



**City Council
Meeting Agenda
April 22, 2025
6:00 PM
Bentonville City Hall**

Note – The public, members of the City Council, and City staff, may have the option to attend this meeting by remote means. For public health reasons, those who attend in person should keep in mind hygiene, the use of facial coverings, and social distancing.

Bentonville residents can make public comments in the following ways:

- Public comments can be made in person at the meeting which is held at 305 SW A Street in Council Chambers.
- Public comments can be submitted by email to cc.comments@bentonvillear.com by at least 4:00 p.m. on the day of the meeting. This email includes the Mayor and City Council email addresses.
- Public comments can be made virtually by registering for the Council meeting at the Zoom link listed below. This requires you to register with your name, address, phone number and email address. The pre-existing limitations (3 minutes) and procedures concerning oral public comments will still apply.

*If you would like to attend virtually, please register at the following link by 4:00 p.m. on April 22, 2025: [Registration Link](#)

Council Questions/Discussion Concerning the Business Meeting

Call to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Approval of Minutes: April 8, 2025

I. New Business - Public Comment to be Heard with Agenda Item

1. **National Lineman Appreciation Day** **Proclamation**
Proclamation
Proclaiming April 18, 2025 as National Lineman Appreciation Day. We join communities nationwide in honoring Electric Linemen and proudly recognize our Bentonville Electric Utility staff for their exemplary service.
2. **Resolution to Purchase Memorial Park** **Resolution**
Softball / Baseball Awnings

Resolution authorizing the purchase of eighteen Softball/Baseball awnings from Swift Recreation LLC., in the amount of \$79,355.09. A budget adjustment is needed.

3. **Resolution Authorizing an Application for a TAP grant for the Arkansas Missouri Trail** **Resolution**

Resolution authorizing the Mayor and City Clerk to apply for an Arkansas Department of Transportation (ARDOT) Transportation Alternatives Program (TAP) grant for construction to extend the Arkansas Missouri Trail. No budget adjustment is needed at this time.
4. **Ordinance Approving a Personnel Policy Amendment - Sick Time** **Ordinance***

Recommend a change to the city policy regarding management of sick time. No budget adjustment is needed.
5. **Ordinance Amending the 2025 City of Bentonville Pay Plan** **Ordinance***

Ordinance amending the 2025 pay plan and approving a budget adjustment in the amount of \$141,415.50. A budget adjustment is needed.
6. **Public Hearing and Ordinance Vacating Street Right of Way (VAC25-0009)** **Ordinance***

Public Hearing and approval of Ordinance vacating Street Right of Way located at Lot 6 of Walmart Layout Subdivision (VAC25-0009).
7. **Resolution Setting a Public Hearing to Vacate a Utility Easement (VAC25-0008)** **Resolution**

Approve Resolution to set Public Hearing for May 13, 2025 to vacate Utility Easement located at Lot 51 of Dicksons Addition (VAC25-0008).
8. **Resolution Setting a Public Hearing to Vacate a Street Right of Way (VAC25-0010)** **Resolution**

Approve Resolution to set Public Hearing for May 13, 2025 to vacate Street Right of Way located at parcel 01-00747-000/806 Excellence Drive (VAC25-0010).

II. Utility Board

1. **Resolution Amending IFB-24-70 - IDIQ Water Service Line Replacement Agreement - Calcon Inc.** **Resolution**

A Resolution authorizing the Mayor and City Clerk to amend the IDIQ contract for Calcon, Inc. to increase the amount by \$500,000.00. Utility Board approved 4-0. A budget adjustment is needed.
2. **Resolution to Approve Hawkins-Weir Wastewater Treatment Capacity Feasibility Study Amendment 3** **Resolution**

A Resolution authorizing the Mayor and City Clerk to amend the Professional Services Agreement with Hawkin-Weir Engineers, Inc. for the increased amount of \$2,637,000.00 for a total contract price of \$9,144,000.00. Utility Board approved 4-0. A budget adjustment is needed.

