mayor and City Clerk to enter into a contract with Crafton, Tull & Associates, Inc. for the survey and design of drainage improvements to SE 10th Street, between SE "C" Street and SE "J" Street.

COST TO CITY:

Cost of this Request: \$30,500

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$	108,168
Funds Expended to Date		-
Remaining Budget		108,168
Budget Adjustment		-
Remaining After Adjustment	\$	108,168

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





DESIGNING THE FUTURE

Memorandum

To: Mayor and City Council
From: Ben Peters, City Engineer
Date: 6/1/2015
Re: Survey and Design of S.E. 10th Drainage Improvements

In pursuit of willingness to participate with Community Development Block Grant (CDBG), Staff is seeking approval of a resolution for the survey and design of drainage improvements for S.E. 10th Street, between SE "C" Street and SE "J" Street.

The City of Bentonville proposes to use the Community Development Block Grant of \$108,168 to wholly fund the survey and design and to partially fund the construction of said improvements.

Staff has negotiated a contract with Crafton, Tull & Associates, Inc. for the survey and design of this project for a total contract amount of \$30,500. Please refer to the attachment "Short Form of Agreement between Owner and Engineer for Professional Services" for more specifics to the contract.

Staff recommends approval of the contract as written.

Please contact me with any questions or concerns regarding the proposed contract or the project as a whole. My direct telephone number is (479) 271-5993 or I can be reached via email at bpeters@bentonvillear.com.



**SHORT FORM OF AGREEMENT
BETWEEN OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES**

THIS IS AN AGREEMENT effective as of _____ ("Effective Date") between

_____ ("Owner")
City of Bentonville, Arkansas

and _____ ("Engineer")
Crafton, Tull & Associates, Inc.

Engineer agrees to provide the services described below to Owner for _____ ("Project").
SE 10th Street Drainage Phase II

Description of Engineer's Services: _____
See Exhibit "A" for scope of basic services.

Street Address of Property *: _____
Intersection of SE 10th St. and SE "C" St., Bentonville, AR.

Owner and Engineer further agree as follows:

1.01 Basic Agreement

A. Engineer shall provide, or cause to be provided, the services set forth in this Agreement, and Owner shall pay Engineer for such Services as set forth in Paragraph 9.01.

2.01 Payment Procedures

A. *Preparation of Invoices.* Engineer will prepare invoices in accordance with Engineer's standard invoicing practices and submit the invoices to Owner.

B. *Payment of Invoices.* Invoices are due and payable upon receipt*. If Owner fails to make any payment due Engineer for services and expenses within 30 days after receipt of Engineer's invoice, the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law,

if less) from said thirtieth day. In addition, Engineer may, without liability, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal.

C. *Lien Rights**. The Owner understands that the Engineer is entitled to a lien against the property if not paid in full for services provided to improve the property. The Owner understands that this lien can be enforced by the sale of the property if necessary.

* This is a change from the standard EJCDC E-520 form.

3.01 Additional Services

A. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above.

1 of 4

EJCDC E-520 Short Form of Agreement Between Owner and Engineer for Professional Services
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B. Owner shall pay Engineer for such additional services as follows: For additional services of Engineer's employees engaged directly on the Project an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class; plus reimbursable expenses and Engineer's consultants' charges, if any.

4.01 Termination

A. The obligation to provide further services under this Agreement may be terminated:

1. For cause,

a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party.

b. By Engineer:

upon seven days written notice if Engineer believes that Engineer is being requested by Owner to furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or

upon seven days written notice if the Engineer's services for the Project are delayed or suspended for more than 90 days for reasons beyond Engineer's control.

Engineer shall have no liability to Owner on account of such termination.

c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under paragraph 4.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its failure and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case

more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon the receipt of notice by Engineer.

B. The terminating party under paragraphs 4.01.A.1 or 4.01.A.2 may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Engineer to demobilize personnel and equipment from the Project site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.

5.01 Controlling Law

A. This Agreement is to be governed by the law of the state in which the Project is located.

6.01 Successors, Assigns, and Beneficiaries

A. Owner and Engineer each is hereby bound and the partners, successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by paragraph 6.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

7.01 General Considerations

A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Engineer and its consultants may use or rely upon the design services of

others, including, but not limited to, contractors, manufacturers, and suppliers.

