

1. Agenda

Documents:

[APRIL 12, 2016 CITY COUNCIL FULL AGENDA.PDF](#)

2. Short Agenda

Documents:

[APRIL 12, 2016 CITY COUNCIL SHORT AGENDA.PDF](#)



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, April 12, 2016 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, April 12, 2016 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: March 22, 2016**

AGENDA

1. Presentation of Bentonville Public library's Annual Report and Bentonville's Second Annual Youth Literature Festival. **(Pages 4-22)**
2. An ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. (John and Velenia Callis) **(Pages 23-27)**
3. Planning:
- 3a. **Lot Split: Trina F. Hammond, Lot 5, Block 15, Railroad Addition, 113 Southeast 'F' Street, Zoned R-1, Single Family Residential.** **(Pages 30-33)**

The planning commission voted 7-0 recommending approval.

The applicant has submitted a lot split for property located at 113 Southeast 'F' Street. The plat as provided shows the creation of one new lot from a portion of existing Lot 3 to be known as Lot 5 (0.19 acres), Block 15 of Railroad Addition. The plat indicates the dedication of right-of-way along Southeast 'F' Street per the Master Street Plan. Water and sewer services are available to both lots.

- 3b. **Lot Split: Bike Rack Group, LLC (Jake Newell) Southwest 'B' Street & Southwest 7th Street, Zoned D-C, Downtown Core.**

(Pages 34-37)

The planning commission voted 7-0 recommending approval.

The applicant has submitted a lot split for property located at Southwest 'B' Street & Southwest 7th Street. The plat as provided shows the creation of two new lots from 3 existing lots to be known as Lot 13 (0.18 acres) and Lot 14 (0.29 acres), Block 6 of Dunn & Davis Addition. The plat indicates the dedication of right-of-way along Southwest 7th Street per the Master Street Plan and the dedication of additional right-of-way along the northern existing alley to allow for fire apparatus access. Water and sewer services are available to both lots.

- 3c. **Final plat: Meadows at Woods Creek, Inc., The Estates at Woods Creek, Zoned R-1.**

(Pages 38-41)

The planning commission voted 7-0 recommending approval.

The Estates at Woods Creek subdivision consists of 20 acres and includes 15 lots, 1 of which is non-buildable. The property exists in a developing residential area along the west side of Woods Creek Road with only one access point onto Woods Creek Road. All lots will have adequate access onto a public street. Regional detention exists in this area and a drainage easement is being provided to address runoff from the subdivision. Lots within this subdivision range from 0.29 acres to 4 acres. Sidewalk ramps have been installed to facilitate future pedestrian connection to the surrounding residential and common areas. Right-of Way has been dedicated for the street/cul-de-sac known as Northeast Miner Court, that will provide direct access to the lots within subdivision. Various utility easement dedications have also been made to allow utility services to each lot. All non-bondable items have been completed.

- 3d. **Land Use Map Amendment: Parsley, 9004 Windmill Road, Zoned A-1 to Proposed Land Use Map Designation, Low Density Residential.**

(Pages 42-47)

The planning commission voted 7-0 recommending approval.

The applicants are requesting a change to the land use map designation in order to develop a small residential subdivision.

- 3e. **Rezoning: Alta Vista, LLC (Craig Soos) 403 Southeast 5th Street, R-1, Single Family Residential to C-3, Central Commercial.**

(Pages 48-52)

The planning commission voted 7-0 recommending approval.

Property is described at 0.52 acres, currently zoned R-1, single family residential, land use map shows mixed use which allows C-3 zoning.

- 3f. **Rezoning: PBR Holdings, Karning, Downtown Bentonville Cottages, Inc. & Prime Time Housing, LLC., Southeast 2nd Street & 301,305,307,309 & 311 East Central Ave.**

(Pages 53-58)

The planning commission voted 7-0 recommending approval.

The applicants have requested a rezoning from R-1, Single Family Residential & D-E, Downtown Edge to D-C, Downtown Core, The land use map shown mixed use which allows D-C, Downtown Core, Water and sewer service are available.

4. A resolution setting a Public Hearing for April 26th, 2016 for a Street Right of Way Vacation requested by 21C, LLC at 200 NE A Street. **(Pages 59-62)**
5. Council approval of a resolution authorizing the Mayor and Clerk to amend the existing contract with Garver Engineers on the NW 3rd Phase 3 project increasing the amount by an additional \$47,355.00 to include water and sewer line staking and design, provide right-of-way and easement staking, and increase the construction observation services fees. See attached memo and Amendment #1 document. **(Pages 63-69)**
6. Request a waiver of bid and authorization to enter into a product and service agreement with SPS VAR for the purchase of a replacement AS/400 (Power 8). **(Pages 70-81)**
7. Fire Department Staff recommends Council approve an ordinance authorizing a third party inspection reporting system for the City of Bentonville. **(Pages 82-85)**
8. Recommend Mayor and City Council award bid #16-10 for 1/0 underground wire to the lowest bidder as shown on the attached bid tabulation in the amount of \$75,450.00. **(Pages 86-88)**
9. Review Street Department overlay list for 2016. **(Pages 89-109)**
10. City Council approval of resolution to Crafton Tull and Associates authorizing the Mayor and City Clerk to enter into an agreement for design work for the Melvin Ford Aquatic Center Bathhouse Remodel project. **(Pages 110-113)**



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

AGENDA FORM

CITY COUNCIL MEETING OF:

April 12, 2016

Submitted by:

Hadi Dudley

Department

Library Director

Phone

271-3194

ACTION REQUIRED:

Presentation of Bentonville Public Library's 2015 Annual Report and Bentonville's Second Annual Youth Literature Festival.

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.

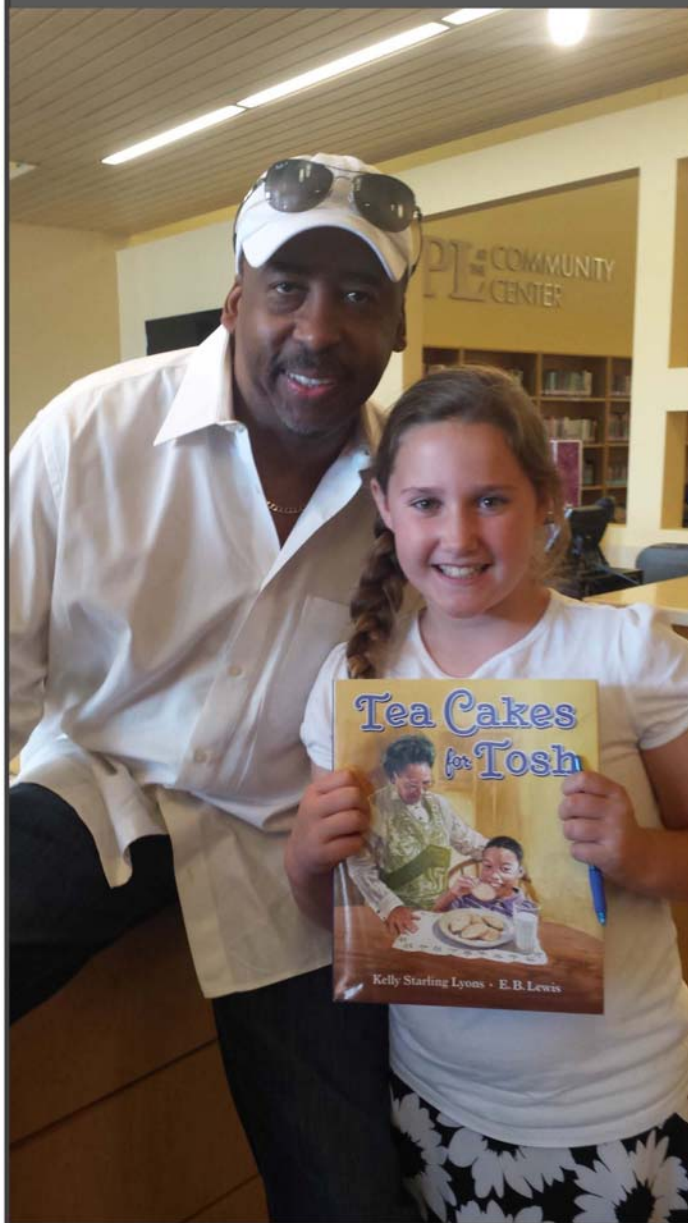
117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





Celebrating Literature

Vanessa, a 4th grader, visited with "artistrator" E.B. Lewis at BPL's Inaugural Youth Literature Festival. Lewis autographed *Tea Cakes for Tosh*, a picture book he illustrated.

From the Library Director



- The year 2015 is in the record books for BPL's **highest circulation**, totaling 651,289 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. **Digital downloads** totaled 114,966; this was a **48% increase** over 2014.
- BPL expanded tech access with new eLearning resources and growth of our **BPL Tech Card** program.
- Our Materials Recovery Program continues to promote the responsible return of library assets, recouping **\$29,040.41** in materials, fines and fees.
- The Library experienced increases in many categories of use over the prior year with a **26% growth in program attendance**. This increase is comprised of new programs, library outreach activities, passive programming and cross-departmental offerings for children, teens and adults.
- Public computer use at BPL is declining; this is a **national library trend** due the growing use of personal devices. BPL's WiFi use and other digital services continue to increase.
- BPL established a solid **partnership** with the **Bentonville Parks and Recreation** Department to open a Mini-Branch Library at the new Community Center. BPL at the Community Center is where the 'Epicenter of Fun' meets Lifelong Learning!
- Bentonville's Inaugural **Youth Literature Festival**, hosted by BPL in partnership with the Parks and Recreation Department, was a lovely event that was well-received by our community.
- The Library **upgraded circulation technology** that was outdated and inefficient. New hardware and software programs were implemented through planned budget expenditures and phased projects.
- BPL partnered with Bentonville Film Festival to host **The Library Series** for BFF's inaugural celebration of women and diversity in film.

Bentonville Public Library Budget

Library Expenditures

Personnel Salaries	\$662,821
Personnel Benefits	\$181,483
Library Materials & Digital Resources	\$252,491
General Operating & Maintenance	\$244,250
Capital Expenditures	\$ 91,499
	\$1,432,543

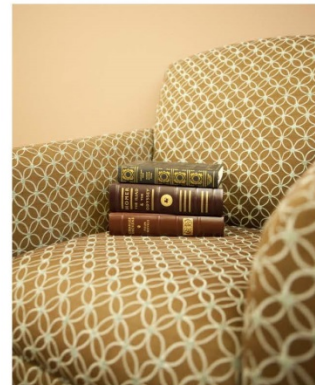
Library Revenue

Cost-Recovery Fees & Overdue Fines*	\$ 58,844
Grant Funds & Donations**	\$ 9,200
	\$ 68,044

Contributions

Materials	\$ 44,759
Monetary Donations**	\$ 64,021
Volunteerism	\$193,615
	\$302,394

Accounting figures are rounded to the nearest dollar



*Revenue continues to increase due to BPL's Materials Recovery Program; MRP recovery totals \$99,900+ (Jul 2012-Dec 2015).

**Monetary contributions were made to partner 501c3 groups to support library collections, the Youth Lit Fest and the Summer Reading Club (includes foundation's end-of-year appeal).



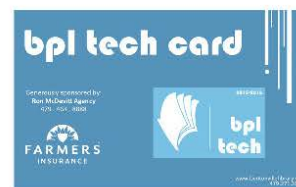
BPL Statistics

Circulation	651,289
Library Visits	298,585
Program Attendance	49,509
Staff Assistance	43,738
Computer Usage	29,041
Material Requests Filled	22,431
New Library Cards*	13,824
Outreach**	7,815
Library Tours**	1,103
Meeting Room Groups	2,275
Meeting Room Attendees	18,681
Collection Size	131,070
Collection Value	\$2,859,012



Technology Supports Learning

- Our innovative **BPL Tech Card** program expanded to 11 schools in the Bentonville Public School District, with more than 8,400 cards distributed to students.
- Nine new databases were added for younger audiences, history and science topics: Capstone **PebbleGo**, Rosen **PowerKnowledge** and **Core Concepts**, and Scholastic **FreedomFlix** and **TrueFlix**.
- Flipster** is a product that provides access to popular magazines titles.
- A new **Kid Tech Portal** was launched at BPL providing direct links to library databases.
- Visit www.bentonvillelibrary.org to access BPL Downloadables, eLearning resources and the Student Portal.



Donation Sponsors Tech Cards

Special thanks to the Ron McDevitt Agency, Farmers Insurance for sponsoring 2015-2016 Tech Cards with a gift of \$2,665 to the Bentonville Library Foundation.

BPL Tech Card program is in partnership with



*New Library Cards include the BPL Tech Cards issued to 8,400 students

**Library Tours and Outreach attendance included with Program Attendance

Youth Literature Festival Bentonville's Inaugural Event

"When libraries, authors, illustrators and children connect, ... magic happens!" This lovely sentiment from Obert Skye was a reality on May 2nd in Bentonville.

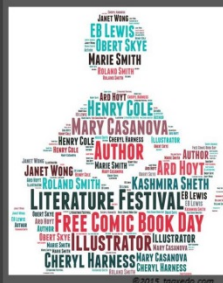
Bentonville's Inaugural Youth Literature Festival, hosted by BPL in partnership with the Bentonville Parks and Recreation Department, was attended by 1,250 participants.

Thirteen authors and illustrators of youth literature inspired attendees of all ages in a celebration of reading, writing and creativity.

The festival was considered an "official event" by Children's Book Week!



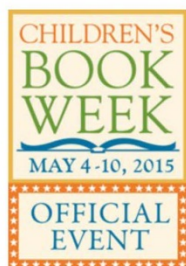
Author Mary Casanova is photographed with 6-year old BPL patron, Cailyn. Photo by Lindsay Falkenberg.



Amazing Talent

These authors and illustrators are people who possess amazing talent, humility, thankful hearts and genuine interest in their readers.

[R: Front / L to R: Marie Smith, Kashmira Sheth, Mary Casanova and E.B. Lewis; Back / L to R: Obert Skye, Ard Hoyt, Roland Smith, Janet Wong and Henry Cole; Not pictured: Cheryl Harness]*



Special Thanks

In addition to our partnership between the Library and the Parks and Recreation Department, Bentonville's Youth Literature Festival was supported by grants, private donations, gifts, in-kind contributions and sponsorships. BPL is grateful to Bethany Culpepper, co-founder of the Bentonville Youth Literature Festival, for her hard work and passion.

Bentonville Film Fest

Joining our city and community to welcome the inaugural Bentonville Film Fest (BFF), the Bentonville Public Library hosted "The Library Series." The series focused on educational panels and workshops that were free to attend.

- *Fly Low Jack and the Game* with Nora Brown and Mike Champlin
- *Seed & Spark: Crowdfunding Workshop* by Emily Best
- *Connecting the Dots* presented by Anna Martemucci
- *A Director's Process* with Catherine Hardwicke



*Tina Hoisington, literacy teacher and 2015 festival volunteer, commented on the authors' and illustrators' "amazing talent." Photo by Bethany Culpepper.

BPL at the Community Center

Bentonville Public Library partnered with the Bentonville Parks and Recreation Department to open a Mini-Branch Library at the new Bentonville Community Center.

BPL at the Community Center features an exterior book drop, internet computers, materials available to check out, browse-able magazine and newspaper collections and outreach library programming.

New self-service kiosks were introduced to the public with Parker and Rex at the Mini-Branch! New library materials stock the shelves in the two lounge areas. Bestsellers, large print, movies, plus health and fitness resources are available to check out by patrons of the Bentonville Library.



BPL's Mini-Branch has been well used by visitors to the Community Center! Patrons have checked out 4,246 library materials from the 1,965-item collection; this is equivalent to 216% collection use. The convenient exterior book drop is also popular with 6,998 books and audiovisuals collected (May – December 2015).



The project was primarily funded by the City of Bentonville, with donations and sponsorships to support magazine and book collections. Designated funds in the Library's operating budget will support the mini-branch in future fiscal years.

The Bentonville Community Center is located across town at 1101 SW Citizens Circle. Featuring a gymnasium, indoor track, exercise equipment, meeting rooms, outdoor spaces, competition pool and interactive leisure pool, the facility is 83,000 square feet with a price tag of \$16.5 Million. The library presence is included as a unique amenity. BPL appreciates David Wright and Lee Famer for their supportive partnership. Learn more about the Community Center at www.playbentonville.com.



New & Improved Technology

The library upgraded RFID (radio frequency identification) equipment that was more than eight years old to improve efficiency and enhance the customer experience.

Existing security gates were 'end-of-life' and no longer supported; the new gates are sleek and modern!



New self-service kiosks replaced outdated equipment. The main library introduced Arwen, Frodo and Gandalf to library patrons in August.

Staff workstations at the Check Out desk were also upgraded.

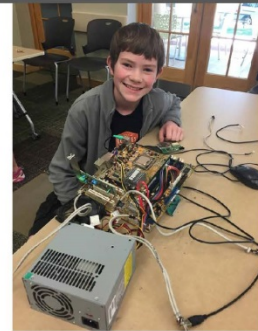


Children's Services

- The Bogle Family Children's Library expanded its program offerings to include STEAM (Science, Technology, Engineering, Arts & Math) activities.
- Read to Obi was added to BPL's Ruff Ruff Read therapy dog storytime schedule.



- Art, LEGO® and DUPLO® offerings are now included as passive programs that foster creativity and learning through hands-on activities.
- Attendance at children's programs increased 16% over 2014 attendance.
- Summer Reading Club participants logged 29,682 hours; readers were kids, teens and adults!



Teen Zone

- Teen collection checkouts increased 110% over the prior year.
- Teen volunteerism totaled 4,650 hours of service to our library.
- Local author Karen Akins discussed her book, *LOOP*, with the Teen Book Club.
- BPL partnered with the Bentonville Police Department to offer Safe Driving Lessons for Teens.



Adult Services

- Program attendance at adult offerings increased more than 100% over the prior year.
- BPL produced several tabletop gaming events, along with crafts for adults and other new offerings.



The Library Team

Cross-departmental offerings included Youth Lit Fest, Free Comic Book Day, Summer Reading, the Tech Card campaign and other initiatives for all ages reaching more than 3,000 patrons.

Program Volunteers

Karen Akins
Katherine Auld
Katrina Baker
Laura Brewer
Sarah Burks
Darby Bybee
Melsine Carter
Sandra Chandler
Srikar Chikkala
Cody the Dog

Jenna Cook
Mattie Couch
Carol Cowell
Shruti Dere
Shevawn Dillingham
Tim Ernst
Leslie Evans
Ashley Feng
Marissa Fennell
Katie Fitch

Melanie Gartside
Diane Giannini
Namrata Gopinath
Larry Gramling
Amber Harris
Jonathan Holmes-Smith
Kathleen Holmes-Smith
Houston Hughes
Tricia Jennings
Jesse the Dog

K.B. Kidder
Susan Knapps
Danielle Koerner
Nick Lai
Rick Marshall
Chas McCoy
Obi the Dog
Margaret Ann Parenti
Roman Rios
Teresa Robinson

Paula Ryburn
Ross Sanchez
Matthew Sisson
Sophie the Dog
Alan Thomason
Corrin Troutman
Mike Vass
Ed Wheeler
Charles Wright
Zaida the Dog

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.

Members: Aaron Jones, Judy DeGarmo, Elaine Kerr, Judy Marquess, Kimberly Seay; Chair: Hadi Dudley; Ex Officio: Octavio Sanchez, Brenda Compton and Michelle Vargas [R: Board & Mayor recognize David Wright & Lee Farmer]



Teen Advisory Board 2015-2016

Teens apply and are selected through a panel interview process. These young leaders advise on library services that support our community's teenagers. Teen Advisory Board members volunteer for special projects throughout the year including a "1,000 Books for 1,000 Readers" book drive, Summer Reading Club workshops and represent BPL at outreach programs in the community.