III. Planning

1. **Elzey's Subdivision** **Ordinance***

405 SW 4TH ST The Planning Commission voted 6-0, recommending approval.

An Ordinance Accepting A Property Line Adjustment Of Lot 2 And A Part Of The West 1/2 Of The Northeast 1/4 Of Section 31, Township 20 North, Range 30 West Creating New Lot 6 Of Elzey's Subdivision To The City Of Bentonville, Arkansas; And For Other Purposes.

2. **Suen** **Ordinance***
515 NW D ST **The Planning Commission voted 5-0 with one abstention, recommending approval.**

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

3. **Establishing a lot size standard for Attached Single Family dwellings in the R-2 Medium Density Zone** **Ordinance***
The Planning Commission voted 6-0, recommending approval.

An Ordinance Amending Bentonville Municipal Code Appendix A Zoning Code Sec. 401.07 Residential (R) District Regulations, To Establish A Lot Size Standard For Attached Single Family Dwellings In The R-2 Medium Density Two-Family And Townhome Residential Zoning District; And For Other Purposes.

IV. Other Business/Announcements/Comments

Adjournment

Public Comments Concerning Matters of City Related Business



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
Ordinance	Resolution	Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

PROCLAMATION

WHEREAS: The profession of Electric Lineman requires passion, dedication and is steeped in tradition; and

WHEREAS: Linemen work 365 days a year in inclement weather and dangerous conditions to build, maintain and repair the electric infrastructure, often putting their lives on the line to keep the power on; and


WHEREAS: Linemen also are often the first responders during storms and other catastrophic events, working to make the scene safe for other first responders; and

WHEREAS: The dedication of Bentonville linemen strengthens not only our City but the entire region, as shown in their recent mutual aid to North Little Rock following severe storms; and

WHEREAS: The City of Bentonville joins other communities across the nation in recognizing and celebrating the profession of Electric Lineman, and therefore we honor our Bentonville Electric Utility Department personnel for exemplary service to the City.

NOW, THEREFORE, I, Stephanie Orman, Mayor of the City of Bentonville, do hereby proclaim April 18th, 2025 as **National Lineman Appreciation Day** in the City of Bentonville, Arkansas, and call upon all citizens and businesses to acknowledge and thank the linemen you see for the selfless and dangerous work they perform every day to keep our power on and the public safe.

Given this 22nd day of April, in Bentonville, in the great State of Arkansas, in the United States of America.


Stephanie Orman, Mayor
City of Bentonville





City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
Ordinance	Resolution	Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$	
-----------------------------	----	--

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund Utility Fund Street Fund Other(s): _____

Budget Impact Notes for Consideration (Optional):

Memo



To: City Council, Mayor Orman

From: David Wright, Parks and Recreation Director

Date: March 12, 2025

Re: Resolution to award Bid to Swift Recreation LLC to purchase eighteen awnings for Memorial Park Baseball/Softball complex through participation in the TIPS Master Agreement Contract # 24070201 to purchase in the amount of \$79,355.09

This resolution seeks approval for the purchase of 18 new awnings for the seating areas at the Memorial Softball/Baseball Fields from Swift Recreation LLC through the TIPS Contract ID #24070201, in the amount of \$79,355.09.

It is important to note that this is not a budgeted item. The need for these new awnings arises from damage caused by the March 2024 storm. Replacing the awnings is essential to restore the infrastructure and ensure the continued safety, comfort, and functionality of the seating areas. Swift Recreation LLC has provided the lowest bid for this project while offering a high-quality product that meets our standards.

The storm damage has left these areas exposed, compromising the safety and comfort of both players and spectators. The 18 new awnings will provide crucial protection from the sun, rain, wind, and foul balls, enhancing the overall experience and ensuring the Memorial Park Sports Complex remains a safe, comfortable, and welcoming environment for all visitors.

For any questions, please contact David Wright, Dwright@bentonvillear.com.



MEMORANDUM

PURCHASING AND COMPLIANCE DEPARTMENT

TO: ADMINISTRATION

FROM: Kelsi Frederick, Purchasing and Compliance Manager

DATE: April 14, 2025

SUBJECT: The Purchase of Softball/Baseball Awnings for Memorial Park

I am recommending for City Council approval for the purchase of eighteen (18) softball/baseball awnings from Swift Recreation LLC, utilizing the TIPS Cooperative Purchasing Contract ID# 24070201, in the amount of \$79,355.09.