B. Engineer shall not at any time supervise, direct, or have control over any contractor's work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work.

C. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor.

D. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractor's agents or employees or any other persons (except Engineer's own employees) at the Project site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by Owner without consultation and advice of Engineer.

E. The general conditions for any construction contract documents prepared hereunder are to be the "Standard General Conditions of the Construction Contract@ as prepared by the Engineers Joint Contract Documents Committee (No. C-700, 2002 Edition).

F. All design documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.

G. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Engineer, whichever is greater.

H. The parties acknowledge that Engineer's scope of services does not include any services related to a

Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). If Engineer or any other party encounters a Hazardous Environmental Condition, Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (i) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the Site is in full compliance with applicable Laws and Regulations.

I. Files in electronic media format of text, data, graphics, or other types that are furnished by the Engineer to the Owner or to the Contractor upon the Owner's direction are furnished only for convenience, not reliance by the receiving party. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.*

J. In the event of a negligent error or omission in the Engineer's designs, plans, Specifications, or other services ("the defect"), the Engineer's sole responsibility and liability for the defect shall not exceed the Engineer's services to re-perform or redesign the plans, specifications, services or other deliverables related to the defect, plus the reasonable direct damages caused by the defect. The Engineer shall not be liable for and damages shall not include the cost of any addition, betterment, or improvement to the Work, nor for any item that otherwise would have been required to complete the Work, nor the cost and expense that would have been incurred by the Owner had such defect not occurred.*

* This is a change from the standard EJCDC E-520 document.

8.01 Total Agreement

A. This Agreement (consisting of pages 1 to 4 inclusive together with any expressly incorporated appendix), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

9.01 Payment (Lump Sum Basis)

A. Using the procedures set forth in paragraph 2.01, Owner shall pay Engineer as follows:

1. A Lump Sum amount of \$ 30,000. This amount includes compensation for Engineer's Basic Services. The Lump Sum noted herein accounts for labor, overhead, and profit.

2.* Reimbursable expenses and outside services shall be invoiced over and above the Lump Sum fee at cost times a 1.15 multiplier. Compensation for reimbursable expenses is estimated to be \$ 500.

3.* The Engineer may subcontract with other consultants to complete the services on the Project. The cost for such subconsultants shall be invoiced over and above the Lump Sum fee at cost times a 1.05 multiplier. The Owner shall have the opportunity to approve the use of such subconsultants prior the Engineer engaging their services.

4.* Additional services authorized in writing by the Owner shall be invoiced at the Engineer's Standard Hourly Rates, as shown in the attached Exhibit "B".

5.* A retainer in the amount of \$ 0 for the Engineer to begin work on this project. The amount of the retainer is included in the Lump Sum amount and will be applied to the final invoice.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

OWNER: CITY OF BENTONVILLE

ENGINEER: CRAFTON, TULL & ASSOCIATES, INC.

By: Bob McCaslin

By: [Redacted]
Bill Burnett

Title: Mayor

Title: Vice President

Date Signed: _____

Date Signed: 05-19-15

License or Certificate No. and
State 109

Arkansas

Address for giving notices:

Address for giving notices:

City of Bentonville

Crafton Tull

305 SW "A" St.

901 N. 47th St., Suite 200

Bentonville, AR 72712

Rogers, AR 72756

* This is an addition to the standard EJCDC E-520 document.

4 of 4

(Lump Sum)

EJCDC E-520 Short Form of Agreement Between Owner and Engineer for Professional Services
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Exhibit "A"
Scope of Basic Services For:

Project:	Proposed drainage improvements for SE 10 th St. in Bentonville, AR.
Client:	City of Bentonville
Location of Project:	Bentonville, AR
Discipline:	Civil Engineering
Discipline Manager:	Bill Burnett
Project Manager:	Bill Burnett
Proposal Date:	05/18/15
Billing Type:	Fixed Fee
Fee/Estimate:	\$30,000
Description of the Construction Project:	Approximately 800 linear feet of C.S.P. Slotted Drain will be installed along the south side of SE 10th St with 150 feet of C.M.P. connecting it to the existing drainage channel to the south. Additional improvements will be made at the southeast corner of SE 10th St. and SE "C" St. to improve the drainage flow adjacent to flood prone homes.

The services to be provided:

Surveying

- Minimal topographical survey will be collected and combined with existing topographical survey taken under the previous SE 10th St. Drainage project.