Junior Partners

Gina Allen	Nick Mitchell	Ally Swindell	Lori Todd
Mackenzie Allen	Nadine Moustafa	Kevin Swindell	Raja Valli
Amy DeMania	James Orejuela	Amy Thomas	Daniel Vogel
Mackenzie DeMania	Kate Orejuela	Lilli Thomas	Susan Vogel
Michelle Garcia	Nicole Orejuela	Joan Timmerman	Angelica Yang
Norma Garcia	Laasya Ravipati	Megan Timmerman	Estrella Yang
Vinod Kanna	Sravva Ravipati	Bria Todd	Nhia Yang
Sandra Leal	Eric Rosales	Kinley Todd	Snow Yang
Dardyn Mitchell	Amal Soliman		



L to R: Delaney Pollard, Shruti Dere, Sadie Pate, Nikhita Nakka, Autumn Roberts, Christofel Enslin; Front: Austin Kreulach

Not Pictured: Vakula Mallapally, Trevor Smith and Saranya Varanasi

Adult Volunteers

Andrew Adams	Elizabeth Fuller	Sidharthan Madhavan	Sudha Shanmuganathan
Deepika Anantharaman	Taylor Genser	Mamie Matteri	Divya Sivasankaran
Dana Apple	Andrew G. George	Joshua Matthews	Sabrina Stephenson
Minu Babel	Melissa Halsema	Jeff Myers	Tiffany Stephenson
Narayanan Balagopalan	Rene Harper	Madhu Nagadjody	Nandini Tedla
Goriana Barquero	Nick Harvey	Zeena Nair	Ramya Thiagarajan
Kaitlyn Bewley	Lucas Hobson	Adela Nochebuena	Shervon Thomas
Morgan Brown	Archana Kalidindi	Dominique Nyce	Ramyasai Uppuluri
Amanda Bryson	Narmadha Karthick	Cathy Otto	Preeti Varshney
Sandy Buckley	Suguna Krishnamurthy	Rebekah Parsa	Vamshi Veggalam
Megan Byrnes	Narmada Krushna	Jordan Perry	Holly Wertens
Margaret Curry	Teresa Lamantia	David Plunk	Pamela Willis
Marbella De Salvador	Roni Lewis	Vinitha Ramakrishnan	Ulyana Zavadskaya
Petula DeSylva	Mark Lloyd	Diane Rennell	Amanda Zoellick
Kalpana Devarasetty	Monica Lopez-Gallo	Akshaya Samy	



Teen Volunteers

Hashane Abey	Stephanie Galen	Mirdula Manivannan	Anna Robertson
Gabrielle Agcaoili	Aaliyah Garcia	Rithu Manoharan	Katelyn Robinson
Jessie Agcaoili	Matthew Gates	Ruth Martinez	Jason Rosete
Lily Agnacion	Aaron Gbedey	Cassie McCreary	Joshua Rugger
Jose Aguilar	Wesley Gernstetter	Cayla McGrail	Paula Ryburn
Benjamin Allen	Namrata Gopinath	Nathan McSpadden	Sri Sanjanaledalla
Isabella Anderson	Mackie Gregory	Omar Moustafa	Lydia Scallion
Max Arteaga	Zander Gregory	Abdussaboor Muhammad	Lauren Skinner
Khadeeja Asif	Alec Gudenau	Haadiya Muhammad	Alex Solis
Emily Badeen	Yashika Gupta	Kaitlin Murray	Estefano Soria
Maddy Baumhover	Courtney Gutche	Thomas Murray	Jacob Spinato-Taylor
Shiloh Beeler	Whitney Haak	Molly Myers	Kaelyn Stewart
Ethan Bennett	Alison Harp	Pooja Naik	Nithya Sundar
Lizzy Bermudez	Nicholas Herlevic	Nikhita Nakka	Tanvi Sunkireddy
Emma Berndt	Monica Hernandez	Pranav Natargjan	Robyn Surber
Madelyn Bertrand	Alyssa Hobbs	Meesha Naveen	Amirtha Sureshbabu
Nikita Britto	John Horton	Nickolas Newnham	Hayley Szymanzk
Nicholas Brophy	McKensie Hulsey	Christina Olson	Rachna Talluri
Laura Browning	Furqaan Indori	Stephanie Olson	Vanessa Tam
Sarah Burks	Sarah Jackson	Brenner Ordendorff	Abby Terlouw
Shyam Chandra	Julia Jeffrey	Marie Osmola	Drake Tittle
Matthew Chastain	Duke Jenkins	Kaylan Oxford	Samantha Trujillo
Meghana Chithirala	Beth Jennings	Rachna Panechuri	Cameron Turner
Chloe Christian	Haley Johnson	Alex Paprocki	Christian Turner
Mary Claire Clark	Madison Johnson	Sarah Paracha	Paige Van Oudheusden
Kayton Coffee	Lian Juan	Wesley Parker	Brittany Vandevort
Colin Conway	Radhik Kalaiselvan	Amrutha Parvathaneni	Saranya Varanasi
Jenna Cook	Nawal Kashif	Sadie Pate	Vini Vianna
Shelby Costley	Aroob Kasif	Reetik Patel	Sydney Vissar
Mattie Couch	Mandeep Kaur	Kailee Patterson	Ryan Wahl
Mackenzie DeMania	John Kent-Hicks	April Perrin	Gillian Wall
Shruti Dere	Savannah King	Jada Peten	Zhong Yu "Alice" Wang
Sophia DeToro	Madeline Knight	Delaney Pollard	Brandon Ward
Jessica Dias-Jayasinghe	Varsha Kolluru	Logan Pollard	Michel Waterhouse
Anna Disney	Austin Kreulach	Lydia Pope	Rebekah Weiberg
Saivipulteja Elagandhula	Arthi Krishna	Sarah Price	Abigal Wiatrek
Chris Enslin	Suquna Krishnamurthy	Caitlyn Purcell	Natalie Widdowson
Austin Estabrook	Apoorva Krovvidi	Jack Purcell	Kylie Wilkins
Jonathan Ewin	Sophia Lacy	John Robert Purvis	Brianna Willis
Alyssa Fakunle	Joana Lome	Kaitlyn Putnam	Timothy "Grant" Wilson
Rebecca Farfan	Carla Lutchter	Montserrat Rangel	Emily Wurzer
Jake Fennell	Natalie Macias	Seth Rippetoe	Samantha Yamane
Marissa Fennell	Aryan Maheshwari	Emilee Roark	Sterling Yang
Kaleigh Fischer	Shreya Majagi	Maeghan Roark	Elise Young
Sian Fox	Vakula Mallapally	Autumn Roberts	
Beth Francis			

Volunteers in Action

At BPL, our volunteers are the greatest! From shelving to book repair to craft prep, many people give their time and talent! From service on boards to program expertise, we are grateful for everyone who serves.

In 2015, **331 volunteers** gave **8,392.48 hours**.* This is valued at **\$193,614.50!**

*Library volunteers only; Genealogy, Foundation and Friends volunteered thousands of hours to support BPL too.



Genealogy Volunteers

Volunteers from the Northwest Arkansas Genealogical Society dedicated 1,732 hours assisting library patrons with family history research. 2015 Volunteers: Cary Anderson . Pat Artman . Robert Bowers . Jacque Carpino . Anita Frevert . Kurt Frevert . Wanda Haines . Karen Hotaling . June Melton . Chris Miller . Dorothy Miller . Jane Nanney . Cathy Otto . Kim Watson . Mary Wynne

Community Partners & Corporate Sponsors

Alzheimer's Association, Arkansas Chapter	Inferno Fitness and Mixed Martial Arts
American Legion	Kendrick Fincher Foundation
American Library Association	LeaderOne Financial
Ancestry Sleuths	Legal Aid of Arkansas
Anderson Merchandising	Literacy Council of Benton County
Arkansas Arts Council	Looney Labs
Arkansas Department of Heritage	Malco Theatres
Arkansas Geological Survey	Marco's Pizza Bentonville
Arkansas Guardian literacy mentors	McDonald's
Arkansas State Library	Museum of Native American History
Asian American Living	National Novel Writing Month
Bee Well Yoga	Northwest Arkansas Naturals
Benton County Master Gardeners	NWA Alumnae Chapter of Delta Sigma Theta Sorority, Inc.
Benton County Sheriff's Office	NWA Roleplaying Gamers
Bentonville Film Festival	Paranormal Ozarks Investigations
Bentonville Garden Club	Passport Game Studios
Bentonville Library Foundation	The Peel Compton Foundation
Bentonville Parks and Recreation Department	Pro Martial Arts
Bentonville Police Department	Reef Ready
Bentonville Public Schools	The Roark Group
Calliope Games	Rogers Historical Museum
Central Garden & Pet	Ron McDevitt Agency Farmers Insurance
Chick-Fil-A	Rotary Club of Bentonville
Children's Book Week	Sam's Club
City of Bentonville Community Center	The Scott Family Amazeum
City of Bentonville Human Resources	Southern Girl Sweets
Compton Gardens	Spice and Tea Exchange of Bentonville
Crystal Bridges Museum of American Art	Steve Jackson Games
Delta Cultural Center	Storybook Strings
Diamond Comic Distributors, Inc.	Swasthan Seva Foundation, Care-A-Child Tutoring
Downtown Bentonville, Inc.	Table Mesa
Dryden House Publishers	Tea Rose Foundation of Northwest Arkansas
Free Comic Book Day	Teen Action and Support Center
Friends of the Bentonville Library	Trike Theatre
Game Exchange	Walmart Foundation
Gamer Utopia	The Walmart Museum
Gear Gaming Store	Walmart Volunteerism Always Pays
Geek and Sundry	University of Arkansas
Girl Scouts	Vintage Stock
Illinois River Watershed Partnership	Zaxby's

Corporate Groups Volunteer at BPL

MaxAttention Team with Software Solution Company	Walmart ISD Infra Ops Collaboration
Walmart Global Back Office Solutions	Walmart Health & Wellness Compliance Team



Dudley with Fayetteville PL Executive Director, David Johnson [above].

Dudley with Fort Smith PL Director, Jennifer Goodson.



Session Presenters at Library Conferences



Heather Hays presented two sessions at the Association for Rural and Small Libraries conference; and one session at the Arkansas Library Association conference.

BPL Leaders are ALL-In

Courtney Fitzgerald [left] and Sarah Gowdy [right] attended the Arkansas State Library's Arkansas Library Leadership Institute (ALL-In). They are photographed with the Arkansas State Librarian, Carolyn Ashcraft.

Fitzgerald also graduated from the Leadership Benton County program, representing the City of Bentonville.



Special Presentations & Tributes



Ms. **Juanita Fryer**, longtime member of the **Bentonville Garden Club**, shared a portion of her flower frog collection at Bentonville Public Library inside the Coughlin Reading Hearth room.



Members of the **Book Lovers Book Club** honored their friend **Joan Clifford** by sharing a special presentation with Ed Clifford. The club contributed memorial funds to the Bentonville Library Foundation to purchase books for BPL at the Community Center.



In Honor of **Mary Baggett**, several new books on fitness for seniors were purchased by the Library Foundation for BPL at the Community Center to recognize her long-term service on the Bentonville City Council.



Library Friends Support Reading

The **Friends of the Bentonville Library** sponsored the Summer Reading Club with a generous donation of \$6,000. The Library also received new picture book bins in the Children's Department.

2015 Friends Executive Committee

Brenda Compton, President . Jean Batta, Vice President

Luci Henderson, Treasurer . Dalene Schrier, Secretary

Ex Officio: Hadi Dudley

The Bentonville Library Foundation

2015 Board of Directors

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
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The **Bentonville Library Foundation** spearheaded a successful end of year appeal to support Bentonville Public Library. Special thanks to Mike and Marianne Poore who served as campaign co-chairs!

Library Loyalists, Honor Society & Youth Literature Festival

The Foundation's end of year appeal featured new societies and designations for donors. These giving opportunities honored library lovers and supported BPL services!



The Mary Baggett
Loyalist Society



The Culpepper Family
Supports the Youth
Literature Festival



The Douglas Honor
Society

Supporting our library, enlightening our community—more information available at bentonvillelibraryfoundation.org.



Our Mission

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



Supporting our library, enlightening our community.

The Douglas Honor Society

The Honor Society recognizes our generous donors of gifts of \$1,000 or more.

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Emily and John Douglas	Jon and Lori Terlouw
Hadi and Greg Dudley	Walmart Foundation
First National Bank of NWA	Cindy Walters
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The Mary Baggett Loyalist Society

The Loyalist Society recognizes our loyal donors who make gifts in consecutive years.

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Our Mission

To support its community's knowledge and learning by enhancing library facilities, programs and services.

405 S Main Street . Bentonville, AR 72712 . 479.271.2464 . www.bentonvillelibraryfoundation.org



Saturday, April 23, 2016

Authors | Illustrators | Workshops | Book Sales | Book Signings

Youth Literature Festival is a free, family friendly event
with activities for all ages.



405 S Main St | 479.271.6816 | www.bentonvillelibrary.org

Event Schedule: Saturday, April 23

All events are free and open to the public. No registration necessary.

Author & Illustrator Presentations

9:30 am – 10:20 am

Mary Casanova	Walmart Room
Henry Cole	Rotary Room
Ard Hoyt	Read Aloud Area
Kashmira Sheth	Teen Zone
Cheryl Harness	Fireplace Area

10:30 am – 11:20 am

Obert Skye	Walmart Room
Janet Wong: Teacher Workshop	Rotary Room
Roland Smith	Read Aloud Area
Michael Spradlin	Teen Zone
Marie Smith	Fireplace Area

12:30 pm – 1:20 pm

Ard Hoyt	Walmart Room
Kashmira Sheth	Rotary Room
Henry Cole	Read Aloud Area
Mary Casanova: <i>Frozen</i> Book Discussion	Teen Zone
Cheryl Harness	Fireplace Area

1:30 pm – 2:20 pm

Roland Smith	Walmart Room
Janet Wong	Rotary Room
Obert Skye	Read Aloud Area
Michael Spradlin	Teen Zone
Marie Smith	Fireplace Area
Karen Akins	Genealogy Room

Featured Activities

9:00 am—9:30 am	Henna Hand Design	Teen Area
9:00 am—9:30 am	Watercolor Art	Craft Area
12:00 pm—12:30 pm	Bird Art Activity	Craft Area

Book Sales & Signings

9:00 am—3:30 pm	Book Sales by Barnes & Noble Booksellers	Library Corridor
2:30 pm—3:30 pm	Book Signing	Walmart Room

Something Extra

Michael Spradlin
Adult Presentation
Friday, April 22 @ 11:00 am

Michael Spradlin
Homeschool Presentation
Monday, April 25 @ 11:00 am

405 S Main St | 479.271.6816 | www.bentonvillelibrary.org

2016 Second Annual Featured Authors & Illustrators



Karen Akins



Marie Smith



Mary Casanova



Ard Hoyt



Roland Smith



Henry Cole



Kashmira Sheth



Michael Spradlin



Cheryl Harness



Obert Skye



Janet Wong

*Learn more about our featured talent and Bentonville's Youth Literature Festival
at tinyurl.com/bylf2016*

Bentonville
PUBLIC LIBRARY



BENTONVILLE
LIBRARY FOUNDATION

FESTIVAL MISSION

The Festival Mission is to connect our community with authors and illustrators to spark imagination, inspire young learners and nurture a lifelong love of reading, writing and creativity!

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Bentonville's Youth Literature Festival is recognized as an "Official Event" to kick-off this year's annual Children's Book Week, celebrated May 2-8.

Established in 1919, Children's Book Week is the longest-running national literacy initiative in the country. Learn more about the national campaign at www.bookweekonline.com

The Youth Literature Festival is supported by volunteers, grants, private donors, sponsorships, and in-kind gifts. Give today to support YLF at bentonvillelibraryfoundation.org, designate "Youth Literature Festival." A portion of the Book Sale proceeds will support programming at Bentonville Public Library.

For more information about any of the programs in this event guide, please contact Bentonville Public Library
405 S Main St. Bentonville, AR 72712 . 479.271.6816 . www.bentonvillelibrary.org
Monday—Thursday 9:00—8:00 pm . Friday—Saturday 9:00—5:00 pm



CHECK ALL THAT APPLY		
	Bid Award	Bid #
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	Informational	
X	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

April 12, 2016

Submitted by:

Camille Thompson

Department

Staff Attorney

Phone

271-5914

ACTION REQUIRED:

ACTION REQUIRED: An ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. (John and Velena Callis)

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



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF BENTONVILLE, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF BENTONVILLE, AND ASSIGNING SAME TO WARDS.

WHEREAS, petition was filed with the County Clerk of Benton County, Arkansas by **Jon and Velena Callis**, owner(s) of the hereinafter described territory, praying that said territory be annexed to, and made a part of the City of Bentonville, Arkansas, and

WHEREAS, on the 22nd day of **February, 2016**, the County Court of Benton County, Arkansas, found that the petition was signed by the owners of said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Bentonville, Arkansas; that an accurate plat or map of said territory had been filed with, and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and a part of the City of Bentonville, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order.

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

Section 1. That the lands described on the attached Exhibit A is territory contiguous to and adjoining the City of Bentonville, Arkansas be and the same is hereby accepted as part of and annexed to and made a part of the City of Bentonville.

Section 2. That the above described territory shall be annexed to and made a part of Ward 2 of the City of Bentonville, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Section 3. That the above described territory shall be zoned A-1, to be used in accordance with City zoning laws and the laws of the State of Arkansas.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

APPROVED: _____

Mayor

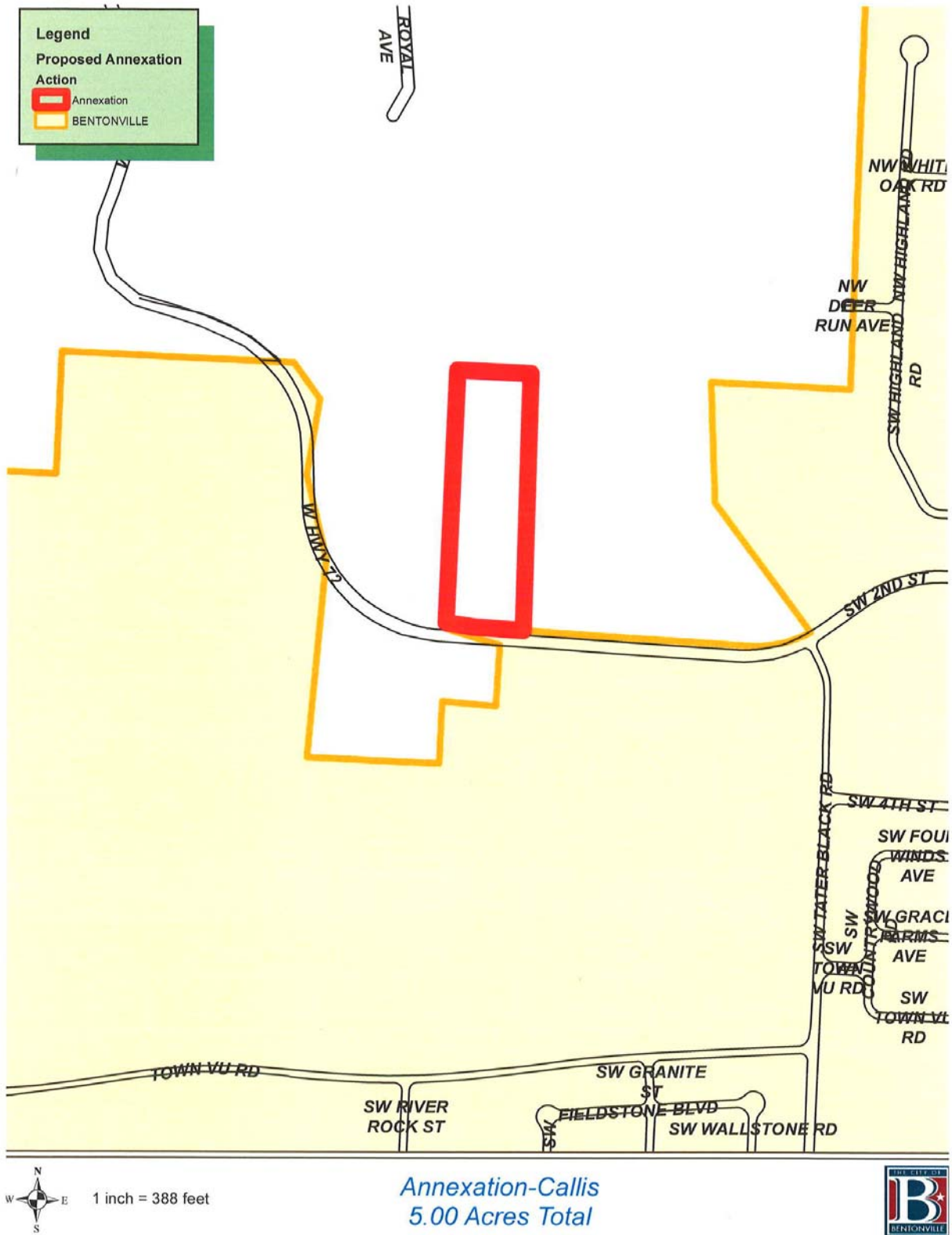
ATTEST: _____

Clerk

Exhibit 'A'
'Callis Annexation'

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20N, Range 31W, Benton County, Arkansas and more particularly described as follows:

Beginning at the NW Corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$;
Thence S $87^{\circ} 20' 11''$ E, 247.70';
Thence S $01^{\circ} 52' 01''$ W, 861.92';
Thence N $86^{\circ} 06' 08''$ W, 165.36';
Thence N $81^{\circ} 04' 30''$ W, 96.06;
Thence N $02^{\circ} 44' 22''$ E, 847.80' to the point of beginning.