These awnings were damaged and compromised during the tornado event that occurred in May 2024. This purchase is necessary to replace the structures and restore functionality and safety to our parks. The City intends to submit this purchase to FEMA for 75% reimbursement, in accordance with federal disaster recovery guidelines.

By utilizing the TIPS contract, we ensure compliance with procurement requirements while benefiting from competitive pricing and expedited acquisition.

Please let me know if you have any questions or need additional documentation in preparation for the upcoming Council meeting.

Please feel free to contact me with any questions.

Kelsi Frederick

(479) 271-3115

kfrederick@bentonvillear.com



P.O. Box 792110
 New Orleans, LA 70179
www.swiftrecllc.com
 Phone: 504-342-4961
 AR Contractor's License #458380425

Swift Recreation, LLC.

Playgrounds, Shade Structures, & Outdoor Recreation Equipment - Sales & Service
Proposal # 752-JC-25

City of Bentonville

Attn: Alex Hollister
E-mail: ahollister@bentonville.com

Date: 04/14/2025
Re: Memorial Park Replacement Fabrics

Est. Ship Date	Shipped Via	F.O.B Point	Terms
6 – 8 Weeks ARO	Best Way	Site	Net 10 Days

Name	Description	Unit price	Quantity	Tax	Amount
Miscellaneous	35' X 15' 6" Shadesure flat fabric, grommets every 12"	\$3,787.90	10	9.50 %	\$37,879.00
Miscellaneous	39' X 15' 6" Shadesure flat fabric, grommets every 12"	\$4,220.80	8	9.50 %	\$33,766.40
Freight		\$825.00	1	9.50 %	\$825.00
	TIPS Master Agreement # 24070201				
	State Contact # 4600055483				

Price quoted includes a discount based on cash/check method of payment. Unless installation is quoted:
 Equipment is quoted F.O.B, knocked down and will require unloading, assembly, and installation. Swift Rec carries GL, Worker's Comp., Auto, and Umbrella Insurance. If Waiver's of Subrogation, OCP, Builder's Risk or other insurances are required, an additional fee will be charged.

One time subtotal: \$72,470.40
 Subtotal excluding tax: \$72,470.40
 Total tax: \$6,884.69
 Total: \$79,355.09

We are pleased to submit the above quotation for your consideration. Should you place an order, be assured it will receive our prompt attention. This quote is valid for 30 days and is subject to change without notice past this time. Playground equipment requires installation over approved safety surfacing.

By: *Jack Cartwright*, NW Arkansas Sales Rep.
Swift Recreation, LLC.

Accepted By:

Signature: _____
Name: _____
Title: _____
Date: _____

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH SWIFT RECREATION, LLC., FOR THE PURCHASE OF AWNINGS AT MEMORIAL PARK SOFTBALL AND BASEBALL FIELDS, IN THE AMOUNT OF SEVENTY-NINE THOUSAND THREE HUNDRED FIFTY-FIVE DOLLARS AND NINE CENTS (\$79,355.09); AMENDING THE 2025 BUDGET; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bentonville Parks and Recreation Department requests to enter into an agreement with Swift Recreation, LLC., for the purchase of eighteen (18) awnings for the seating areas at Memorial Park softball and baseball fields;

WHEREAS, these awnings were damaged in the May, 2024 tornado event and will be submitted to FEMA for seventy-five percent (75%) reimbursement;

WHEREAS, this purchase is through participation in TIPS Contract ID 2407020 which is in line with both Arkansas State Statute §19-11-249 and the City’s Purchasing Policy; and

WHEREAS, a budget adjustment from General Fund Reserves is needed.

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

Section 1: That the Mayor and City Clerk are hereby authorized to enter into an agreement with Swift Recreation, LLC., for the purchase of awnings at Memorial Park softball and baseball fields, in the amount of seventy-nine thousand three hundred fifty-five dollars and nine cents (\$79,355.09);

Section 2: The 2025 Budget is hereby adjusted to appropriate seventy-nine thousand three hundred fifty-five dollars and nine cents (\$79,355.09) from General Fund Reserves to Account #105030-44430 – Building/Ground Maintenance;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2025.