Design Phase:

- Site Investigations & Feasibility Studies
- Project Scheduling
- Attend Project Meetings
- Drainage Report
- Construction Drawings to include:
 - Plan and Profile Sheets
 - Utility Plan (including coordination with local utility companies for their layouts)
 - Erosion Control Plan
 - Waterline Plan and Profiles, if required
 - Detail Sheets

Bidding & Negotiating Phase:

- Quantity Take-off & Engineers Estimate
- Bid Documents Prepared and issued to bidders
- Receive Bids & Tabulate Results
- Recommend Contractor to Owner



Construction Administration Phase:

- Available for minor construction inquiries (construction observation by city)
- Final Inspection & Project Close-out

Items Provided by Owner:

- Geotechnical Report
- Title Commitment
- Phase I Environmental Assessment
- Easement Procurement

Additional Items that can be Provided by CTA under amendment or separate contract

- FEMA Studies & Map Revision Applications (CLOMR/LOMR)
- Wetland Determinations
- Corps of Engineer Permitting
- Traffic Study
- Retaining Wall Design
- Landscaping Design
- Offsite Utility or Street Extensions
- Construction Observation Services

This is the scope of services for the Project. Should there be additions to this scope of services, those services shall be compensated for additional fee.



Exhibit "B"

Standard Hourly Rate Schedule
Effective January 17, 2015

Category	Hourly Rate
CIVIL ENGINEERING	
ENGINEERING PRINCIPAL	\$ 160
SR. ENGINEERING MANAGER	\$ 150
ENGINEERING MANAGER	\$ 135
SR. PROJECT ENGINEER	\$ 115
PROJECT ENGINEER	\$ 105
ENGINEER INTERN II	\$ 90
ENGINEER INTERN I	\$ 80
SR. ENGINEERING DESIGNER	\$ 115
ENGINEERING DESIGNER III	\$ 95
ENGINEERING DESIGNER II	\$ 85
ENGINEERING DESIGNER I	\$ 75
ENGINEERING CAD TECHNICIAN III	\$ 70
ENGINEERING CAD TECHNICIAN II	\$ 55
ENGINEERING CAD TECHNICIAN I	\$ 45
ADMINISTRATIVE	
ADMINISTRATIVE PRINCIPAL	\$ 160
ADMINISTRATIVE MANAGER	\$ 120
ADMINISTRATIVE IV	\$ 80
ADMINISTRATIVE III	\$ 65
ADMINISTRATIVE II	\$ 45
ADMINISTRATIVE I	\$ 35
LANDSCAPE ARCHITECTURE	
SR. LANDSCAPE ARCHITECT	\$ 115
PROJECT LANDSCAPE ARCHITECT	\$ 90
LANDSCAPE ARCHITECTURE DESIGNER	\$ 80
LANDSCAPE ARCHITECT INTERN	\$ 55
PLANNING	
PLANNING MANAGER	\$ 130
SR. PLANNER	\$ 115
PLANNER	\$ 90
PLANNER INTERN	\$ 55

Category	Hourly Rate
INSPECTION	
SR. INSPECTOR	\$ 95
INSPECTOR II	\$ 85
INSPECTOR I	\$ 65
SURVEYING	
PROFESSIONAL SURVEYOR PRINCIPAL	\$ 160
SR. PROFESSIONAL SURVEYOR	\$ 125
PROFESSIONAL SURVEYOR	\$ 90
SURVEY COORDINATOR	\$ 75
SURVEYOR INTERN	\$ 75
SURVEY PARTY CHIEF	\$ 65
SURVEY TECHNICIAN III	\$ 55
SURVEY TECHNICIAN II	\$ 40
SURVEY TECHNICIAN I	\$ 30
GEOGRAPHIC INFORMATION SYSTEMS	
GIS MANAGER	\$ 95
GIS ANALYST	\$ 85
GIS TECHNICIAN II	\$ 55
GIS TECHNICIAN I	\$ 40
REIMBURSABLE EXPENSES	
GPS Equipment.....	\$35/Hour
Robotic Survey Equipment.....	\$20/Hour
LiDAR Scanning Equipment	\$35/Hour
Job Related Mileage.....	\$0.56/Mile
Per Diem for Out of Town Crews.....	Per GSA Allowable
Airfare and other travel related expenses.....	At Cost
Black and white 8.5"x11" Copies	\$0.15/sheet
Color 8.5"x11" Copies	\$1.50/sheet
Photo Paper Color Plan Sheet Copies	\$0.75/sq. ft.
Reproducible Plan Copies (Vellum)	\$1.50/sq. ft.
Reproducible Plan Copies (Bond)	\$0.35/sq. ft.
All rates are subject to change without notice.	