**City Council
Agenda
April 12, 2016**

Lot Split: Trina F. Hammond, Lot 5, Block 15, Railroad Addition, 113 Southeast 'F' Street, Zoned R-1, Single Family Residential.

The planning commission voted 7-0 recommending approval.

The applicant has submitted a lot split for property located at 113 Southeast 'F' Street. The plat as provided shows the creation of one new lot from a portion of existing Lot 3 to be known as Lot 5 (0.19 acres), Block 15 of Railroad Addition. The plat indicates the dedication of right-of-way along Southeast 'F' Street per the Master Street Plan. Water and sewer services are available to both lots.

Lot Split: Bike Rack Group, LLC (Jake Newell) Southwest 'B' Street & Southwest 7th Street, Zoned D-C, Downtown Core.

The planning commission voted 7-0 recommending approval.

The applicant has submitted a lot split for property located at Southwest 'B' Street & Southwest 7th Street. The plat as provided shows the creation of two new lots from 3 existing lots to be known as Lot 13 (0.18 acres) and Lot 14 (0.29 acres), Block 6 of Dunn & Davis Addition. The plat indicates the dedication of right-of-way along Southwest 7th Street per the Master Street Plan and the dedication of additional right-of-way along the northern existing alley to allow for fire apparatus access. Water and sewer services are available to both lots.

Final plat: Meadows at Woods Creek, Inc., The Estates at Woods Creek, Zoned R-1.

The planning commission voted 7-0 recommending approval.

The Estates at Woods Creek subdivision consists of 20 acres and includes 15 lots, 1 of which is non-buildable. The property exists in a developing residential area along the west side of Woods Creek Road with only one access point onto Woods Creek Road. All lots will have adequate access onto a public street. Regional detention exists in this area and a drainage easement is being provided to address runoff from the subdivision. Lots within this subdivision range from 0.29 acres to 4 acres. Sidewalk ramps have been installed to facilitate future pedestrian connection to the surrounding residential and common areas. Right-of Way has been dedicated for the street/cul-de-sac known as Northeast Miner Court, that will provide direct access to the lots within subdivision. Various utility easement dedications have also been made to allow utility services to each lot. All non-bondable items have been completed.

Land Use Map Amendment: Parsley, 9004 Windmill Road, Zoned A-1 to Proposed Land Use Map Designation, Low Density Residential.

The planning commission voted 7-0 recommending approval.

The applicants are requesting a change to the land use map designation in order to develop a small residential subdivision.

Rezoning: Alta Vista, LLC (Craig Soos) 403 Southeast 5th Street, R-1, Single Family Residential to C-3, Central Commercial.

The planning commission voted 7-0 recommending approval.

Property is described at 0.52 acres, currently zoned R-1, single family residential, Landuse map shows mixed use which allows C-3 zoning.

Rezoning: PBR Holdings, Karning, Downtown Bentonville Cottages, Inc. & Prime Time Housing, LLC., Southeast 2nd Street & 301,305,307,309 & 311 East Central Ave.

The planning commission voted 7-0 recommending approval.

The applicants have requested a rezoning from R-1, Single Family Residential & D-E, Downtown Edge to D-C, Downtown Core, The landuse map shown mixed use which allows D-C, Downtown Core, Water and sewer service are available.

Planning Commission Staff Report
Lot Split: Lot 5, Block 15, Railroad Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: April 5, 2016

GENERAL INFORMATION:

Project Number: 16-07000004

Applicant: Trina F. Hammond

Representative: James Layout Services, LLC (Leonard Gabbard)

Requested Action: Lot Split Approval

Location: 113 Southeast 'F' Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Downtown Mixed Use Residential

BACKGROUND:

The applicant has submitted a lot split for property located at 113 Southeast 'F' Street. The plat as provided shows the creation of one new lot from a portion of existing Lot 3 to be known as Lot 5 (0.19 acres), Block 15 of Railroad Addition. The plat indicates the dedication of right-of-way along Southeast 'F' Street per the Master Street Plan. Water and sewer services are available to both lots.

SURROUNDING LAND USES AND ZONING:

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

STREETS

Direction	Name	Classification
North	-	-
South	-	-
East	-	-
West	Southeast 'F' Street	Local

TRAFFIC FINDINGS

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

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 site is currently the location of a single family home in a redeveloping residential neighborhood area in downtown.

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

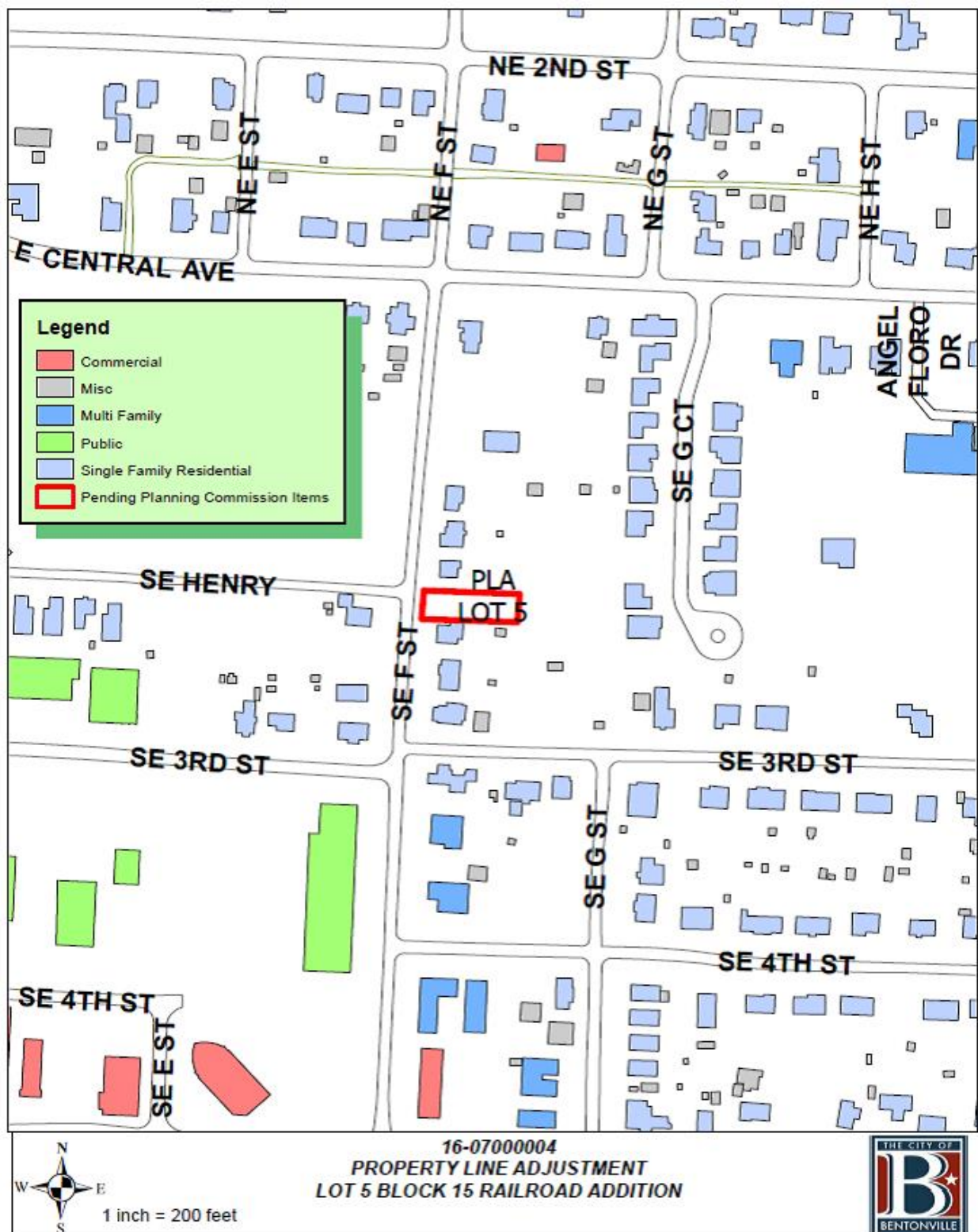
Water / Sewer: Per the G.I.S. site, water and sewer are available to the two proposed lots.

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 LOT 5, BLOCK 15, RAILROAD ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lot 5, Block 15, Railroad Addition, Benton County Arkansas, was submitted to the Bentonville Planning Commission On the 5th day of April, 2016 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 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 Lot 5, Block 15 Railroad 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 _____, 2016

ATTEST:

Approved

CITY CLERK

MAYOR

Planning Commission Staff Report
Lot Split: Lots 13 & 14, Block 6, Dunn & Davis Addition

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: April 5, 2016

GENERAL INFORMATION:

Project Number: 16-07000006

Applicant: Bike Rack Group, LLC (Jake Newell)

Representative: CEI Engineering Associates (Jacob Shy)

Requested Action: Lot Split Approval

Location: Southwest 'B' Street & Southwest 7th Street

Existing Zoning: D-C, Downtown Core

Land Use Plan: Mixed Use

BACKGROUND:

The applicant has submitted a lot split for property located at Southwest 'B' Street & Southwest 7th Street. The plat as provided shows the creation of two new lots from 3 existing lots to be known as Lot 13 (0.18 acres) and Lot 14 (0.29 acres), Block 6 of Dunn & Davis Addition. The plat indicates the dedication of right-of-way along Southwest 7th Street per the Master Street Plan and the dedication of additional right-of-way along the northern existing alley to allow for fire apparatus access. Water and sewer services are available to both lots.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	D-E, Downtown Edge	Mixed Use
South	D-C, Downtown Core	Downtown Mixed Use Residential & Mixed Use
East	D-C, Downtown Core	Mixed Use
West	D-E, Downtown Edge	Downtown Mixed Use Residential

STREETS

Direction	Name	Classification
North	-	-
South	Southwest 7 th Street	Local
East	-	-
West	Southwest 'B' Street	Local

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 site is currently vacant in a redeveloping area of southwest downtown.

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

Water / Sewer: Per the G.I.S. site, water and sewer are available to the two proposed lots.

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 13 & 14, BLOCK 6, DUNN & DAVIS 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 13 & 14, Block 6, Dunn & Davis Addition, Benton County Arkansas, was submitted to the Bentonville Planning Commission On the 5th day of April, 2016 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 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 13 & 14, Block 6, Dunn & Davis 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 _____, 2016

ATTEST: _____ Approved

CITY CLERK

MAYOR

Planning Commission Staff Report
Final Plat: The Estates at Woods Creek

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: April 5, 2016

GENERAL INFORMATION:

Project Number: 16-03000002

Applicant: Meadows at Woods Creek, Inc.

Representative: Blew & Associates, PA (Gerald Fox)

Requested Action: Final Plat Approval

Location: Woods Creek Road

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Medium Density Residential

BACKGROUND:

The Estates at Woods Creek subdivision consists of 20 acres and includes 15 lots, 1 of which is non-buildable. The property exists in a developing residential area along the west side of Woods Creek Road with only one access point onto Woods Creek Road. All lots will have adequate access onto a public street. Regional detention exists in this area and a drainage easement is being provided to address runoff from the subdivision. Lots within this subdivision range from 0.29 acres to 4 acres. Sidewalk ramps have been installed to facilitate future pedestrian connection to the surrounding residential and common areas. Right-of Way has been dedicated for the street/cul-de-sac known as Northeast Miner Court, that will provide direct access to the lots within subdivision. Various utility easement dedications have also been made to allow utility services to each lot. All non-bondable items have been completed.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Medium Density Residential

East	R-1, Single Family Residential	Medium Density Residential
West	A-1, Agricultural	Residential Estate

STREETS

Direction	Name	Classification
North	-	-
South	-	-
East	Woods Creek Road	Collector
West	-	-

TRAFFIC FINDINGS

- (c) Traffic data for the nearest intersections are as follows: N/A
- (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 are issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this property is vacant and adjacent to developing residential areas in the eastern part of the city.

Drainage Report: A drainage report is not required at the time of final platting.

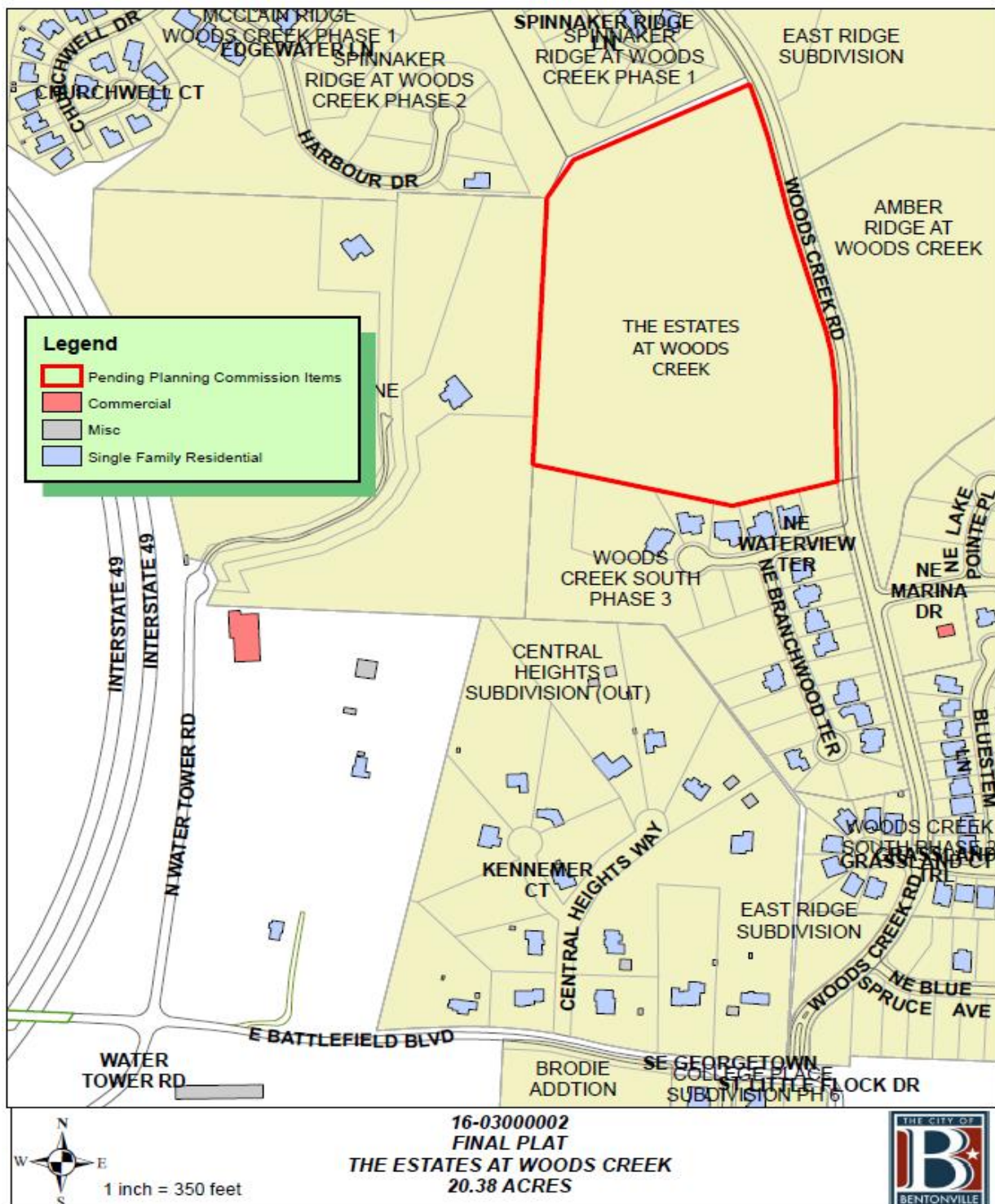
Water / Sewer: Per the G.I.S. site, water and sewer ARE available to this site.

Waiver(s): N/A

Analysis / Conclusion: This final plat DOES meet the minimum requirements of the subdivision regulations. All non-bondable items have been completed.

RECOMMENDATION:

Staff has reviewed this application and recommends APPROVAL.



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A FINAL PLAT OF THE ESTATES AT WOODS CREEK, TO THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the final plat of The Estates at Woods Creek, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 5th day of April, 2016 and

WHEREAS, said final plat is attached hereto as Exhibit "A" and

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

WHEREAS, the final plat 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 final plat should be approved.

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

Section 1: That the final plat of The Estates at Woods Creek, 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 final plat by certifying said acceptance on the approved final plat.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016

ATTEST

APPROVED

CITY CLERK

MAYOR



PC Meeting of: April 5, 2016

305 S.W. "A" Street

Bentonville, AR 72212

The City of Bentonville, Arkansas

**LAND USE MAP AMENDMENT: Parsley (Agriculture to Low Density Residential)
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: April 5, 2016

GENERAL INFORMATION

H.T.E. Project Number: 16-01800001

Applicant/Current Owner: Berry & Kim Parsley

Representative: Terri Parsley

Requested Action: Land Use Map Amendment

Location: 9004 Windmill Road

Existing Zoning: A-1, Agricultural

Future Land Use Map Designation: Agriculture

Proposed Land Use Map Designation: Low Density Residential

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is currently the site of a single family home adjacent to agricultural and single family residential uses.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Single Family Residences	R-1, Single Family Residential	Agriculture
South	Agriculture & Benton County	Agriculture & Benton County	Agriculture & Benton County
East	Agriculture & City of Cave Springs	Agriculture & City of Cave Springs	Agriculture & City of Cave Springs
West	Single Family Residences	R-1, Single Family Residential	Agriculture

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	-	-	-
South	Windmill Road	Arterial	2 lanes improved with center turn lane.
East	Southwest 'H' Street	Arterial	2 lane state highway
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: Staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on March 7, 2016. In addition, staff posted a notice of public hearing sign on the property on March 18, 2016. 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

- I. A determination of how the proposed change impacts the overall intent of the General Plan or the land use mix on the Future Land Use Map, how the proposed change effects other land uses..

Finding(s) of Staff: As stated in the general plan: "Areas that are more suitable for development are most likely to develop first. Suitability for development is based on criteria such as proximity to major roads and utilities; absence of impediments such as wetlands, floodplain, and steep slopes; and compatibility with surrounding land uses." As vacant property is developed the adjacent property will become more suitable for development. The extension of city services will facilitate the expansion of the "suitable" land for development. The proposed land use map amendment will meet the intent of the General Plan. The proposed amendment would meet the criteria listed above. The property is located at the intersection of two arterial roads, the topography is conducive to the

development and utilities are within close proximity; therefore the request is consistent with good land use planning and the general plan.