APPROVED:

STEPHANIE ORMAN, Mayor

ATTEST:

MALORIE MARRS, City Clerk



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
Ordinance	Resolution	Informational	Appointment

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$	
-----------------------------	----	--

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

Memo



To: City Council Members and Mayor Orman
From: Josh Stacey, Parks and Recreation Deputy Director
CC: David Wright, Parks and Recreation Director
Date: April 3, 2025
Re: Resolution authorizing the Mayor and City Clerk to enter into an agreement with ARDOT to pursue TAP grant funding for the Arkansas Missouri Trail.

Parks and Recreation staff are seeking City Council's approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with ARDOT to pursue TAP grant funding for the Arkansas Missouri Trail.

This trail project would pick up where the Arkansas Missouri Trail currently terminates at SE Moberly Lane and follow the old railway line to connect to 8th Street and the new Walmart Campus. This is a crucial piece of the trail to connect residents on the east side of town to the new campus.

The request is a 80/20% matching grant with the City committing 20% to the project. The estimated cost for this project is \$670,000, so the City would need to commit \$134,000 to match ARDOT's \$500,000 contribution.

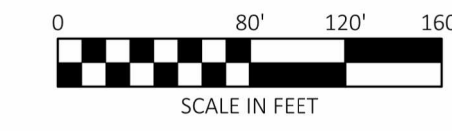
In 2024, Parks staff request to ARDOT for this grant was denied due to lack of funding from ARDOT to support the number of grant requests they received. Our hope is that a second request will be successful this year.

If you have any questions, regarding this item, please contact me at 418.8653, or email jstacey@bentonvillear.com.

Attachments:

Arkansas Missouri Trail Extension Map

ARDOT TAP Grant Resolution



Know what's below.
Call before you dig.

EXISTING LEGEND

e	EAST OR ELECTRIC	— OHT —	OVERHEAD TELEPHONE
n	NORTH	— OHTV —	OVERHEAD TV
ss	SOUTH OR SEWER	— X"SS —	SANITARY SEWER
t	TELEPHONE	— UGE —	UNDERGROUND ELECTRIC
w	UNDERGROUND WEST OR WATER	— UGE&T —	UNDERGROUND ELECTRIC AND TELEPHONE
---	PROPERTY LINE	— UGT —	UNDERGROUND TELEPHONE
---	RIGHT OF WAY LINE	— UGTV —	UNDERGROUND TV
---	STORM DRAIN	— X"W —	WATER
---	X"G	5-10-11 50.5	TREE INFO
---	OHE		5 = DIAMETER OF TRUNK IN FEET
---	OHE&T		10 = HEIGHT OF TREE IN FEET
			11 = CANOPY DIAMETER IN FEET
			50.5 = ELEVATION AT BASE OF TREE

Try to implement more hierarchy for better visual.
Did survey use ArcGIS linework or shoot actual property lines
Major stations on OVERALL
Label trail connections on all sides (existing sidewalk, future wal-mart trail connection)



CEI ENGINEERING ASSOCIATES, INC.
2600 NE 11TH ST, SUITE 300
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844

ARKANSAS MISSOURI TRAIL
CITY OF BENTONVILLE
SE MOBERLY LN
BENTONVILLE, AR

PRELIMINARY
NOT FOR
CONSTRUCTION

PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	DTD
DESIGNER	RCW
CEI PROJECT NUMBER	34152
DATE	1/9/2025
REVISION	REV-0

SITE BENCHMARK		
BM #1 CP PUNCH N: 746,317.51 E: 668,160.80 ELEV = 1310.81	BM #2 CP PUNCH N: 746,208.58 E: 668,658.50 ELEV = 1309.65	BM #3 CP MARGPIKE N: 745,515.23 E: 669,677.60 ELEV = 1313.30

OVERALL PLAN
SHEET TITLE
SHEET NUMBER

C1.0

DRAWING LOCATION: P:\340000\34152\DRAWINGS\DESIGN\BIBLOCK\WORKING\34152-PP-PING-SAVED BY: KCOUFER

RESOLUTION NO. _____

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF BENTONVILLE TO UTILIZE THE FEDERAL- AID TRANSPORTATION ALTERNATIVES PROGRAM OR RECREATIONAL TRAILS PROGRAM FUNDS (FFY 2026) ADMINISTERED BY THE STATE OF ARKANSAS DEPARTMENT OF TRANSPORTATION FOR THE ARKMO TRAIL CONSTRUCTION.