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH
CRAFTON-TULL ENGINEERS FOR SURVEY AND
DESIGN OF CERTAIN DRAINAGE IMPROVEMENTS.**

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an Agreement with Crafton-Tull Engineers for survey and design of drainage improvements to SE 10th Street between SE "C" Street and SE "J" Street as set forth in the agreement attached hereto as Exhibit "A".

Section 2: This resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this _____ day of _____, 2015.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 9, 2015

Submitted by:

Mike Churchwell

Department

Transportation

Phone

271-6840

ACTION REQUIRED:

Council approval of a resolution authorizing the Mayor and Clerk to grant right-of-way and temporary construction easements of City owned property to the South Main Street Improvements Project. Attached are warranty deeds and exhibits for the two locations.

COST TO CITY:

Cost of this Request: N/A

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, City of Bentonville, Arkansas, a municipal corporation, for and in consideration of the sum of One Dollar and Other Valuable Consideration (\$1.00 & OVC), to our hands paid by City of Bentonville, Arkansas, a municipal corporation, do hereby grant, bargain and sell unto the said City of Bentonville, Arkansas, its successors and assigns the following described land, situated in Benton County, State of Arkansas, to-wit:

(RIGHT OF WAY DESCRIPTION)

A PORTION OF LANDS BEING A PART OF BLOCK 4, SMARTT'S ADDITION TO THE CITY OF BENTONVILLE, BOOK 'G' AT PAGE 243, AND WARRANTY DEED 2009 54508, IN THE RECORDS OF THE BENTON COUNTY, ARKANSAS CIRCUIT CLERK AND RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 4, BEING THE INTERSECTION OF THE EXISTING RIGHT OF WAY LINES OF SOUTH MAIN STREET AND SOUTHWEST 8TH STREET; THENCE, WITH SAID SOUTH MAIN STREET RIGHT OF WAY, SOUTH 2°17'16" WEST 7.10 FEET; THENCE, LEAVING SAID RIGHT OF WAY, NORTH 26°01'25" WEST 8.07 FEET TO THE EXISTING RIGHT OF WAY LINE OF SOUTHWEST 8TH STREET; THENCE, WITH SAID RIGHT OF WAY, SOUTH 87°41'19" EAST 3.83 FEET TO THE POINT OF BEGINNING, CONTAINING 13.60 SQUARE FEET, MORE OR LESS.

AND:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 4, THENCE, WITH SAID SOUTH MAIN STREET RIGHT OF WAY, SOUTH 2°17'16" WEST 62.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 2°17'16" WEST 102.23 FEET TO THE SOUTH PROPERTY LINE OF SAID LANDS; THENCE NORTH 87°42'24" WEST 1.52 FEET; THENCE NORTH 3°08'23" E 102.24 FEET TO THE POINT OF BEGINNING, CONTAINING 77.71 SQUARE FEET, MORE OR LESS.

FOR:

A COMBINED AREA OF 91.31 SQUARE FEET, MORE OR LESS.

Also, a temporary construction easement parallel with and adjacent to the Right of Way deeded herein. Said temporary easement shall be 10 feet in width.

The above described temporary construction easement shall terminate upon the acceptance of the improvements to be constructed within the above described permanent easement by the City of Bentonville, Arkansas.

TO HAVE AND TO HOLD the said lands and appurtenances thereunto belonging unto the said City of Bentonville, Arkansas, its successors and assigns, forever.

And WE, CITY OF BENTONVILLE, A MUNICIPAL CORPORATION, covenant that we are lawfully seized of said land and premises and that we will forever warrant and defend the title to the said lands against all legal claims whatever.

WITNESS our hands and seals this _____ day of _____, 20_____.