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

Finding(s) of Staff: The proposed land use modification is at the intersection of two existing arterial roads. The proposed use will not adversely impact the transportation infrastructure in this area.

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

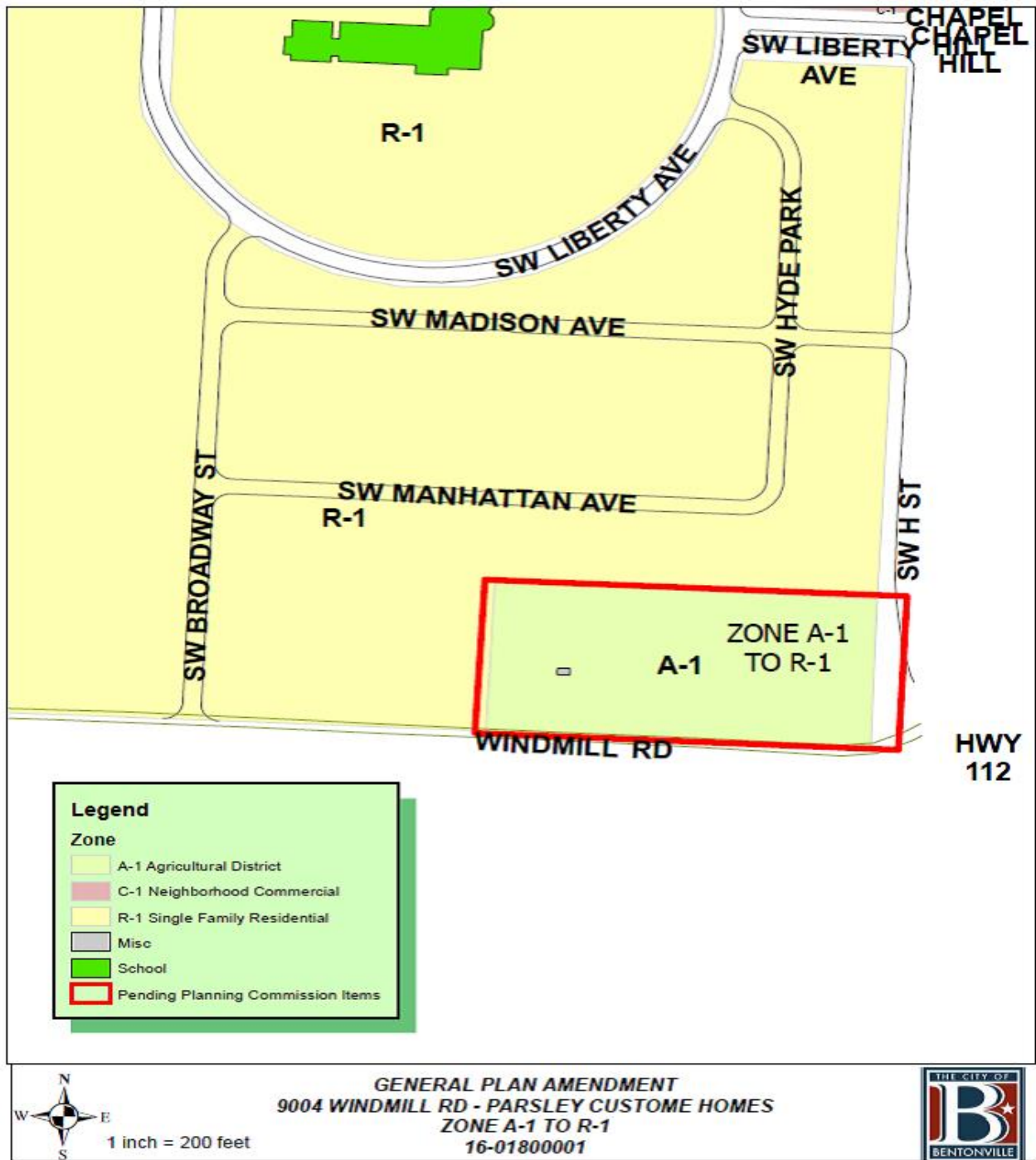
Finding(s) of Staff: Public services area adequate in this area. Water is available approximately 500 feet from the subject property. Sewer is available along the north property line. Water and sewer main extension will be required at the time of Large Scale Development approval. Emergency services are located within close proximity.

ANALYSIS, CONCLUSION, & SUMMARY

The proposed land use amendment is located at the intersection of two arterial roads. While the intersection allows for a mix of uses, the correct and appropriately designed low density residential development could be viable at this location. Additional dwelling units in this area will prompt future growth furthering the demand for local good and services. All public utilities have been extended to the property to better facilitate development outside of the current agricultural uses. The low density residential designation will be consistent with the two existing single family subdivisions to the north.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends APPROVAL of this Land Use Map Amendment from Agriculture to Low Density Residential.



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CLASSIFICATION OF PROPERTY FROM AGRICULTURAL TO LOW DENSITY RESIDENTIAL ON THE FUTURE LAND USE MAP FOR THE CITY OF BENTONVILLE, ARKANSAS.

WHEREAS, Berry & Kim Parsley, 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 of Agricultural to Low Density Residential on the City of Bentonville Future Land Use Map.

Said tract or parcel commonly described as:

PART OF THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND IRON PIN FOR THE SE CORNER OF THE SAID SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$; THENCE ALONG THE SOUTH LINE OF THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SAID SECTION 13, NORTH 86°51'25" WEST 680.42 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 02°45'03" EAST 294.00 FEET TO A FOUND IRON PIN; THENCE SOUTH 87°26'12" EAST 680.00 FEET TO A POINT IN THE RIGHT OF WAY OF HIGHWAY 112 AND THE EAST LINE OF THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SAID SECTION 13; THENCE ALONG SAID EAST LINE, SOUTH 02°40'23" WEST 300.88 FEET TO THE POINT OF BEGINNING, SAID PROPERTY CONTAINING 4.64 ACRES. SUBJECT TO THE RIGHT-OF-WAY OF HIGHWAY 112 ON THE EAST SIDE AND WINDMILL ROAD ON THE SOUTH SIDE.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 5th day of April, 2016 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 future land use classification as presented on the property be changed from its present classification of Agricultural to Low Density Residential;

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 of Agricultural to Low Density Residential, on the Future Land Use Map.

PASSED AND APPROVED this _____ day of _____, 2016

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: April 5, 2016

305 S.W. "A" Street

Bentonville, AR 72212

The City of Bentonville, Arkansas

REZONING: Alta Vista, LLC (R-1, Single Family Residential to C-3, Central Commercial)
Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley
THRU: Troy Galloway, AICP, Community Development Director
DATE: April 5, 2016

GENERAL INFORMATION

H.T.E. Project Number: 16-09000004

Applicant/Current Owner: Alta Vista, LLC (Craig Soos)

Representative: Brad Kingsley

Requested Action: Rezoning

Location: 403 Southeast 5th Street

Existing Zoning: R-1, Single Family Residential

Proposed Zoning: C-3, Central Commercial

Future Land Use Map Designation: Mixed Use

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is the location of an existing office building in the southeast section of the city's downtown 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	Warehouse/ City Facilities	I-2, Heavy Industrial	Mixed Use
South	Office Space	C-1, Neighborhood Commercial	Mixed Use
East	Office space	C-2, General Commercial	Mixed Use
West	Warehouse/City Sign Shop	R-1, Single Family Residential	Mixed Use

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	Southeast 4 th Street	Local	2 lane unimproved
South	Southeast 5 th Street	Local	2 lane unimproved
East	-	-	-
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: On February 24, 2016, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on March 7, 2016. In addition, staff posted a notice of public hearing sign on the property on March 18, 2016. 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: Per the City of Bentonville's General Plan, the C-3, Central Commercial zoning district is a recommended zoning classification for the Mixed Use future land use designation.

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

Finding(s) of Staff: The proposed zoning will not change current traffic conditions at this location. The proposed zoning is located within the downtown area where the city's street grid infrastructure is adequate and offers motorists an array of options with traveling in all directions

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.

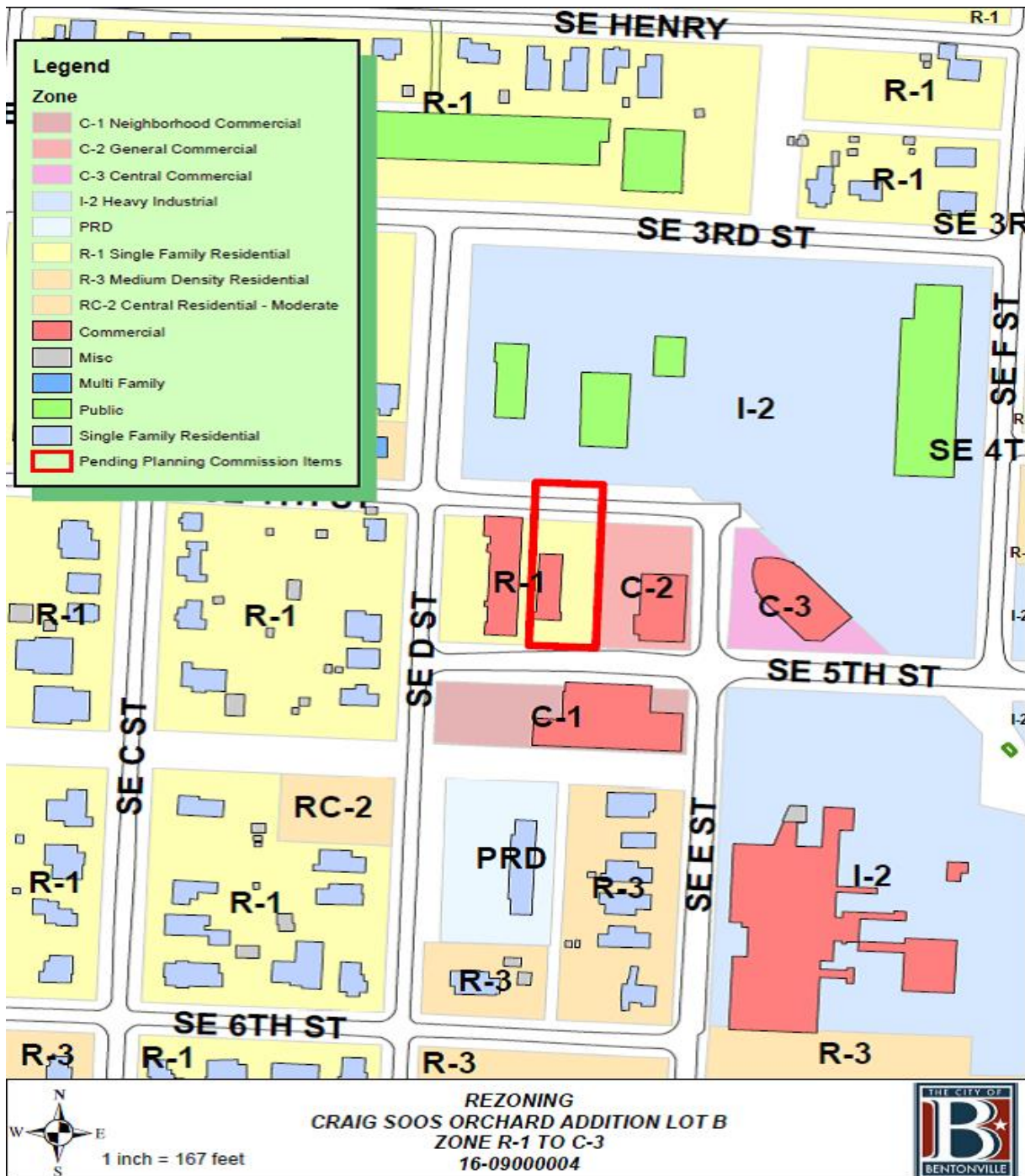
Finding(s) of Staff: City services are adequate at this location. Emergency services are provided at a level that is acceptable.

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request is consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Mixed Use. The C-3 zoning designation will allow a mix of uses within the area surrounding the market district to help facilitate the redevelopment of that district. The C-3 designation will also provide goods, services, and housing opportunities that are complimentary to other uses within and surrounding the market district.

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 C-3, Central Commercial.



ORDINANCE NO. _____

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

WHEREAS, Alta Vista, LLC (Craig Soos), duly filed a petition with the City Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification to C-3 to be used in accordance with city zoning laws and state laws; which property is described as follows.

Tract 'B' of Block 1 Orchard Addition to the Town of Bentonville, Benton County, Arkansas

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 5th day of April 2016 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County daily Record for the time and in the manner required by law; and

WHEREAS, the City planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to C-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 C-3 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2016

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: April 5, 2016

305 S.W. "A" Street

Bentonville, AR 72212

The City of Bentonville, Arkansas

**REZONING: PBR Holdings, Karning, Downtown Bentonville Cottages, Inc. & Prime Time Housing, LLC
(R-1, Single Family Residential & D-E, Downtown Edge to D-C, Downtown Edge)**

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley
THRU: Troy Galloway, AICP, Community Development Director
DATE: April 5, 2016

GENERAL INFORMATION

H.T.E. Project Number: 16-09000005

Applicant/Current Owner: PBR Holdings, Karning, Downtown Bentonville Cottages, Inc. & Prime Time Housing, LLC

Representative: Morrison Shipley Engineers (Patrick Foy)

Requested Action: Rezoning

Location: Southeast 2nd Street & 301, 305, 307, 309 & 311 East Central Avenue

Existing Zoning: R-1, Single Family Residential

Proposed Zoning: D-C, Downtown Core

Future Land Use Map Designation: Mixed Use

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; the request encompasses three single family residences/ vacation rentals, a vacant parcel and two duplexes near the downtown square.

Previous Rezoning Requests for this Property: A portion of the property was rezoned by the City of Bentonville in 2009 as part of a large rezoning in the Downtown to DE, Downtown Edge.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Warehouse/ County Parking Lot & Vacant Parcel	R-1, Single Family Residential & D-C, Downtown Core	Mixed Use
South	Single Family Homes	R-1, Single Family Residential	Mixed Use
East	Park/Open Space	R-1, Single Family Residential	Mixed Use
West	Single Family Home	D-C, Downtown Core	Mixed Use

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North	East Central Avenue	Collector	2 lane improved
South	Southeast 2 nd Street	Local	2 lane unimproved
East	-	-	-
West	-	-	-

LEGAL NOTIFICATIONS

Public Notice: On March 10, 2016, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Addition on March 7, 2016. In addition, staff posted a notice of public hearing sign on the property on March 18, 2016. 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: According to Policy LU-16 Infill Development of the General Plan “The City shall encourage the development of mixed-use and residential projects with in the downtown area to increase the community’s housing stock and to enhance the vitality of downtown businesses. Policy LU-23 Housing Types states “the City should encourage the development of a mix of housing types to the meet the needs of residents...” The proposed rezoning will meet the intent of both policies therefore the request is consistent with good land use planning and the general plan.

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

Finding(s) of Staff: The proposed zoning will not change current traffic conditions at this location. East Central Avenue has recently been reconstructed to handle additional demands from increases in density downtown. The proposed zoning is located within the downtown area where the city's street grid infrastructure is adequate and offers motorists a variety of options when traveling in all directions.

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.

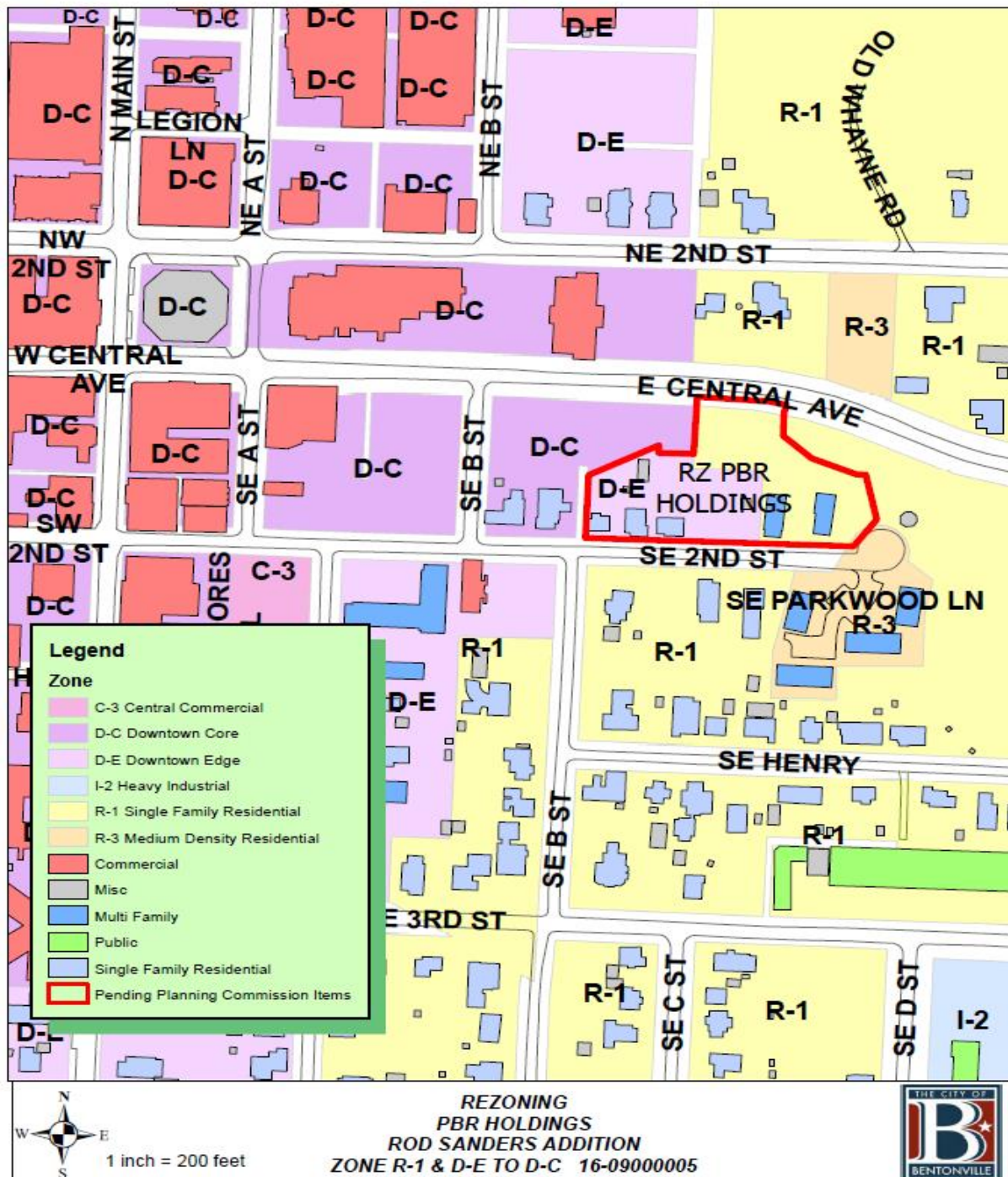
Finding(s) of Staff: City services are adequate at this location. Emergency services are provided at a level that is acceptable.

ANALYSIS, CONCLUSION, & SUMMARY

The Downtown Core zoning district is a recommended zoning classification within the General plan for the Mixed Use designation. The Downtown Core zoning classification allows for commercial and residential mixed use developments. The proposed zoning will add density to downtown therefore helping retain current commercial uses in the area. The intent of this zone is to maintain and expand the pedestrian oriented character of the town square. The physical form is of an urban character with uses that promote retail with upper story residential uses permitted. The design specifications of the Downtown Core require the commercial uses be oriented to a primary street while residential uses are reserved for upper floors and secondary streets. The uses permitted in the Downtown Core are complimentary to urban character. The proposed zoning change will help facilitate an extension of the services adjacent to square will providing a housing option that is currently not being fulfilled within the square district.

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 & D-E, Downtown Edge to D-C, Downtown Core.



ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO D-C, DOWNTOWN CORE.**

WHEREAS, PBR Holdings, Karning, Downtown Bentonville Cottages, Inc. & Prime Time Housing, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification to D-C to be used in accordance with city zoning laws and state laws; which property is described as follows.

All that part of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) of Section 30 and the Southwest Quarter of the Southwest Quarter (SW1/4, SW1/4) of Section 29, Township 20 North, Range 30 West of the 5th principal Meridian, in the City of Bentonville, Benton County, Arkansas, being more particularly described as follows:

Commencing at the South corner of Sections 29 and 30; Thence N02°10'11"E, 32.68 feet to a point on the North right of way line of SE 2nd Street for the **POINT OF BEGINNING**;

Thence N87°58'53"W, 175.12 feet, along said right of way line, to the Southwest corner of a tract of land described in Deed Book 2012, Page 49831, Circuit Clerks Office of said County;

Thence N 02° 43' 48" E, 115.00 feet along the West line of said tract of land;

Thence N 64° 28' 01" E, 127.43 feet, along the North line of said tract of land, and the North line of a tract of land described in Book 2012, Page 34523 of said Circuit Clerks Office, to the Northeast corner of said Book 2012, Page 34523;

Thence S 02° 43' 48" W, 13.93 feet, along the East line of said tract of land, to the Northwest corner of a tract of land described in Book 2012, Page 20584, of said Circuit Clerk's office;

Thence S 87° 58' 18" E, 57.43 feet, along the North line of said tract, to the Northeast corner of said tract, on the West line of a tract of land described in Book 2004, Page 10109, of said Circuit Clerk's Office;

Thence N 03° 32' 36" E, 105.17 feet, along said West line, to the Northwest corner of said tract of land, on the South right of way line of Central Street;

Thence S 85° 54' 26" E, 115.32 feet, along said right of way line;

Thence S 77° 36' 13" E, 30.75 feet, continuing along said right of way line, to the Northeast corner of Lot 1A of Rodney D. Sanders Addition, Book 1-575, Plat Records of said county;

Thence S 11° 32' 41" W, 16.74 feet, leaving said right of way line, along the East line of said Lot 1A;

Thence S 01° 22' 03" W, 40.48 feet, continuing along said East line;

Thence S 48° 08' 54" E, 62.15 feet, along the North line of said lot, to the Northwest corner of Lot 2A-1 of the Replat of Lot 2A of Rodney D. Sanders Addition, Book 2-153 of said plat records;

Thence S 68° 16' 51" E, 79.22 feet, along the north line of said Lot 2A-1;

Thence S 87° 55' 06" E, 15.00 feet, continuing along said North line to the Northeast corner of said lot;
Thence S 12° 20' 37" E, 83.60 feet to a point on the said North right of way line of SE 2nd Street, at the beginning of a 50.00 foot-radius non-tangential curve to the left;
Thence 67.48 feet along said curve, whose chord bears S37°17'39"W, 62.47 feet, to the Southeast corner of said lot;
Thence N87°57'32"W, 264.36 feet, continuing along said right of way line, to the **POINT OF BEGINNING**. Containing approximately **85,560 square feet or 1.96 acres of land**.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 5th day of April 2016 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 D-C 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 D-C property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2016

ATTEST

APPROVED

CLERK

MAYOR



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

AGENDA FORM

CITY COUNCIL MEETING OF:

April 12, 2016

Submitted by:

Ben Peters

Department

Engineering

Phone

271-5993

ACTION REQUIRED:

A Resolution setting a Public Hearing for April 26th, 2016 for a Street Right of Way Vacation requested by 21C, LLC at 200 NE A Street.

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 21C, LLC requesting street right of way within the City of Bentonville, Arkansas be vacated, which said street right of way is described as follows:

LEGAL DESCRIPTION (FOR STREET RIGHT OF WAY VACATION)

COMMENCING AT THE NORTHWEST CORNER OF LOT 184 PER SURVEY OF FINAL PLAT 2012-487; THENCE ALONG THE EAST RIGHT OF WAY OF NE "A" STREET, SOUTH 01°08'09" WEST A DISTANCE OF 123.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 01°08'09" WEST A DISTANCE OF 64.78 FEET; THENCE LEAVING SAID EAST RIGHT OF WAY NORTH 36°50'24" WEST A DISTANCE OF 5.29 FEET; THENCE NORTH 01°17'20" EAST A DISTANCE OF 60.62 FEET; THENCE NORTH 88°42'40" EAST A DISTANCE OF 3.09 FEET TO THE POINT OF BEGINNING. CONTAINING 199 SQ. FT. MORE OR LESS AND SUBJECT TO ANY EASEMENTS OF RECORD OR FACT.

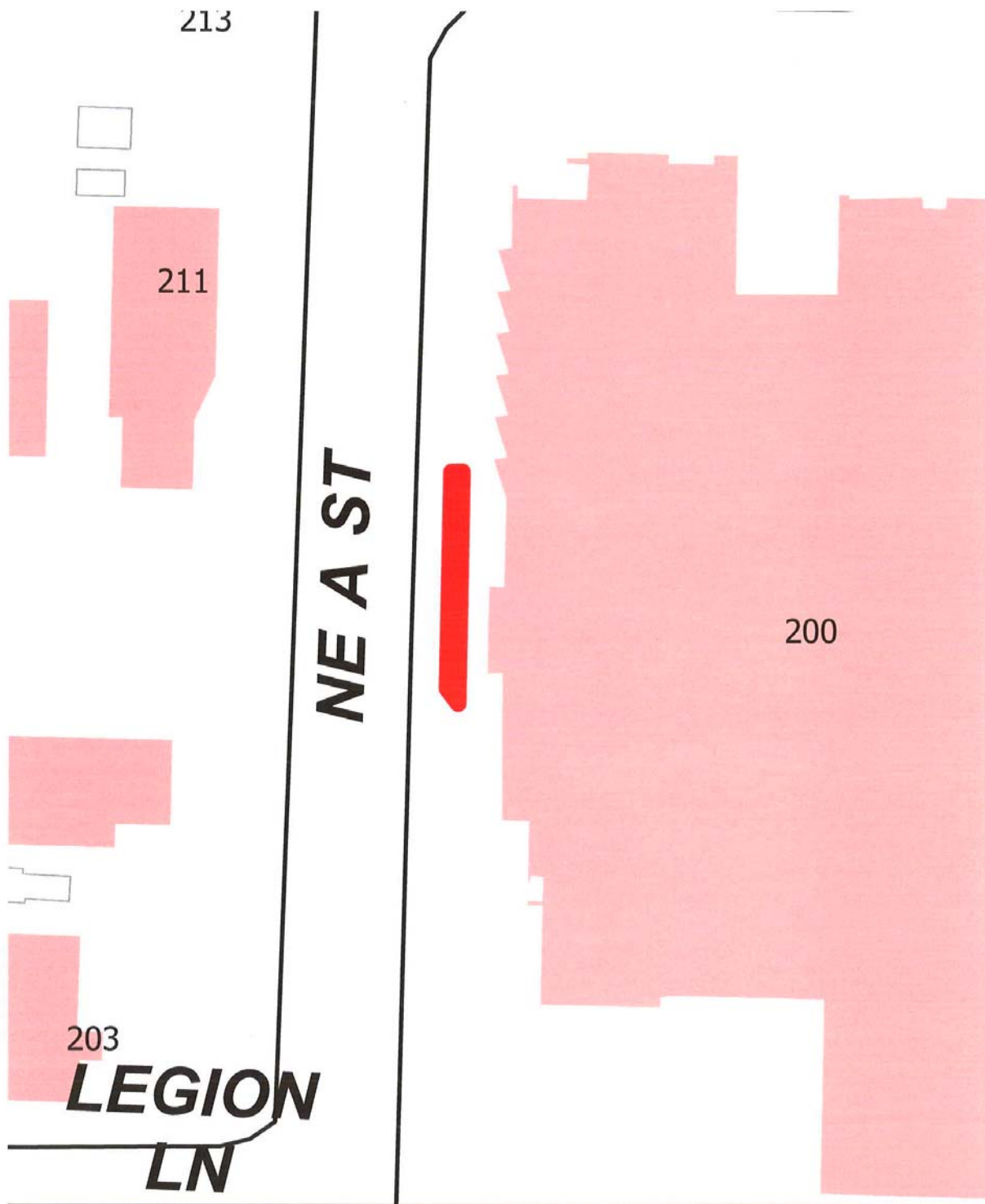
WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published 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 the above described street right of way is set for a hearing on April 26th, 2016 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 _____ 2016 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



1 inch = 34 feet

16-12000002
ROW Vacation-21c LLC, Emmanuel Gardinier
200 NE A Street
199 square feet total





1 inch = 34 feet

16-12000002
 ROW Vacation-21c LLC, Emmanuel Gardinier
 200 NE A Street
 199 square feet total





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

AGENDA FORM

CITY COUNCIL MEETING OF:

April 12, 2016

Submitted by:

Mike Churchwell

Department

Transportation

Phone

271-6840

ACTION REQUIRED:

Council approval of a resolution authorizing the Mayor and Clerk to amend the existing contract with Garver Engineers on the NW 3rd Phase 3 project increasing the amount by an additional \$47,355.00 to include water and sewer line staking and design, provide right-of-way and easement staking, and increase the construction observation services fees. See attached memo and Amendment #1 document.

COST TO CITY:

Cost of this Request: \$47,355

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ Bond Funds
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: March 23, 2016

To: City Council, Mayor McCaslin

From: Mike Churchwell

RE: NW 3rd Ph 3-Amendment #1 to Garver Contract

This amendment is to add items to the original contract with Garver for the NW 3rd Phase 3 project. The original contract did not include any staking or design for water and sewer relocations as it was felt that would be done in-house, but as we got more involved with the project realized there was more than expected and ended up requiring Garver to do a full blown redesign. The original contract did not allow for staking of right-of-way and easements which will be necessary when we begin acquisition on the properties affected. The original contract allowed for 180 calendar day construction contract for construction observation services, but that was when the intention was to utilize the existing bridge structure, since then it has been determined that a completely new structure in new location will be required and the contract time has now been increased to 300 calendar days which will require additional construction observation.



AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES

**City of Bentonville
Bentonville, Arkansas
Project No. 14047190**

CONTRACT AMENDMENT NO. 1

This Contract Amendment No. 1, effective on the date last written below, shall amend the original contract between the City of Bentonville (Owner) and GARVER, LLC (GARVER), dated February 19, 2015 referred to in the following paragraphs as the original contract.

This Contract Amendment No. 1 adds professional services for the:

Widening of NW 3rd Street from Saddlebrook Street westward to Coler Creek including curb & gutter, sidewalks, underground drainage, retaining walls and the widening or replacement of the bridge over Coler Creek.

The original contract is hereby modified as follows:

SECTION 3 – PAYMENT

The Payment Summary Table is replaced with the below Table:

WORK DESCRIPTION	AGREEMENT AMOUNT	AMENDMENT NO. 1	TOTAL AMENDED FEE	FEE TYPE
<i>Geotechnical Services (GHBW)</i>	\$14,000	\$0	\$14,000	HOURLY
<i>Record Research</i>	\$2,100	\$0	\$2,100	
<i>Utility Marking (ARKUPS)</i>	\$700	\$0	\$700	
Surveys	\$25,100	\$3,562	\$28,662	
Conceptual Design	\$30,200	\$0	\$30,200	
Preliminary Design	\$0	\$0	\$0	
Final Design	\$69,400	\$0	\$69,400	
Property Acquisition Documents	\$14,300	\$0	\$14,300	
Water & Sewer Relocations	\$0	\$5,609	\$5,609	
Bidding Services	\$5,500	\$0	\$5,500	
Construction Phase Services	\$78,700	\$38,184	\$116,884	
TOTAL FEE	\$240,000	\$47,355	\$287,355	



The following scope of services are added to the agreement as documented in **Appendix A** and **Appendix B** of the original agreement:

APPENDIX A – SCOPE OF SERVICES

2.2 Surveys

2.2.1 Design Surveys

Garver will provide field survey data for designing the water & sewer relocations for the project.

2.2.2 Property Surveys

Garver will stake the proposed right-of-way and easements to be acquired by the Owner. Fee includes the cost for staking on one occasion.

2.10 Final Design (90% and 100% Submittals)

2.10.1 Water and Sewer Relocation Design

Garver will provided design services for the water and sewer relocations required due to the road improvements. Design shall be in accordance with the City of Bentonville Water & Sewer requirements.

2.13 Construction Phase Services

8. Provide part-time resident construction observation services for the **300-calendar day (an increase in 120 calendar days or 86 workdays)** construction contract performance time. The proposed fee is based on 4 hours per day, 5 days per week, during the **300-calendar day** construction contract performance time. If the construction time extends beyond the time established in the agreement or if the Owner wishes to increase the time or frequency of the observation, the Owner will pay Garver an additional fee agreed to by the Owner and Garver.

APPENDIX B – SCOPE OF SERVICES

The fee spreadsheets for **Surveys** and **Construction Phase Services** shall be removed and replaced with the spreadsheets attached to this amendment. The fee spreadsheet for the Water-& Sewer Relocation Design shall be added to the agreement.



This Agreement may be executed in two (2) or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, Owner and GARVER have executed this Amendment effective as of the date last written below.

CITY OF BENTONVILLE

GARVER, LLC

By: _____
Signature

By: _____
Signature

Name: _____
Printed Name

Name: Ronald S. Petrie
Printed Name

Title: _____

Title: Sr. Project Manager

Date: _____

Date: 3/17/2016

Attest: _____

Attest: _____

APPENDIX B

CITY OF BENTONVILLE NW 3rd STREET, PHASE III

FEE SUMMARY

Title I Services	Estimated Fees	Amendment 1	Total
<i>Geotechnical Services (GHBW)</i>	\$14,000.00	\$0.00	\$14,000.00
<i>Record Research</i>	\$2,100.00	\$0.00	\$2,100.00
<i>Utility Marking</i>	\$700.00	\$0.00	\$700.00
Surveys	\$25,100.00	\$3,562.00	\$28,662.00
Conceptual Design	\$30,200.00	\$0.00	\$30,200.00
Preliminary Design	\$0.00	\$0.00	\$0.00
Final Design	\$69,400.00	\$0.00	\$69,400.00
Property Acquisition Documents	\$14,300.00	\$0.00	\$14,300.00
Water & Sewer Relocations	\$0.00	\$5,609.00	\$5,609.00
Bidding Services	\$5,609.00	\$0.00	\$5,609.00
Subtotal for Title I Services	\$161,409.00	\$9,171.00	\$170,580.00

Title II Services			
<i>Construction Materials Testing</i>	\$0.00	\$0.00	\$0.00
Construction Phase Services	\$78,700.00	\$38,184.00	\$116,884.00
Subtotal for Title II Services	\$78,700.00	\$38,184.00	\$116,884.00

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AMENDMENT TO THE AGREEMENT WITH GARVER ENGINEERS FOR ENGINEERING SERVICES ASSOCIATED WITH CERTAIN IMPROVMENTS TO N.W. 3RD STREET IN BENTONVILLE, ARKANSAS.

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 amendment to the agreement with Garver Engineers for additional engineering services associated with certain improvements to NW 3rd Street (Phase 3) 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 _____, 2016.

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:

April 12, 2016

Submitted by:

Jonathan Rogers

Department

Administration/IT

Phone

271-5911

ACTION REQUIRED:

Request a waiver of bid and authorization to enter into a product and service agreement with SPS VAR for the purchase of a replacement AS/400 (Power 8).

COST TO CITY:

Cost of this Request: \$64,923

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$	65,000
Funds Expended to Date		
Remaining Budget		65,000
Budget Adjustment		-
Remaining After Adjustment	\$	65,000

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



Date			
Requested by:	<u>Jonathan Rogers</u>		
Department:	<u>Administration / IT</u>		
DESCRIPTION OF REQUEST:			
Type of Equipment:	<u>AS/400 - Power 8</u>		
Year & Model:	<u>2016 AS/400 - IBM Power 8 9900CPW</u>		
Serial #			
To Be Purchased From:	<u>SPS VAR, LLC</u>		
	<u>3168 Mercer University Dr. Suite 200</u>		
	<u>Atlanta, Ga 30341</u>		
Amount:	Base Amount:	\$	<u>59,290.00</u>
	Tax:	\$	<u>5,632.55</u>
	*Other:		
	TOTAL	\$	<u>64,922.55</u>
* List all other costs:			
JUSTIFICATION FOR REQUEST FOR WAIVER OF BID:			
See Attached Memo			
		 Director of Finance & Administration	

MEMORANDUM

DATE: March 29, 2016
TO: Denise Land
FROM: Jonathan Rogers
RE: AS/400 Purchase - waiver of bid request

Denise,

Our AS/400 is due to be replaced and our IBM support will expire in June. I have been working with SPS VAR on the configuration of a replacement AS/400. SPS VAR is a SunGard/HTE and IBM business partner and has provided our hardware in the past, and to numerous other SunGard/HTE customers. The design and size of a replacement AS/400 is critical as we are not only looking at our current needs but the additional requirements for Click 2 Gov, One Point and NaviLine. These applications work with SunGard/HTE and use the AS/400. Given SPS VAR's knowledge of the SunGard/HTE software applications and the AS/400 hardware requirements, I recommend that the City do a waiver of bid and purchase the replacement AS/400 from SPS VAR. In addition to the purchase of the hardware SPS VAR will remotely complete the installation and data migration from our current AS/400 to the new one.

The following is the request amount:

AS/400 replacement (IBM Power 8), 25U Rack with Flat Panel Console Kit, Lenovo PC, LTO 5 External Tape Drive, Redundant Uninterrupted Power Supply (UPS), 5 year 24/7 Software / Hardware Support, 20 tapes, Installation and Data Migration Service.

\$64,922.55 – Total Request

There is \$65,000 budgeted for this replacement.

Quote Date: 3/28/2016
Quote Valid for 30 Days



**SPS VAR
Proposal
For
City of Bentonville
NaviLine Server Replacement - Rackmount**



Lori Blan
SPS VAR
Office (770) 216-4462
Main (770) 216-4444
lori.blan@spsvar.com

SPS VAR
3168 Mercer University Dr.
Suite 200
Atlanta, GA 30341
www.SPSVAR.com

These prices are for your information only and are subject to change without notice. Tax not included.

1

Quote Date: 3/28/2016
Quote Valid for 30 Days

Configuration Summary: System Migration

IBM POWER 8® , Rack mountable with Rack
4 Core, 1 Core Active and Licensed with 9,900 CPW Rating
(8) X 283 GB Disk Drives (RAID 5 Configuration - 1.9TB usable)
32 GB Memory
Unlimited User License (transferred from Powr720)
IBMi® OS V7R1 or V7R2
Redundant 4 Port, 1 GbE Ethernet NIC Card
System Console on Ethernet LAN
110v Redundant Power Supplies
TS2250 External LTO5 Single Tape Drive
Twenty LTO4 Tapes - Compatible with Power8 & Power720
25U Rack with Flat Panel Console Kit
Lenovo Tiny PC
Redundant RT1.5kVA 2U Rack or Tower UPS (1 w/extended battery)

5 Years 24x7 Hardware and Software Maintenance



Installation and Data Migration Services (remote services, no travel expenses)

Products Total \$ 59,290.00

- * SPS VAR has the option to remove and retain or dispose of any replaced equipment
- * This proposal has not taken into account any SNA connections, modem connections, or twinaxial connection that might be required.



These prices are for your information only and are subject to change without notice. Tax not included.

Quote Date: 3/28/2016
Quote Valid for 30 Days

PAYMENT SCHEDULE

SPS VAR's standard payment terms listed below are defined in two steps.

- 50% At time of execution of contracts
- 50% At completion of on-site installation

- The initial payment invoiced at the signing of the SPS VAR Product Agreements and upon receipt of purchase order enables SPS VAR to purchase necessary hardware and fund on-site expenses.
- The second payment invoiced at the completion of the on-site installation.
- The warranty period begins on the date of System Installation.
- The System will be considered installed 10 days after arrival.