WHEREAS, The City of Bentonville understands Federal-aid Transportation Alternatives Program or Recreational Trails Program Funds are available at 80% federal participation and 20% local match to develop or improve the ARKMO trail, and

WHEREAS, The City of Bentonville understands that Federal-Aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement, and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF BENTONVILLE THAT:

SECTION I: The City of Bentonville will participate in accordance with its designated responsibility, including maintenance of this project.

SECTION II: The Mayor of the City of Bentonville is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

SECTION III: The City of Bentonville pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project.

THIS RESOLUTION adopted this _____ day of April, 2025.

**Signed: _____
Stephanie Orman, Mayor**

**ATTEST: _____
Malorie Marrs, City Clerk**



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
Ordinance	Resolution	Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING AN AMENDMENT TO THE PERSONNEL POLICY,
FOR THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.**

WHEREAS, the Human Resources Department reviewed the Personnel Policy and recommends changes for the 2025 year;

WHEREAS, these changes have been reviewed by City staff as part of the Personnel Policy Committee; and

WHEREAS, this item has no cost.

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

Section 1: The City of Bentonville Personnel Policy, should be and the same is hereby amended as shown in the attached Exhibit "A", hereby adopted by reference as though it was copied herein fully, with updated language shown in blue;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2025.

APPROVED:

STEPHANIE ORMAN, Mayor

ATTEST:

MALORIE MARRS, City Clerk

‘EXHIBIT A’

6.1.5 Management of Sick Leave/Pay. Sick pay is provided by the City as a benefit to avoid loss of pay on those occasions where employees must miss work due to illness or doctors’ appointments. Employees need to understand that sick pay is not an entitlement, like vacation, where employees are expected to use all the hours in their accounts. It is provided as a “financial safety net”. An employee does not have the “right” to take off a certain number of hours every month and is not automatically entitled to all the sick pay hours in their account if they are not sick or do not have doctor appointments. Probationary employees who use more than 16 hours of sick time during their probationary period are subject to termination, unless extenuating circumstances exist.

The City has established a “Standard” for the use of sick leave/pay for all departments, that apply equally to all employees in all situations. Once an employee has used **eighty (80)** hours of **documented or undocumented** sick leave (**two hundred forty [240]** hours for shift firefighters), whether paid or unpaid, that employee will be placed on “Restricted Sick Leave”. Beginning each calendar year, the HR department will review the sick leave usage for all employees in the City. Employees’ attendance records will be evaluated for the previous 12-month period to determine if they should be assigned to the restricted sick leave program. Additionally, at any time during the year department heads/managers may request the HR department to evaluate an employee’s attendance record for the past 12 months to see if they should be assigned to the program. The HR Department will be responsible for managing the restricted sick leave program. Undocumented sick leave is defined as time off taken for sickness or illness, as defined in Section 6.1.4 above, where the employee does not provide a written note/letter from the treating physician, doctor’s office, clinic, school or hospital concerning the absence, referred herein as a “Doctors Note”. Employees will be given written notice of their placement on restricted sick leave using the standard restricted sick leave form. Once on restricted sick leave, the employee must furnish a doctor’s note for each sick leave absence taken. Failure to do so will result in the sick leave being taken without pay. Continued abuse of sick leave can result in disciplinary action. The length of the restricted sick leave will last twelve months. While on restricted sick leave, employees are not eligible for promotions, transfers, or pay increases during the following calendar year, for related information, see Chapter 2 of this manual. If an employee is out for an approved FMLA event, he/she cannot be disciplined, terminated, or placed on restricted sick leave for excessive absenteeism related to a health condition that placed them in the FMLA status.