Bob McCaslin, Mayor
City of Bentonville

A C K N O W L E D G M E N T

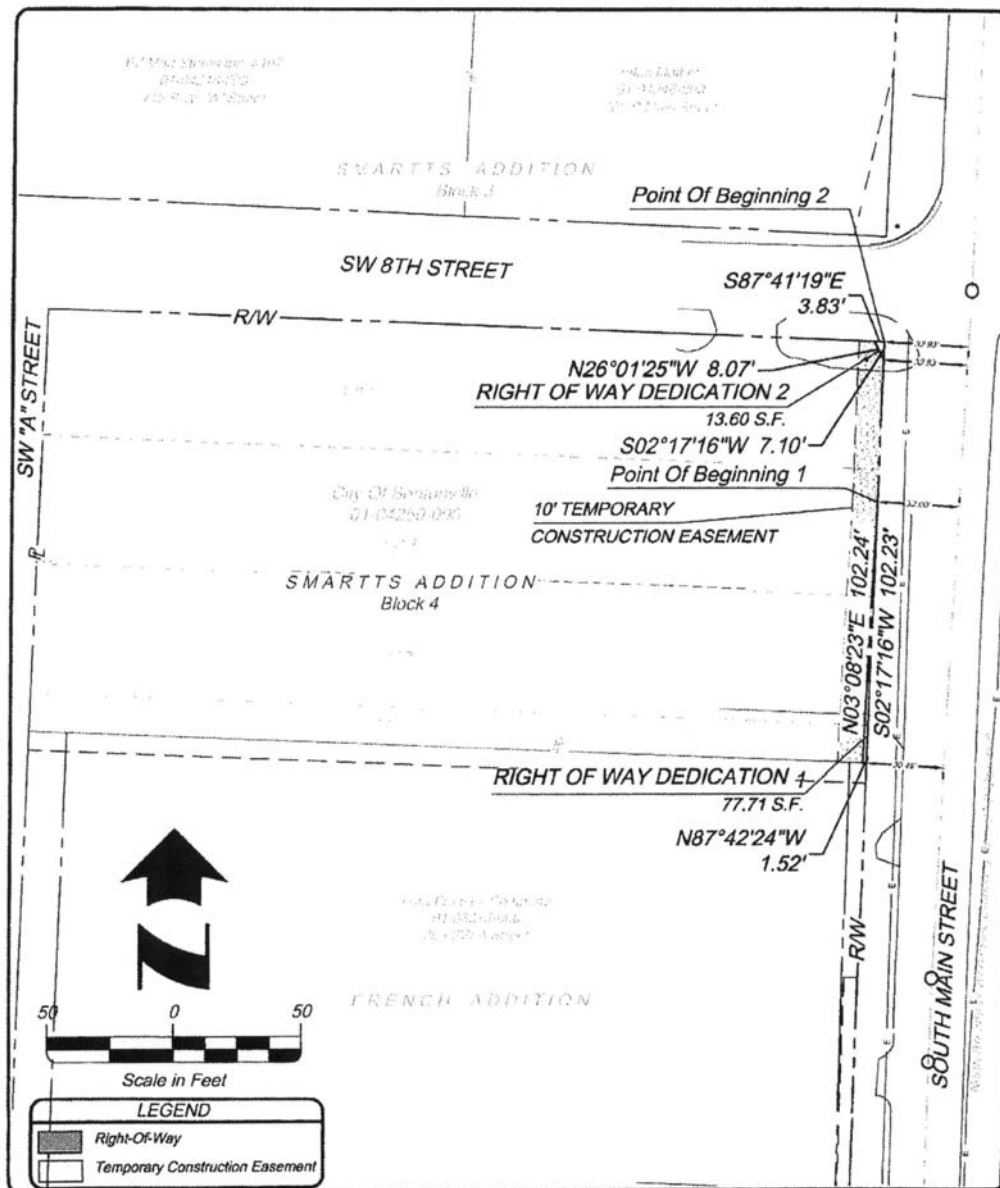
STATE OF ARKANSAS §
COUNTY OF BENTON §

BE IT REMEMBERED that on this day came before me, a Notary Public, within and for said County and State, Bob McCaslin, Mayor, City of Bentonville, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same as their free and voluntary act and deed for the purposes and considerations therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this _____ day of _____, 20_____.