- Sales Tax or any other applicable taxes are not included in any of this proposal's pricing information. If sales tax or any other tax becomes applicable, these taxes will then need to be added to the proposed pricing.

ADDITIONAL INFORMATION

Time-and-Materials Billing Rates:

SPS VAR will provide custom programming and non-warranty maintenance customer support on a time and materials basis.

Any requested design, programming, testing, documentation, implementation work and customer support outside of the proposed Scope of Work will be done at \$195.00 per hour.

Additional training and On-site Support:

If additional on-site training is required, it will be provided either on a time and materials basis (\$195.00 per hour) plus actual expenses or \$1,500. per day plus actual expenses.

Travel and Out-of-Pocket Expenses:

All travel and associated expenses for the on-site installation work during the initial setup are not included in the Base System price.

Performance and Sizing:

Performance and sizing are based on best estimates only. SPS VAR cannot guarantee performance.

Prices:

Prices are subject to change. Any Taxes are not included. Prices are good for 30 days from the date of this proposal.



These prices are for your information only and are subject to change without notice. Tax not included.

SPS VAR Product Agreement



Order Description

SPS VAR (We) agree to supply equipment (Machines) and software (Programs) to Customer (You) and to make available the manufacturer's software services subscriptions (Subscriptions) to you under the terms of this Agreement and upon receipt of a \$ 0 down payment. Collectively, Machines and Programs are referred to as Products.

The price for all Products is shown below. Unless you request otherwise and pay the corresponding charges, all Products are shipped via normal ground transportation. You agree to pay the total price of all Products, shipping charges, applicable sales taxes and the price for the Subscriptions.

Machine/Program	Description	Qty	Unit Price	Amount
8286-41A	SPS VAR NaviLine® A1 Solution	1	\$ 59,290.00	\$ 59,290.00
	IBM POWER 8 @ . Rack mountable with Rack			
	4 Core, 1 Core Active and Licensed with 9,900 CPW Rating			
	(8) X 283 GB Disk Drives (RAID 5 Configuration - 1.9TB usable)			
	32 GB Memory			
	Unlimited User License (transferred from Powr720)			
	IBMi @ OS V7R1 or V7R2			
	Redundant 4 Port, 1 GbE Ethernet NIC Card			
	System Console on Ethernet LAN			
	110v Redundant Power Supplies			
	TS2250 External LTO5 Single Tape Drive			
	Twenty LTO4 Tapes - Compatible with Power8 & Power720			
	25U Rack with Flat Panel Console Kit			
	Lenovo Tiny PC			
	Redundant RT1.5kVA 2U Rack or Tower UPS (1 w/extended battery)			
	5 Years 24x7 Hardware and Software Maintenance			
	Installation and Data Migration Services (remote services, no travel expenses)			

Total Price Excluding Shipping Charges and Sales Taxes:	\$ 59,290.00
---	--------------

This Order Description and the Additional Terms on page 2 form our complete agreement (the "Agreement") regarding these Products and the Subscriptions and replace any prior oral or written communication between us. In addition, this Agreement takes precedence over any purchase order that you issue for these Products or Subscriptions. By signing below, both of us agree to these terms.

Agreed to:

City of Bentonville
117 W Central

Bentonville, AR 72712

By: _____
Authorized signature

Name: (Print) _____

Title: _____

Date: ____ / ____ / 2016

Agreed to:

SPS VAR
3168 Mercer University Dr.
Suite 200
Chamblee, GA 30341

By: _____
Authorized signature

Name: (Print) _____

Title: _____

Date: ____ / ____ / 2016

Agreement Number: 2016032801LBB



Additional Terms

Order, Delivery and Installation

This is a custom order. If you cancel an order for Products within 10 business days prior to their shipment date, then you agree to pay any costs we incur for such cancellation, including cancellation charges we are assessed by our suppliers. However, you may not cancel an order after the Products have been shipped, and you may not cancel an order for Subscriptions after they have begun.

We bear the risk of loss for each Product until it is delivered to you. Thereafter, you assume the risk of loss. You must install all Programs and you must install Machines designated as Customer-set-up by the manufacturer. The manufacturer will install all other Machines.

Within 10 business days of their delivery, you may return any Products that are defective on arrival and cannot be installed. Otherwise, if you wish to return any Products which are not defective and have never been installed, then you must first obtain our written consent and agree to pay any return charges we are assessed by our suppliers. Some Products may not be returnable. Following their installation, you may only return the Products under the provisions of the manufacturer's warranty.

Payment and Assignment

You agree to pay applicable sales taxes or supply exemption documentation. You are responsible for personal property taxes for all Products from the date they are shipped to you.

We invoice the Products when they are shipped. We invoice Subscriptions when they are processed. We will apply your down payment to the invoice amount (the "Invoice Amount"), which will include the price of Products plus shipping charges and applicable sales taxes and the price for the Subscription. The balance of the Invoice Amount is due within 30 days of the invoice date. **Amounts past due will be assessed a late payment charge of 1.5% per month, which you agree to pay.**

Alternatively, you may assign your obligation to pay the Invoice Amount to the IBM Credit Corporation (ICC). You agree to sign an ICC Certificate of Acceptance, accepting Products within 10 days of their delivery and accepting the Subscriptions. The ICC Certificate of Acceptance constitutes payment to us of the Invoice Amount. We will return your down payment, net of any cancellation or return charges, when we receive payment from ICC. Other than this express permission, you may not assign, or otherwise transfer, this Agreement or your rights under it, or delegate your obligations, without our prior written consent. Any attempt to do so is void.

Title and License

We transfer title to Machines to you when we (a) receive the total Invoice Amount due and (b) you return any removed parts that become our property during a feature or model upgrade. The application, use and other aspects of the Programs and the Subscriptions are solely governed by the terms and conditions of the applicable agreement between you and the manufacturer.

If you fail to pay the Invoice Amount, including late payment charges, then we may remove and repossess the Machine without notice or demand, and we may request the manufacturer to cancel the Program license or Subscription.

Warranty

All warranties with regard to the Products or the Subscriptions are provided directly by the manufacturer to you. We warrant only that we are authorized to supply Products and the Subscriptions. **THESE WARRANTIES ARE YOUR EXCLUSIVE WARRANTIES AND WE MAKE NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. We do not warrant uninterrupted or error-free operation of any Product.**

Limitation of Liability

If you are entitled to recover damages from us, in each instance, regardless of the basis on which damages can be claimed, we are liable only for actual damages caused by a Product in an amount no greater than the price you have paid for the Product that is the subject of the claim. **Under no circumstances are we responsible for (a) loss of, or damage to, your programs, records or data; or (b) special, incidental, consequential or other indirect damages (including lost profits or savings), even if we are informed of their possibility.**

Disputes

The laws of the State of Georgia govern this Agreement. Any controversy or claim arising out of or relating to this Agreement, or the breach of this Agreement, shall be settled by binding arbitration in accordance with the rules of the American Arbitration Association at a hearing in Atlanta, Georgia. A judgment of a court having jurisdiction may be entered upon the arbitrator's award. The prevailing party, in addition to all other sums to which it may be entitled, is entitled to recover from the other party the reasonable expenses (including attorney fees) relevant to the claim.

Relationship with SunGard Public Sector

SPS VAR is a Premier SunGard Solution Provider. SPS VAR and SunGard Public Sector are independent contractors. Neither party is the agent of the other. Neither party is authorized to make any representations or create any obligation or liability on behalf of the other party. NaviLine is a registered trademark of SunGard Public Sector.

Agreement Number: 2016032801LBB

SPS VAR Services Agreement

Project Description



SPS VAR, LLC. (We) agree to provide Services described in a Statement of Work below or in an Attachment to our Customer (You) under the terms of this Agreement. You are responsible for project management and for any results achieved, unless specified otherwise in the Statement of Work. We do not provide Services under the terms of your purchase order.

Services are provided and billed either on an hourly ("Hourly Services") or on a fixed-price ("Fixed-Price Services") basis.

For Hourly Services, the Statement of Work specifies the hourly rate, the estimated hours and estimated expenses required to complete the project. This estimate is not a fixed-price commitment. Charges will equal the actual hours worked times the hourly rate, plus actual expenses and applicable sales taxes.

For Fixed-Price Services, the Statement of Work specifies the fixed-price and estimated expenses. This expense estimate is not a fixed-price commitment. Charges will equal the fixed-price plus actual expenses and applicable sales taxes.

Statement of Work

Project Name: NaviLine Upgrade to Power8

☐ Hourly Services: _____ Hours x \$ _____ per Hour = _____ Estimated Total Charges

OR

☒ Fixed-Price Services: \$ 0.00 (\$\$ included in product agreement) Invoiced Upon Product Start

Estimated Expenses: \$ _____ Travel & Living and _____ Other Expenses

Estimated Start Date: 05/21/16

Estimated End Date: 06/30/2016

Services: Remote Assistance with data migration and OS upgrade from 8202-E4B sn B494P to new Power8

This Project Description, the Statement of Work and the Additional Terms on page 2 form our complete agreement (the "Agreement") regarding these Services and replace any prior oral or written communication between us. By signing below, both of us agree to these terms.

Agreed to: (Customer legal name & address)
City of Bentonville
117 W. Central
Bentonville, AR 72712

Agreed to:
SPS VAR, LLC
3168 Mercer University Dr.
Suite 200
Chamblee, GA 30341

By: _____
Authorized Signature

Name (print): _____

Title: _____

Date: _____

Authorized Signature

Name (print): Lori B. Blan

Title: Sales Operations Manager

March 28, 2016

Agreement Number: 2016032802LBB

SPS VAR Services Agreement

Additional Terms

Billing

For Hourly Services, the minimum billing increment is fifteen (15) minutes. However, there will be a one-hour minimum for each day in which Services are provided on-site and a fifteen (15) minute minimum for each day in which Services are provided by telephone. We may increase our hourly billing rate and minimums by giving you three (3) months' written notice.

Hourly Services are invoiced weekly as the work progresses. Fixed-Price Services are invoiced as specified in the Statement of Work. Travel and other expenses are invoiced weekly using IRS mileage allowances for automobile transportation and actual cost for all other expenses.

Charges for Services and expenses are due within 15 days from the invoice date. Amounts past due are subject to a late payment charge of 1.5% per month. You agree to pay accordingly.

You agree to pay applicable sales taxes or supply exemption documentation.

Project Completion and/or Termination

Hourly Services will end when we provide the estimated number of hours or upon the estimated project end date unless you authorize additional hours or an extension of the end date. In the event that additional hours are not authorized for incomplete project which is provided on an Hourly Services basis, we do not warrant that the Services will be completed. Fixed-Price Services will end when the tasks described in the Statement of Work are complete.

Either party may terminate this Agreement on written notice to the other if the other breaches any material provision of this Agreement, including nonpayment of any charges hereunder. Upon termination, we will stop our work in an orderly manner as soon as practical.

You agree to pay for all Services we provide, all materials (including programs, program listings, documentation, reports or other similar works of authorship) we deliver and all expenses we incur through the project's termination, including charges we incur in terminating subcontracts.

Customer Obligation

You agree to provide us reasonable access to the premises where Services will be provided during your business hours. You will also provide other onsite cooperation and assistance as may be reasonably requested by us. You agree to sign and deliver to us the Acknowledgment of Completion of Services when the tasks described in the Statement of Work are complete, or when we have provided the estimated number of hours of Services for Hourly Services (unless additional hours are authorized), whichever comes first.

Subcontractors

We have the right subcontract any part of the Services to a third party as we deem appropriate, provided that we will remain ultimately responsible for the Services, subject to the terms of this Agreement.

Changes to Statements of Work

The Statement of Work may only be changed by a written Change Authorization signed by both of us. The terms of the Change Authorization will prevail over those of the Project Description, the Statement of Work and any previous Change Authorizations.

Warranty

We warrant that we perform Services using reasonable care and skill in accordance with recognized standards in the industry. **WE DO NOT PROVIDE ANY OTHER WARRANTIES OR CONDITIONS, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.** We do not warrant uninterrupted or error free operation of any Service.

Limitation of Liability

In the event that you are entitled to recover damages from us, in each instance, regardless of the basis on which you are entitled to claim damages from us, we are liable only for an amount no greater than the sum of all payments you have made to us. This limit also applies to liabilities of any of our subcontractors. It is the maximum for which we and our subcontractors are collectively responsible. **Under no circumstances are we or our subcontractors responsible to you or third parties for 1) loss of, or damage to, your records or data; or 2) special, incidental, consequential or other indirect damages (including lost profits or savings), even if we are informed of their possibility.**

Disputes

The laws of the State of Georgia govern this Agreement. Any controversy or claim arising out of or relating to this Agreement, or the breach of this Agreement, shall be settled by arbitration in accordance with the rules of the American Arbitration Association at a hearing in Atlanta, Georgia. A judgment of a court having jurisdiction may be entered upon the arbitrator's award. The prevailing party, in addition to all recoveries, is entitled to recover from the other party reasonable expenses (including attorney fees) relevant to the claim.

Agreement Number: 2016032802LBB

SPS VAR Services Agreement

Acknowledgement of Completion of Services

Customer hereby acknowledges that the Services required to be provided under Services Agreement No. 2016032802LBB have been completed, and such Services are hereby accepted.

_____ City of Bentonville _____

By: _____

Name: _____

Title: _____

Date: _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF AN AS400 REPLACEMENT FROM SPS VAR, LLC, AND WAIVING THE REQUIREMENT OF COMPETITIVE BIDDING.

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

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement for the purchase of an AS400 replacement from SPS VAR, LLC. in an amount not to exceed \$64,922.55 as set forth in the agreement attached hereto as Exhibit "A".

Section 2: Because SPS VAR provides the hardware and support associated with the SunGard/HTE system utilized by the City and can provide remote installation and data migration of the system and because of the need to purchase the AS400 to work in accordance with the City's existing systems and HTE software to prevent an interruption of critical operations, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2016.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

April 12, 2016

Submitted by:

Brent Boydston

Department

Fire

Phone

271-5927

ACTION REQUIRED:

Fire Department Staff recommends Council approve an ordinance authorizing a third party inspection reporting system for the City of Bentonville.

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





Inter-office Memorandum

To: Mayor McCaslin and City Council
From: Brent Boydston, Fire Chief
CC: Camille Thompson, Staff Attorney and Denise Land, Finance Director
Date: April 12, 2016
Re: National Compliance Center

Fire Department Staff is recommending City Council adopt this ordinance, which require fire/life safety protection system service companies to automatically submit inspection reports via 'Building Reports' Compliance software system upon completion of required life safety inspection reports within Bentonville, to be viewed and evaluated for Arkansas Fire Prevention Code Compliance by the Bentonville Fire Marshals' Division.

- Arkansas Fire Prevention code provisions 604.5 and 901.6 require, per the request of the authority having jurisdiction inspections reports to be submitted for code compliance evaluation; currently this is done via manual phone call requests and e-mailed documents one at a time.
- This ordinance and system would automate this process and make the inspection forms accessible for fire marshal staff to evaluate systems' status electronically while out in the field while performing inspections.
- This system solves the Arkansas Fire Code requirement for our jurisdiction to maintain fire/life safety system reports for a three year minimum.
- This system is provided at no cost to the City of Bentonville, nor the building owners and is paid thru memberships of the fire/life safety service companies who utilize this same software for their current inspection processes.
- Six of our major fire/life safety service providers already fully utilize this system (Dunk, Freedom, J.E Systems, Advanced Cabling, Absolute

fire/security, Arcom Systems) with all other non-member providers also capable of manually providing reports via the same system.

- All report data is secure and owned by the individual service providers only, thus providing security for their service contracts.
- A database will be created over time for every fire/life safety system located within Bentonville with instant access to verify the operating condition and/or impairments on servicing reports.
- The servicing companies submit electronically upon completion of their inspection with a simultaneous delivery to the building owner's representative and AHJ at the same time.
- 'Building reports' has been in business offering this service for approximately 15 years.
- Other capabilities of this system which would be of significant benefit to the Bentonville Fire department: pre-plans from all of these systems can be loaded into each building address and accessible via fire response crews. Also, a billing platform is provided should the jurisdiction choose to invoice for fee's associated for required follow-up inspection activities, repetitive violations or impairments. Lastly, an 'instant push notification e-mail' for systems which are found to be significantly impaired or non-functional ie: "Red-Tagged"

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A THIRD PARTY INSPECTION
REPORTING SYSTEM FOR THE CITY OF BENTONVILLE**

WHEREAS, the City of Bentonville is a fire protection district created under the laws of the State of Arkansas; and

WHEREAS, the City of Bentonville has adopted and enforces the most currently adopted Arkansas Fire Prevention Code for the safety and well-being of residents and non-residents of the City.

WHEREAS, it is the purpose of the City of Bentonville to require that all structures and buildings built and/or standing within the boundaries of the City of Bentonville, are inspected in accordance with the terms of the City of Bentonville fire prevention code, related ordinances, as well as the laws of the State of Arkansas relating to building construction; and,

WHEREAS, particular inspections of fire and life safety equipment are critical to remain compliant with the City of Bentonville fire prevention code and building codes for life safety purposes; and,

WHEREAS, the most currently adopted Arkansas Fire Prevention Code allows the fire code official to request records of all fire and life safety equipment inspections, tests, maintenance, activation tests, and power tests; and,

WHEREAS, a large percentage of local fire and life safety equipment providers in Bentonville already use Building Reports *ComplianceCenter*TM to report compliance and the service is accessible to the Bentonville Fire Department at no charge.

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

Section 1. The Bentonville City Council hereby officially requests reports and records of all fire and life safety equipment inspections, reports and tests within the City of Bentonville, as required and allowed by the most currently adopted Arkansas State Fire Code.

Section 2. The Bentonville City Council hereby approves to use a third party online reporting solution to allow for the submission of Fire and Life Safety inspection and test reports for the well-being and compliance of the City.

Section 3. The Bentonville City Council hereby approves of the use of Building Reports *ComplianceCenter*TM as the third-party web-based online reporting solution for the City of Bentonville.

Section 4. This Ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this ____ day of _____, 2016.

APPROVED:

Mayor Bob McCaslin

ATTEST:

City Clerk



CHECK ALL THAT APPLY			
X	Bid Award	Bid #	16-10
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

April 12, 2016

Submitted by:

Travis Matlock

Department

Electric

Phone

271-5941

ACTION REQUIRED:

Recommend Mayor and City Council award bid #16-10 for 1/0 underground wire to the lowest bidder as shown on the attached bid tabulation in the amount of \$75,450.00.

COST TO CITY:

Cost of this Request: \$75,450

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



M E M O R A N D U M

DATE: April 1, 2016

TO: **City Council, Mayor McCaslin**

FROM: Travis Matlock, Engineer Director

RE: **1/0 Underground Wire Bid #16-10**

The City of Bentonville recommends awarding the bid for 1/0 underground wire in the total amount \$75,450.00. The low bid for this item follows.

Stuart Irby in the amount of \$75,450.00

This award is to replenish minimum stock level and provide on underground jobs within the city.

CITY OF BENTONVILLE
FORMAL BID #16-10

ITEM	QNT	MIN. STOCK QNT.	UNIT	PART NO.	DESCRIPTION	STUART IRBY	TECHLINE	WESCO	AECI		
1	37,500	FT	EA	280 095 59525	WIRE 1/0 PRIMARY UNDERGROUND	\$2.0120	\$2.1200	\$2.1660	\$2.2400		
GRAND TOTAL:						\$75,450.00	\$79,500.00	\$81,225.00	\$84,000.00	\$0.00	\$0.00



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

AGENDA FORM

CITY COUNCIL MEETING OF:

April 12, 2016

Submitted by:

Tony Davis

Department

Street

Phone

271-3130

ACTION REQUIRED:

Review Street Department overlay list for 2016. See Attachments

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





Bentonville Street Department
501 SE Third Street
Bentonville, AR 72712
Phone: (479) 271-3130

MEMORANDUM

DATE: April, 4 2016
TO: City Council, Mayor McCaslin
FROM: Tony Davis, Street Manager
RE: 2016 Overlay

The street overlay budget for 2016 is \$350,000. The City has collected \$33,783.00 in revenue from development street repair fees. The sum of the original budget and developers fees results in \$383,783 available for street overlays this year.