****Changes noted in blue.**



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING THE 2025 PAY PLAN FOR THE CITY OF BENTONVILLE;
AMENDING THE 2025 BUDGET; AND FOR OTHER PURPOSES.**

WHEREAS, the next year’s pay plan is usually presented to City Council annually in November of each year;

WHEREAS, the timing of the completion of the salary survey delayed this presentation;

WHEREAS, the 2025 pay plan is a compilation of changes based on recommendations from the completed salary survey; and

WHEREAS, a budget adjustment is needed for pay plan changes within the Electric Utility Department.

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

Section 1: The 2025 Pay Plan for the City of Bentonville should be and the same is hereby amended to include the following as attached in Exhibit “A”;

Section 2: The 2025 Budget is hereby adjusted to appropriate one hundred forty-one thousand four hundred fifteen dollars and fifty cents (\$141,415.50), from Utility Fund to the following accounts in the following amounts:

- a. One hundred fifteen thousand dollars (\$115,000.00) into Account #503010-41010 – Full Time Salaries/Wages;
- b. Seventeen thousand six hundred eighteen dollars (\$17,618.00) into Account #503010-41810 – Retirement-APERS; and
- c. Eight thousand seven hundred ninety-seven dollars and fifty cents (\$8,797.50) into Account #503010-41510 – FICA & Medicare Expenses.

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2025.

APPROVED:

STEPHANIE ORMAN, Mayor

ATTEST:

MALORIE MARRS, City Clerk

EXHIBIT "A"

CITY OF BENTONVILLE 2025 NON-EXEMPT PAY RANGES

GRADE	FLSA STATUS	JOB TITLE		MIN	MID	MAX
15	N	ADMINISTRATIVE ASSISTANT I	HOURLY	15.43	19.33	23.22
15	N	CUSTODIAN I	ANNUAL	32,094	40,196	48,298
15	N	CUSTOMER SERVICE REP I				
15	N	KENNEL TECHNICIAN				
15	N	LIBRARY SPECIALIST I				
15	N	METER READER I				
15	N	PARKS MAINTENANCE WORKER I				
15	N	POLICE CLERK I				
15	N	PROBATION CLERK				
15	N	PUBLIC WORKS MAINT WORKER I				
15	N	RECREATION SERVICES REP I				
16	N	ANIMAL SERVICES OFFICER	HOURLY	16.64	20.80	24.96
16	N	BUILDING PERMIT CLERK I	ANNUAL	34,611	43,264	51,917
16	N	COLLECTIONS SPECIALIST				
16	N	CUSTODIAN II				
16	N	CUSTOMER SERVICE REP II				
16	N	CUSTOMER BILLING REP I				
16	N	FACILITIES MAINTENANCE TECH I				
16	N	HEAVY EQUIPMENT OPERATOR I				
16	N	ON-LINE ACCOUNTS REPRESENTATIVE				
16	N	PARKS MAINTENANCE WORKER II				
16	N	PUBLIC WORKS MAINT WORKER II				
16	N	PURCHASING AND COMPLIANCE SPECIALIST I				
16	N	RECREATION SERVICES REP II				
16	N	WAREHOUSE WORKER				
17	N	ADMINISTRATIVE ASSISTANT II	HOURLY	17.80	22.25	26.70
17	N	DEPUTY COURT CLERK I	ANNUAL	37,024	46,280	55,536
17	N	HEAVY EQUIP OPERATOR I (STREET)				
17	N	HEAVY EQUIPMENT OPERATOR II				
17	N	LIBRARY SPECIALIST II				
17	N	METER READER II				
17	N	FIELD SERVICE TECHNICIAN				
17	N	PARKS MAINTENANCE WORKER III				
17	N	PUBLIC WORKS MAINT WORKER III				
17	N	POLICE CLERK II				
17	N	PURCHASING AND COMPLIANCE SPECIALIST II				
17	N	RECREATION SPECIALIST I				
18	N	ACCOUNTING SPECIALIST I	HOURLY	18.97	23.71	28.45
18	N	ADMINISTRATIVE TECHNICIAN	ANNUAL	39,458	49,317	59,176
18	N	BUILDING PERMIT CLERK II				
18	N	CUSTOMER SERVICE REP III				
18	N	CUSTOMER BILLING REP II				
18	N	DEPUTY COURT CLERK II				
18	N	KEY ACCOUNT REPRESENTATIVE				
18	N	GIS TECHNICIAN I				
18	N	HEAVY EQUIP OPERATOR II (STREET)				
18	N	HEAVY EQUIPMENT OPERATOR III				
18	N	MECHANIC - PARKS				
18	N	PARALEGAL				
18	N	RECREATION SPECIALIST II				
18	N	SIGN SHOP/STRIPING TECHNICIAN				
19	N	ACCOUNTING SPECIALIST II	HOURLY	20.13	25.16	30.19
19	N	ANIMAL SERVICES SUPERVISOR	ANNUAL	41,870	52,333	62,795
19	N	CREW LEADER - CUSTODIAL				
19	N	CREW LEADER - INVENTORY				
19	N	CREW LEADER - PARKS				
19	N	CREW LEADER PUBLIC WORKS				