MY COMMISSION EXPIRES:

NOTARY PUBLIC



MORRISON SHIPLEY
ENGINEERS & SURVEYORS

3407 SE Cottonwood Street • Bentonville, AR 72713 • 479.273.3308 • morrisonshipley.com

RIGHT-OF-WAY EXHIBIT

Bentonville, Benton County, Arkansas

Drawn By:	T.A.
Date:	1-27-2012
Project No./Name:	STW-04 R/W EX.
Parcel Number:	01-04250-000

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, CITY OF BENTONVILLE, a municipal corporation, for and in consideration of the sum of One Dollar and Other Valuable Consideration (\$1.00 & OVC), to our hands paid by City of Bentonville, Arkansas, a municipal corporation, do hereby grant, bargain and sell unto the said City of Bentonville, Arkansas, its successors and assigns the following described land, situated in Benton County, State of Arkansas, to-wit:

(RIGHT OF WAY DESCRIPTION)

A PORTION OF LANDS DESCRIBED AS THE EAST 100 FEET OF LOTS 9 AND 12, BLOCK 5, SMARTTS ADDITION TO THE CITY OF BENTONVILLE, SHOWN AS THE EXCEPTION PARCEL ON A REPLAT OF BLOCK 5, PLAT BOOK 4 AT PAGE 162 IN THE RECORDS OF THE BENTON COUNTY, ARKANSAS CIRCUIT CLERK AND RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LANDS, BEING THE EXISTING RIGHT OF WAY LINE OF SOUTHWEST 10TH STREET; THENCE NORTH 2°17'18" EAST 0.30 FEET; THENCE NORTH 86°41'45" EAST 51.11 FEET; THENCE SOUTH 89°56'21" EAST 38.56 FEET; THENCE 10.79 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 29.00 FEET, A CENTRAL ANGLE OF 21°18'55" AND A CHORD BEARING NORTH 79°24'11" EAST 10.73 FEET TO THE EXISTING RIGHT OF WAY OF SOUTH MAIN STREET; THENCE, WITH SAID RIGHT OF WAY, SOUTH 2°17'16" WEST 9.11 FEET TO THE EXISTING RIGHT OF WAY LINE OF SAID SOUTHWEST 10TH STREET; THENCE NORTH 87°44'50" WEST 99.86 FEET TO THE POINT OF BEGINNING, CONTAINING 0.01 ACRE, OR 451.22 SQUARE FEET, MORE OR LESS.

Also, a temporary construction easement parallel with and adjacent to the Right of Way deeded herein. Said temporary easement shall be 10 feet in width.

The above described temporary construction easement shall terminate upon the acceptance of the improvements to be constructed within the above described permanent easement by the City of Bentonville, Arkansas.

TO HAVE AND TO HOLD the said lands and appurtenances thereunto belonging unto the said City of Bentonville, Arkansas, its successors and assigns, forever.

And WE, CITY OF BENTONVILLE, covenant that we are lawfully seized of said land and premises and that we will forever warrant and defend the title to the said lands against all legal claims whatever.

WITNESS our hands and seals this _____ day of _____, 20____.