Using an estimate of \$85/ton of asphalt, spreadsheets have been generated outlining two options for the 2016 overlay project.

Option (A) shows all of the streets that staff feels are in need of overlay this year. The total estimated cost of completing the streets in option (A) is \$561,117. If option (A) is chosen for the 2016 overlay, a budget adjustment of \$177,000 is likely required. Actual costs will be know once bids are open.

Option (B) shows the streets that are need of overlay but has limited the streets to closely meet the original budgeted amount. The total cost of completing the streets in option (B) is \$391,851. If Option (B) is chosen for the 2016 overlay, a budget adjustment of \$8000 is likely required. Again, actual costs will be known once bids are opened.

Both options include SE Henry Street for overlay. The cost of the overlay of SE Henry street will be paid by Bentonville Water Utilities. The need for an overlay of SE Henry is a direct result of Water Utility work. Therefore the cost \$25,705 is not considered in the options previously presented.

Staff recommends Option (A) be chosen to keep street maintenance as up to date as possible. Which option does the City Council support taking to bid for the 2016 overlay project?

Sincerely,

Tony Davis
Street Manager

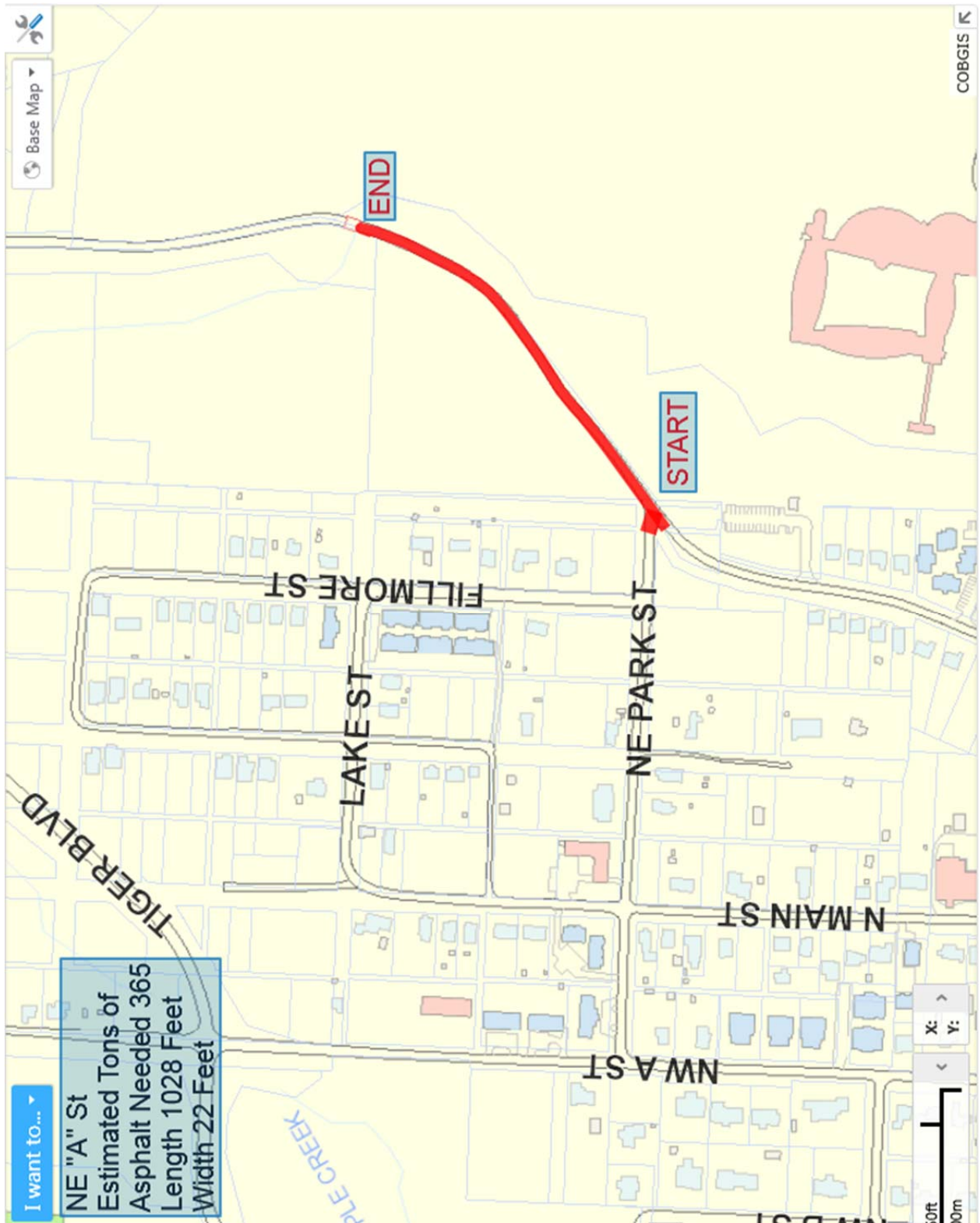
2016 STREET OVERLAY ESTIMATES (A)

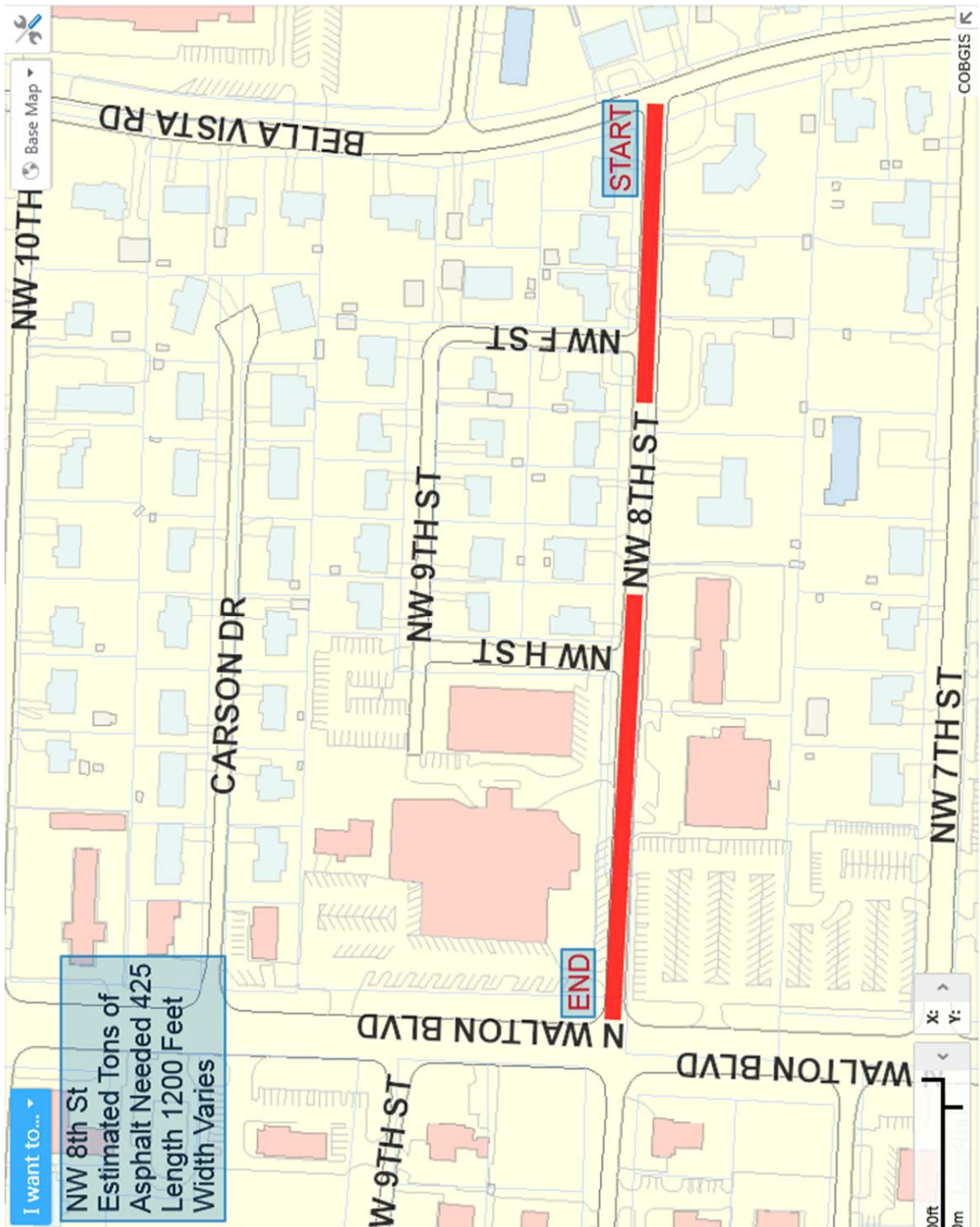
~ 91 ~

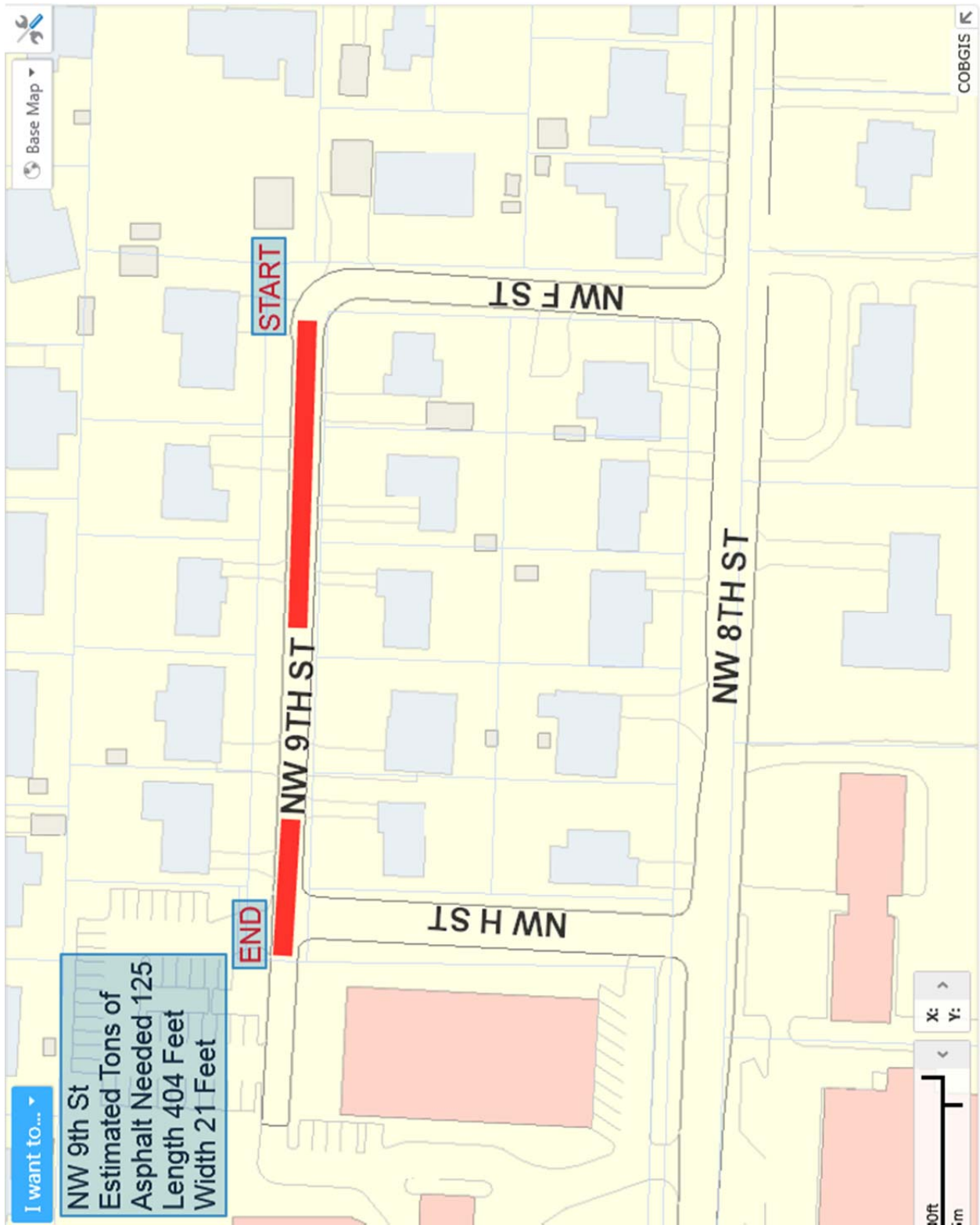
2016 STREET OVERLAY ESTIMATES (B)

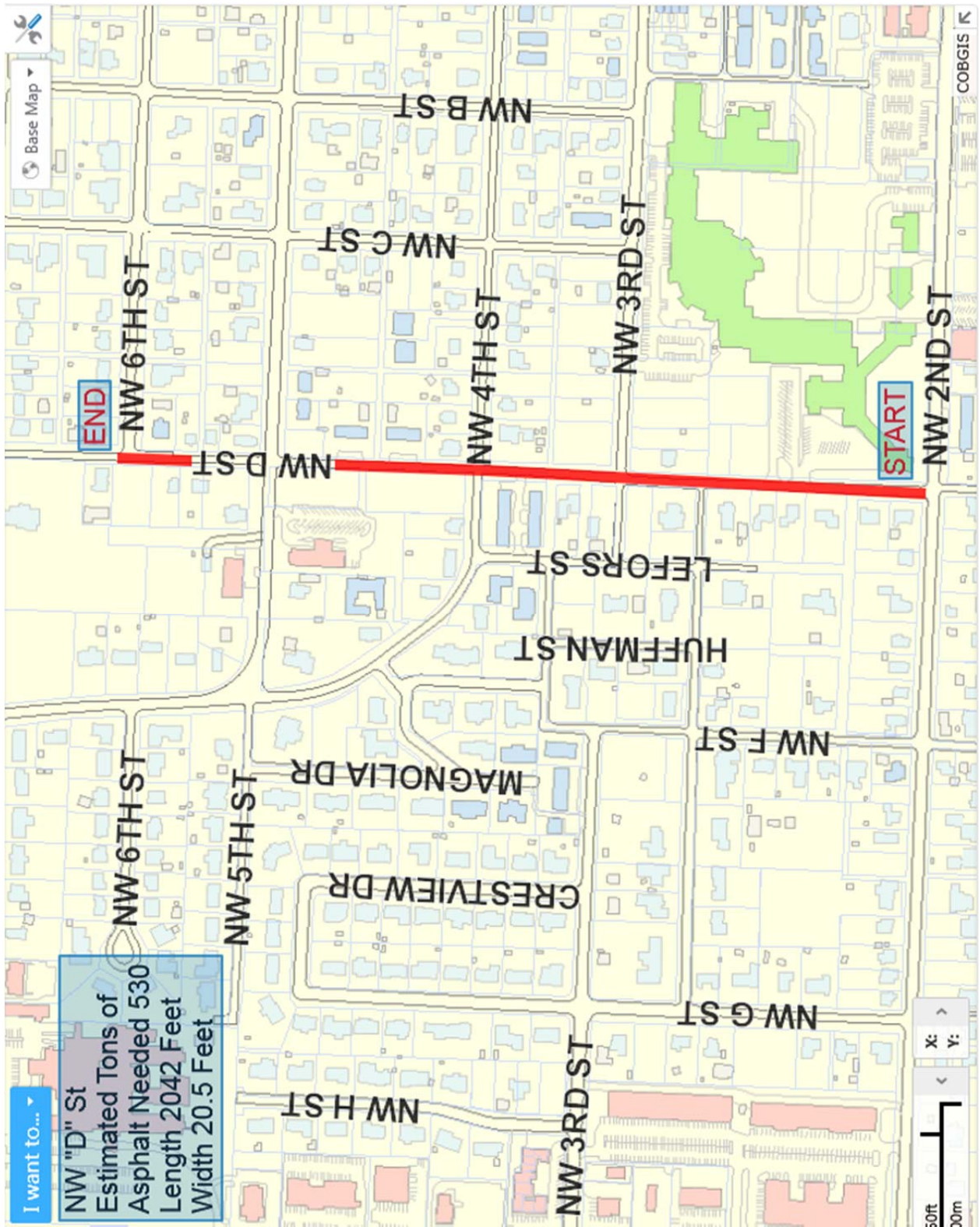
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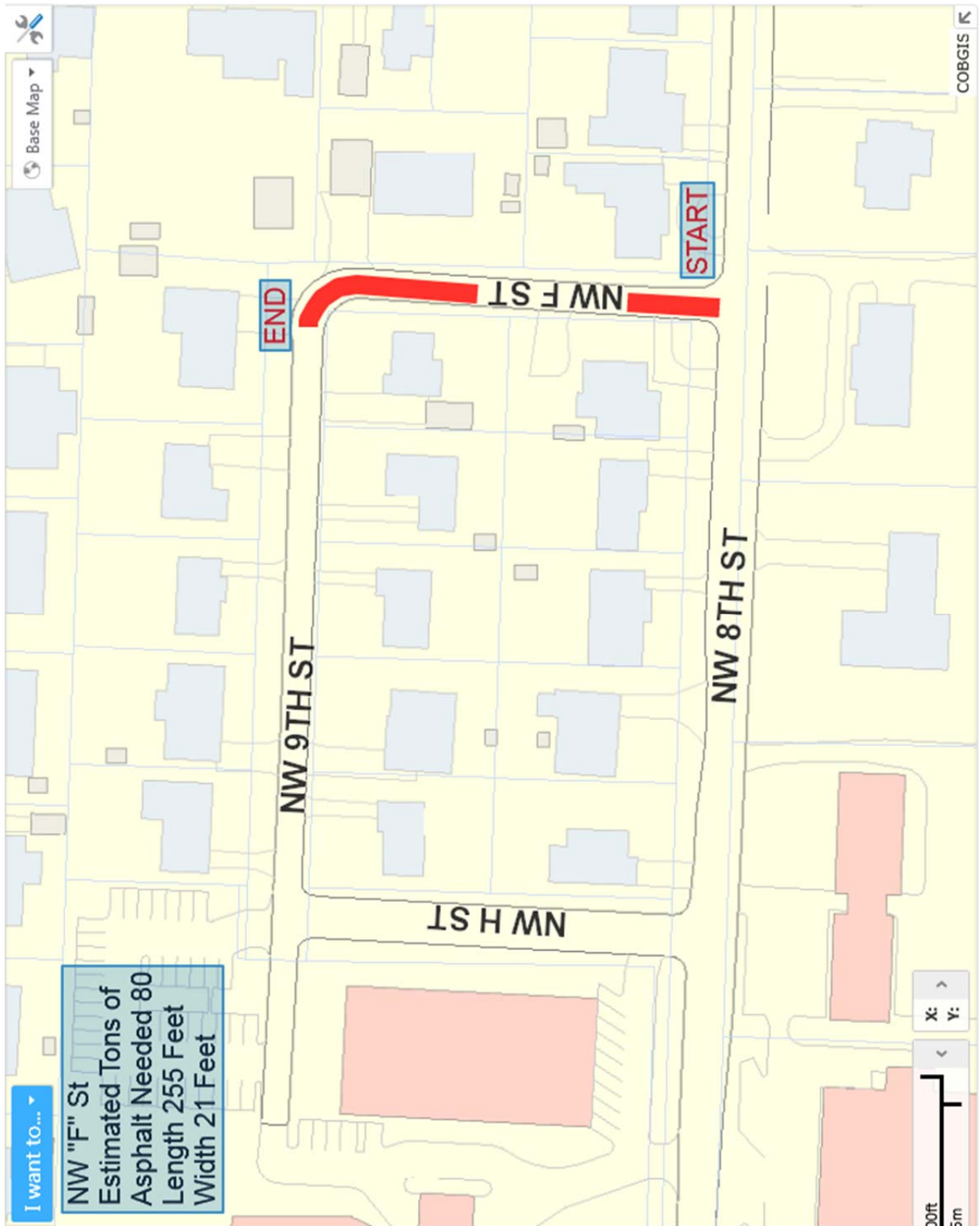