Bob McCaslin, Mayor
CITY OF BENTONVILLE

A C K N O W L E D G M E N T

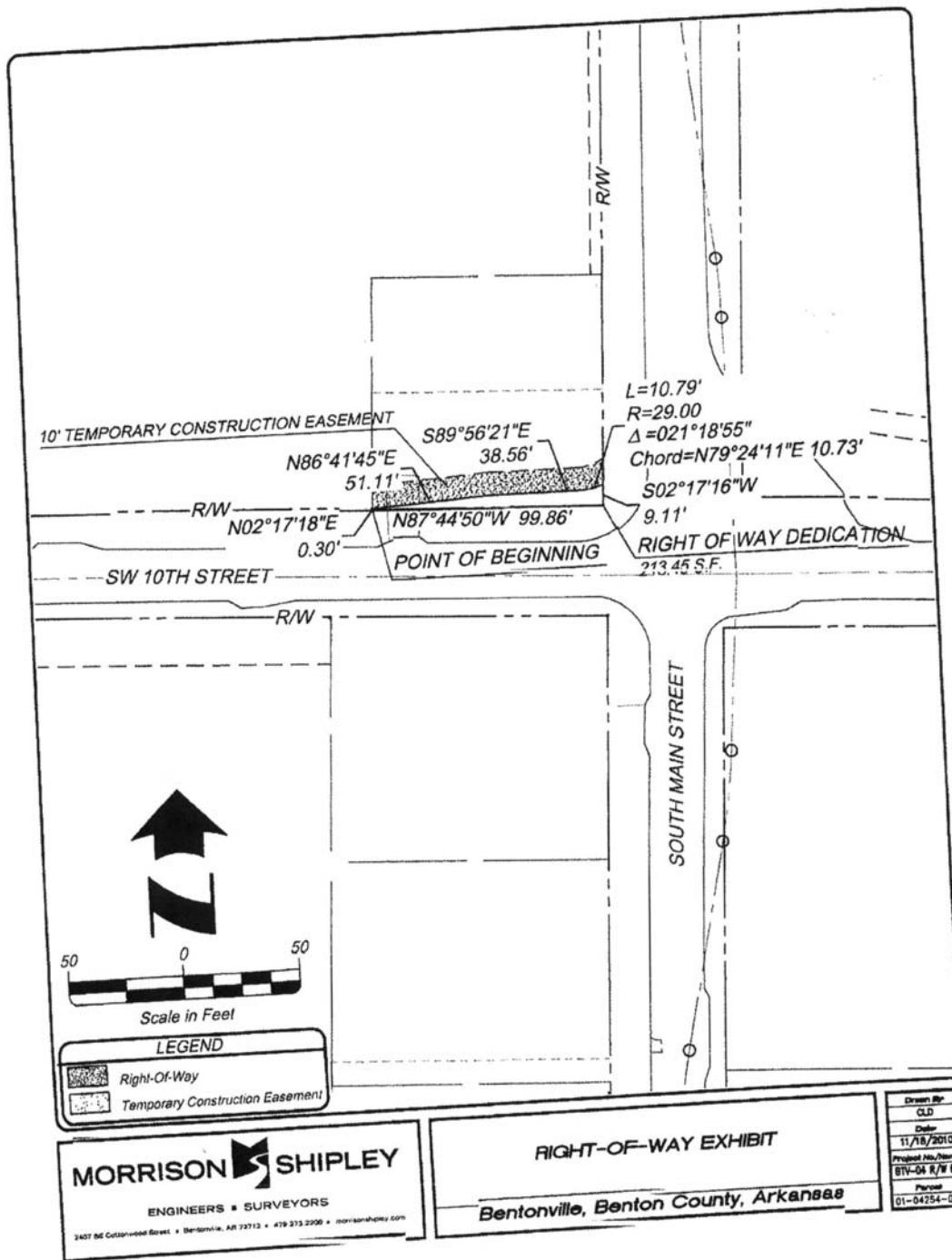
STATE OF ARKANSAS §
COUNTY OF BENTON §

BE IT REMEMBERED that on this day came before me, a Notary Public, within and for said County and State, Bob McCaslin, Mayor, THE CITY OF BENTONVILLE, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same as their free and voluntary act and deed for the purposes and considerations therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this _____ day of _____,
20_____.

MY COMMISSION EXPIRES:

NOTARY PUBLIC



RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO EXECUTE RIGHT OF WAY AND EASEMENT
DOCUMENTS FOR THE SOUTH MAIN STREET
PROJECT.**

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

Section 1: That the Mayor and Clerk be and are hereby authorized to execute Right of Way and Easement documents related to the South Main Street Project, as set forth in the documents attached hereto.

Section 2: This resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this ____ day of _____, 2015.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 9, 2015

Submitted by:

Travis Matlock

Department

Electric

Phone

271-5941

ACTION REQUIRED:

Recommend Mayor and City Council modify the Electric Capital Line item to replace "2-Ton Truck w/ Auto-Crane" with "Digger Derrick".

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	\$ -

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: June 4, 2015

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineering Director

RE: Modify Electric Budget and replace line item "2-Ton Truck w/ Auto-Crane" with "Digger Derrick"

In the 2015 Budget, the Electric Department proposed to purchase a large crane in order to replace an existing 2-Ton Auto-Crane. The Electric Department sent three employees to OSHA Crane training at NWACC to brush up on any new OSHA requirements that would apply to the dept. with the purchase of the new crane. It was discovered that the amount of requirements/certifications to own/operate a crane were beyond what the Electric Dept. expected. Just for comparison, Ozarks Electric (located in Fayetteville and serving 70,000 customers) has 1 crane and only 1 certified operator. If that operator is absent, the crane does not leave the building.

During the same training at NWACC, the Electric Department learned that Digger Derricks (Utility Vehicles) are exempt from the crane requirements in OSHA. The Electric Department would like to change the line item in the budget from "2-Ton Truck w/ Auto-Crane" to "Digger Derrick". The Digger Derrick is a vehicle used to dig holes for power poles, hold the poles during placement, and lifting of transformers/switchgears/junction boxes/poles. The amount budgeted for the crane was \$225,000.00. This is the same amount budgeted for a new Digger Derrick, therefore no budget adjustment is required.



BENTONVILLE CITY COUNCIL AGENDA

**Committee of the Whole
Community Development
Planning Commission Meeting Room**

**Tuesday, June 9, 2015 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, June 9, 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: May 26, 2015**

AGENDA

1. Distribution of Bentonville Public Library's 2014 Annual Report.
2. Planning:
- 2a. **The Rateliff Family Trust(Charles Rateliff) Lot Split, Lots 1,2,& 3 of Rateliff Manor Addition, 1716 Southwest 2nd Street.**

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split application for property located at 1716 Southwest 2nd street in the R-1, Single Family zoning designation. The plat as provided shows the creation of 3 lots from one tract to be known as Lot 1 (1.04 acres), Lot 2 (1.04 acres) and Lot 3 (2.75 acres) of Rateliff Manor Addition. Right-of-way is being dedicated along Southwest 2nd Street pre the master street plan. In addition a 20 feet public utility easement and a private access easement are also being dedicated with the plat. Both water and sewer service will be available to all lots.

- 2b. **Todd Renfrow with Lamplighter Restoration, LLC: Lot Split, Lots 15, 16, 17 & 18 of Claypool Block Subdivision 219,221,223 & 225 Northwest 'A' Street, zoned DE, Downtown Edge.**

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split application for property located at 219, 221, 223 & 225 Northwest 'A' Street. The lot split will create 4 lots that from one existing lot to be known as Lots 15 (0.064 acres), Lot 16 (0.047 acres), Lot 17 (0.047 acres) and Lot 18 (0.053 acres) of Claypool Block Subdivision. The large scale development plans for this project were approved May 6, 2014. Right-of-way is being dedicated along Northwest 'A' Street per the master street plan and a 20 feet utility easement is being dedicated along the western property line of each lot to provide sewer service to each lot. Both water and sewer services are currently available to each lot.

- 2c. **Arvest Bank: Rezoning, 807 South Walton Boulevard, C-2 Neighborhood Commercial to C-3, Central Commercial.**

The planning commission voted 7-0 recommending approval.

The applicant has requested a rezoning from C-2 to C-3 in order to relocate the Arvest ATM and to make it consistent with surrounding properties.

- 2d. **Michael Wisdom: Rezoning, R-1, Single Family Residential to R-O, Residential Office.**

The planning commission voted 7-0 recommending approval

The applicant has requested a rezoning from R-1 to R-O in order to have a small office.

3. The appointment of Jim Grider effective July 1, 2015 to the Planning Commission to fill the expired term of James Stanley. Jim Grider will be appointed to a 5 year term ending July 1, 2020.
4. Approve the resolution of support for Orchestra Works a digital media company identified within the Bentonville Blueprint as a target sector opportunity company. This resolution of support will enable the State of Arkansas to support Orchestra Works through the Equity Investment Tax Credit program administrated by Arkansas Economic Development Commission.
5. A resolution for the Mayor and City Clerk to assign an airport ground lease from Charlie Scott to Larry and Rhonda Brantly dba Software Strategies Inc. Said lease is known as Hangar 500-1, commonly known as Suite 8 of 2550 SW Aviation St.
6. A resolution setting a public hearing for an alley vacation request in Block 5, Dunn and Davis Addition.
7. Staff is seeking a resolution for the Mayor and City Clerk to enter into a contract with Crafton, Tull & Associates, Inc. for the survey and design of drainage improvements to SE 10th Street, between SE "C" Street and SE "J" Street.

8. Council approval of a resolution authorizing the Mayor and Clerk to grant right-of-way and temporary construction easements of City owned property to the South Main Street Improvements Project. Attached are warranty deeds and exhibits for the two locations.
9. Recommend Mayor and City Council modify the Electric Capital Line item to replace "2-Ton Truck w/ Auto-Crane" with "Digger Derrick".