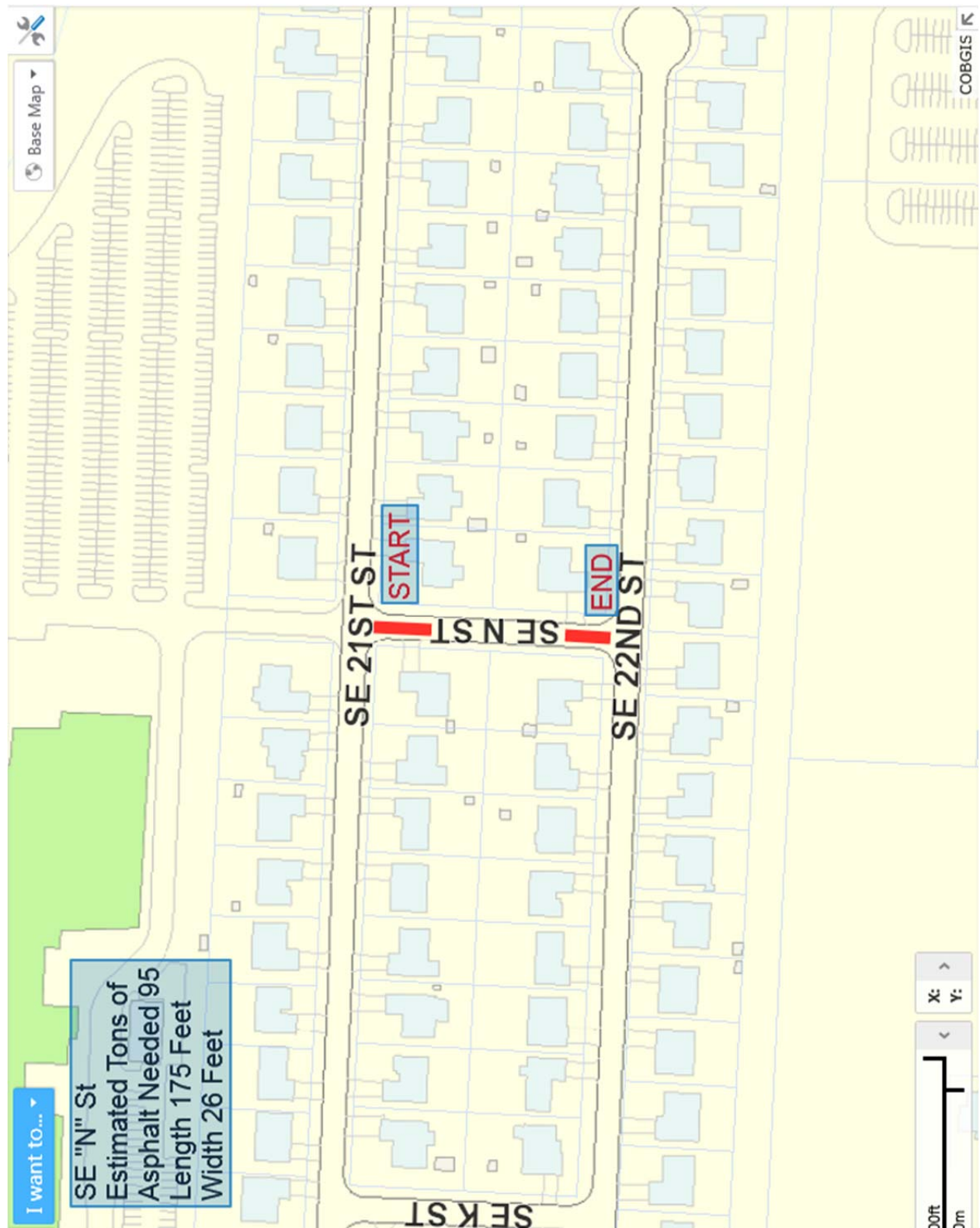


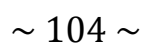


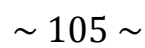




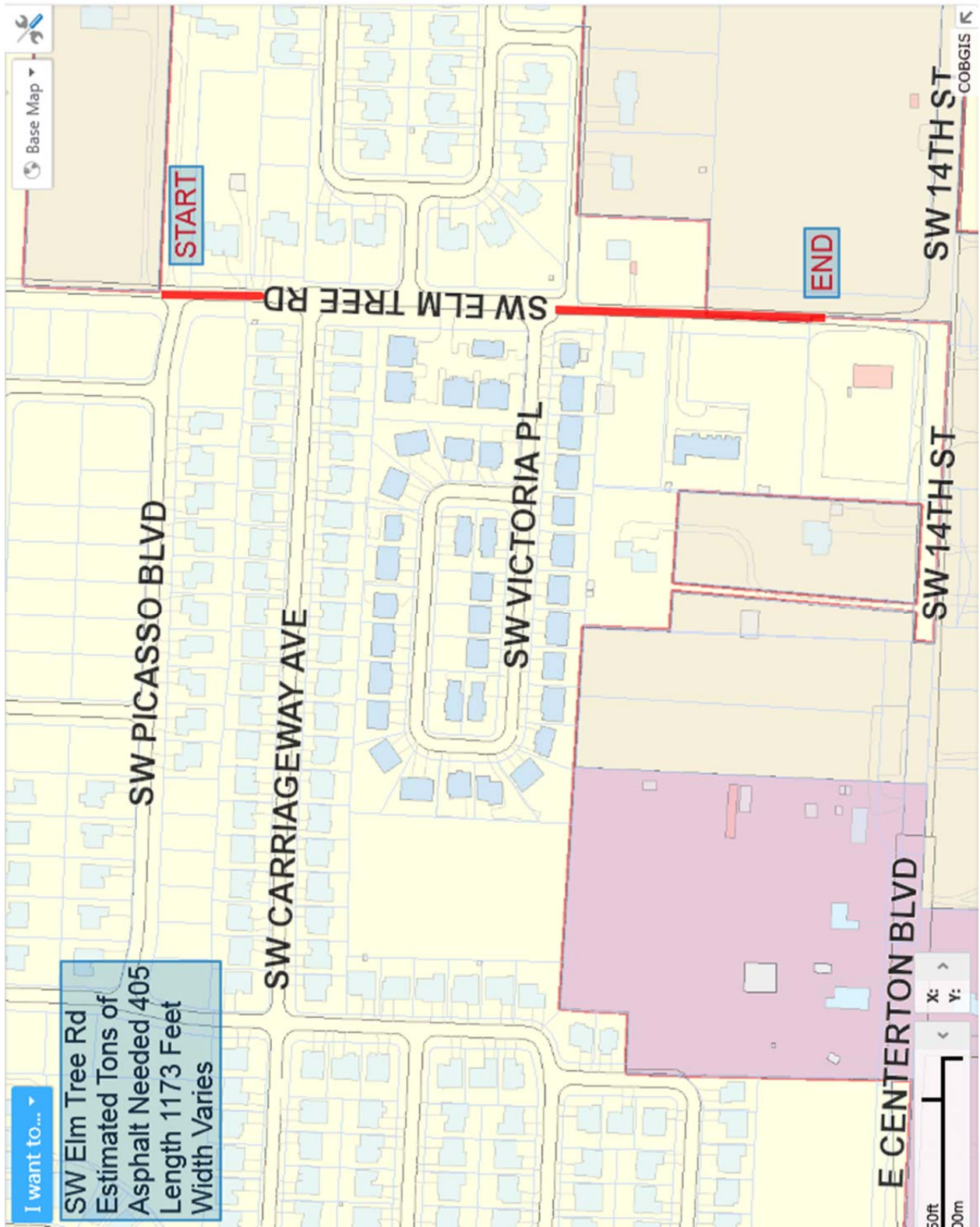


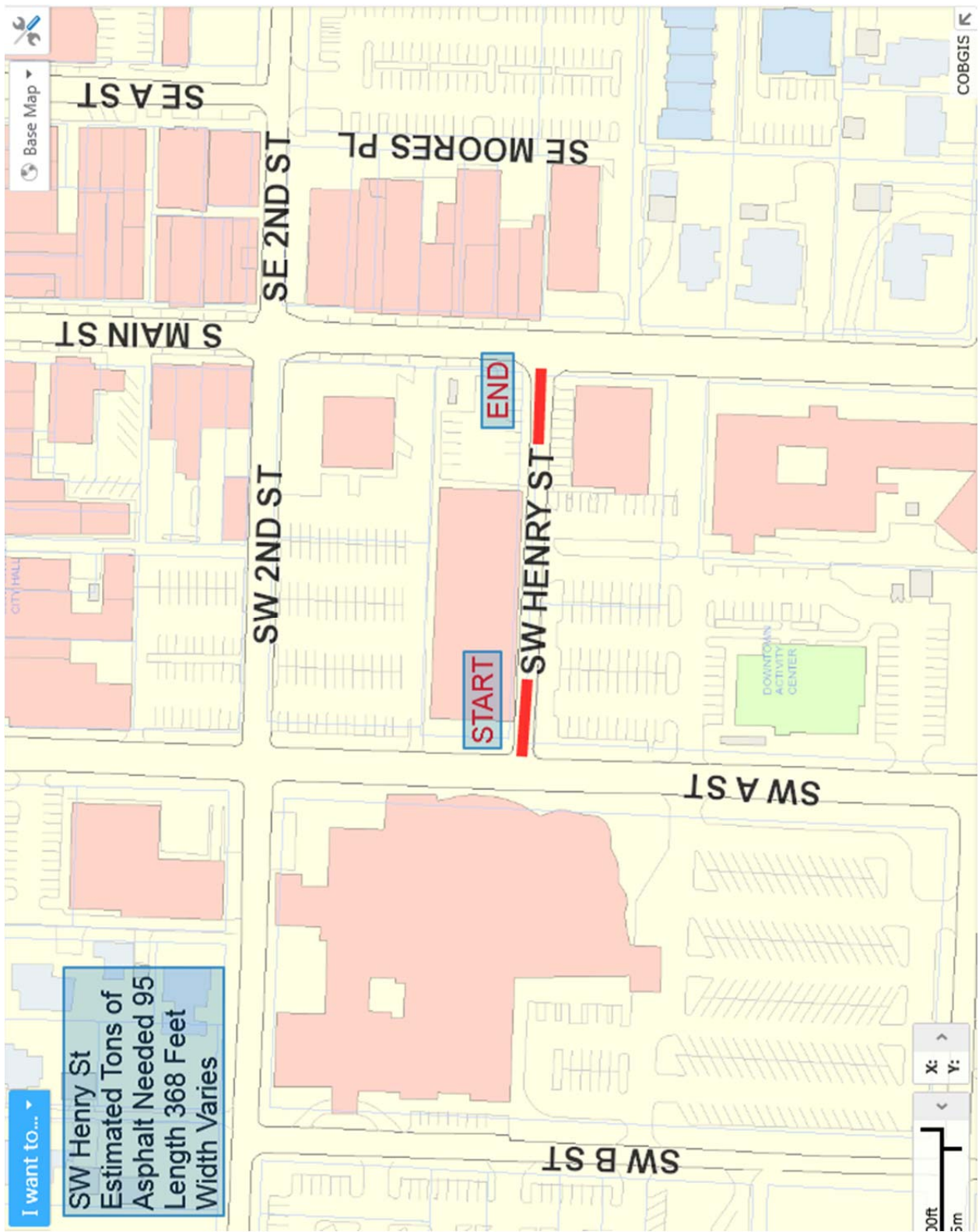
















CHECK ALL THAT APPLY		
☐	Bid Award	Bid #
☐	Budget Adjustment	
☐	Change Order	
☐	Informational	
☐	Ordinance	
☒	Resolution	
☐	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

April 12, 2016

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

City Council approval of resolution to Crafton Tull and Associates authorizing the Mayor and City Clerk to enter into an agreement for design work for the Melvin Ford Aquatic Center Bathhouse Remodel project.

COST TO CITY:

Cost of this Request: \$22,500

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: David Wright, Parks and Recreation Director
Date: February 8, 2016
Re: City Council approval of a resolution authorizing the Mayor and City Clerk enter into an agreement with Crafton Tull and Associates for architectural services for the remodel of the pool house at Melvin Ford Aquatic Center.

Parks and Recreation is seeking City Council's approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Crafton Tull and Associates for the redesign of the pool house at Melvin Ford Aquatic Center.

This summer, Melvin Ford Aquatic Center will celebrate its 25th year of operation in Bentonville. The facility is one of the most popular recreational destinations in the parks system, during the summer months. In 2015, more than 50,000 people used the facility for open, instructional and competitive swim.

After 25 years of operation, the facility is in need of some cosmetic and functional upgrades. Most every part of the facility is equipment originally installed when the facility opened. Things like power, lighting, and equipment are due for upgrade.

The design work is a budgeted item for 2016. Our plan is year is to identify the work needed to be done, complete the design and determine the estimate in order for us to budget the project for 2017's budget. Ideally, we will be able to bid the project in late 2016 and approve a contract for work in early 2017. Hopefully, these changes will be made prior to the opening of the 2017 pool season.

If you have any questions regarding this item, please call me at 479.464.7275 or email dwright@bentonvillear.com.

April 4, 2016

David Wright
Bentonville Parks & Recreation Director
117 West Central Avenue
Bentonville, AR 72712

RE: PROPOSAL FOR REVISIONS TO THE MELVIN FORD AQUATIC CENTER

Dear David,

Thank you for the opportunity to make this proposal for modifications to your Melvin Ford Aquatic Center building. We understand the scope of the project to consist of Design, Bid Documents, and Bidding Assistance for the following:

1. Updated exterior building finishes, including a new metal roof and possible window infill at office rolling counter doors.
2. Updated interior finishes in office, locker rooms, and concession stand.
3. New exhaust for locker rooms, pool equipment rooms, and chemical containment room.
4. New cooling for office and concession stand.
5. New plumbing fixtures and water heaters.
6. Modifications for ADA compliance, if necessary.
7. Evaluation of existing electrical system and revisions necessary for proposed building upgrades.
8. New interior and exterior building lighting (not including parking lot or pool).
9. Various electrical upgrades, including power to overhead doors and concession stand.

For all of the above, we will provide Architectural, Mechanical, and Electrical Design and Construction Drawings, and assistance during Bidding. We propose a lump sum fee of \$22,500.00 for the scope of work plus reimbursable expenses to include printing and travel costs. Reimbursable Expenses are estimated to be \$250 or less. Please note: we have not included an evaluation of the pool equipment in this proposal. We believe you will be better served to work directly with a pool consultant in this case, and we will coordinate any necessary modifications to the electrical or mechanical systems that might be proposed.

If this fee is acceptable to you, we will produce a standard AIA B104 Contract for signature, and will immediately be available to begin work. If you have any questions concerning our fee or would like further explanation / clarification please feel free to contact me. We appreciate the opportunity to work with you on this project.

Sincerely,



Wes Burgess, AIA, LEED AP
Director of Architecture

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH CRAFTON, TULL AND ASSOCIATES ENGINEERS FOR DESIGN WORK RELATED TO THE MELVIN FORD ACQUATIC CENTER BATHHOUSE REMODEL 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 enter into an Agreement with Crafton, Tull and Associates Engineers for design work related to the Melvin Ford Aquatic Center Bathhouse Remodel project, 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 _____, 2016.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, April 12, 2016 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, April 12, 2016 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: March 22, 2016**

AGENDA

1. Presentation of Bentonville Public library's Annual Report and Bentonville's Second Annual Youth Literature Festival.
2. An ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. (John and Velenia Callis)
3. Planning:
- 3a. **Lot Split: Trina F. Hammond, Lot 5, Block 15, Railroad Addition, 113 Southeast 'F' Street, Zoned R-1, Single Family Residential.**

The planning commission voted 7-0 recommending approval.

The applicant has submitted a lot split for property located at 113 Southeast 'F' Street. The plat as provided shows the creation of one new lot from a portion of existing Lot 3 to be known as Lot 5 (0.19 acres), Block 15 of Railroad Addition. The plat indicates the dedication of right-of-way along Southeast 'F' Street per the Master Street Plan. Water and sewer services are available to both lots.

- 3b. **Lot Split: Bike Rack Group, LLC (Jake Newell) Southwest 'B' Street & Southwest 7th Street, Zoned D-C, Downtown Core.**

The planning commission voted 7-0 recommending approval.

The applicant has submitted a lot split for property located at Southwest 'B' Street & Southwest 7th Street. The plat as provided shows the creation of two new lots from 3 existing lots to be known as Lot 13 (0.18 acres) and Lot 14 (0.29 acres), Block 6 of Dunn & Davis Addition. The plat indicates the dedication of right-of-way along Southwest 7th Street per the Master Street Plan and the dedication of additional right-of-way along the northern existing alley to allow for fire apparatus access. Water and sewer services are available to both lots.

- 3c. **Final plat: Meadows at Woods Creek, Inc., The Estates at Woods Creek, Zoned R-1.**

The planning commission voted 7-0 recommending approval.

The Estates at Woods Creek subdivision consists of 20 acres and includes 15 lots, 1 of which is non-buildable. The property exists in a developing residential area along the west side of Woods Creek Road with only one access point onto Woods Creek Road. All lots will have adequate access onto a public street. Regional detention exists in this area and a drainage easement is being provided to address runoff from the subdivision. Lots within this subdivision range from 0.29 acres to 4 acres. Sidewalk ramps have been installed to facilitate future pedestrian connection to the surrounding residential and common areas. Right-of Way has been dedicated for the street/cul-de-sac known as Northeast Miner Court, that will provide direct access to the lots within subdivision. Various utility easement dedications have also been made to allow utility services to each lot. All non-bondable items have been completed.

- 3d. **Land Use Map Amendment: Parsley, 9004 Windmill Road, Zoned A-1 to Proposed Land Use Map Designation, Low Density Residential.**

The planning commission voted 7-0 recommending approval.

The applicants are requesting a change to the land use map designation in order to develop a small residential subdivision.

- 3e. **Rezoning: Alta Vista, LLC (Craig Soos) 403 Southeast 5th Street, R-1, Single Family Residential to C-3, Central Commercial.**

The planning commission voted 7-0 recommending approval.

Property is described at 0.52 acres, currently zoned R-1, single family residential, land use map shows mixed use which allows C-3 zoning.

- 3f. **Rezoning: PBR Holdings, Karning, Downtown Bentonville Cottages, Inc. & Prime Time Housing, LLC., Southeast 2nd Street & 301,305,307,309 & 311 East Central Ave.**

The planning commission voted 7-0 recommending approval.

The applicants have requested a rezoning from R-1, Single Family Residential & D-E, Downtown Edge to D-C, Downtown Core, The land use map shown mixed use which allows D-C, Downtown Core, Water and sewer service are available.

4. A resolution setting a Public Hearing for April 26th, 2016 for a Street Right of Way Vacation requested by 21C, LLC at 200 NE A Street.
5. Council approval of a resolution authorizing the Mayor and Clerk to amend the existing contract with Garver Engineers on the NW 3rd Phase 3 project increasing the amount by an additional \$47,355.00 to include water and sewer line staking and design, provide right-of-way and easement staking, and increase the construction observation services fees. See attached memo and Amendment #1 document.
6. Request a waiver of bid and authorization to enter into a product and service agreement with SPS VAR for the purchase of a replacement AS/400 (Power 8).
7. Fire Department Staff recommends Council approve an ordinance authorizing a third party inspection reporting system for the City of Bentonville.
8. Recommend Mayor and City Council award bid #16-10 for 1/0 underground wire to the lowest bidder as shown on the attached bid tabulation in the amount of \$75,450.00.
9. Review Street Department overlay list for 2016.
10. City Council approval of resolution to Crafton Tull and Associates authorizing the Mayor and City Clerk to enter into an agreement for design work for the Melvin Ford Aquatic Center Bathhouse Remodel project.