City of Bentonville

19	N	DEPUTY COURT CLERK III				
19	N	EXECUTIVE ASSISTANT				
19	N	FACILITIES MAINTENANCE TECH II				
19	N	HEAVY EQUIP OPERATOR III (STREET)				
19	N	HUMAN RESOURCES SPECIALIST				
19	N	LEAD BILLING REPRESENTATIVE				
19	N	LEAD CUSTOMER SERVICE REP				
19	N	LIBRARY SPECIALIST III				
19	N	MARKETING AND COMMUNICATIONS SPECIALIST				
19	N	PARALEGAL II				
19	N	POLICE RECORDS SUPERVISOR				
19	N	PROBATION OFFICER/BAILIFF				
19	N	RECREATIONAL SPECIALIST III				
19	N	SYSTEMS TECHNICIAN I				
<hr/>						
20	N	APPRENTICE TRAFFIC TECHNICIAN	HOURLY	21.29	26.62	31.94
20	N	BUILDING INSPECTOR I	ANNUAL	44,283	55,359	66,435
20	N	BUILDING PERMIT ADMINISTRATOR				
20	N	CODE ENFORCEMENT OFFICER I				
20	N	GIS TECHNICIAN II				
20	N	FINANCIAL ANALYST				
20	N	HR BENEFITS COORDINATOR				
20	N	HORTICULTURIST				
20	N	MECHANIC - STREET				
20	N	PLANNING PROJECTS COORDINATOR				
20	N	PURCHASING AND COMPLIANCE SPECIALIST III				
20	N	SYSTEMS TECHNICIAN II				
20	N	TURF MAINTENANCE SPECIALIST				
<hr/>						
21	N	ACCOUNTING SPECIALIST III	HOURLY	22.46	28.07	33.68
21	N	CONSTRUCTION INSPECTOR	ANNUAL	46,717	58,386	70,054
21	N	CREW LEADER - STREET				
21	N	CUSTODIAL FOREMAN				
21	N	ENGINEER PROJECT/PERMIT COORD.				
21	N	FIRE INSPECTOR-NON UNIFORMED				
21	N	IT FACILITIES COORDINATOR				
21	N	LIBRARIAN I				
21	N	PARALEGAL III				
21	N	RIGHT OF WAY PERMIT COORDINATOR				
21	N	TRAFFIC TECHNICIAN				
<hr/>						
22	N	BUILDING INSPECTOR II	HOURLY	23.62	29.53	35.43
22	N	CHIEF DEPUTY COURT CLERK	ANNUAL	49,130	61,412	73,694
22	N	CODE ENFORCEMENT OFFICER II				
22	N	CUSTOMER SERVICE SUPERVISOR				
22	N	FACILITIES MAINTENANCE TECH III				
22	N	GIS ANALYST				
22	N	IT SERVICE DESK COORDINATOR				
22	N	METER FOREMAN				
22	N	SYSTEMS TECHNICIAN III				
22	N	URBAN FORESTER				
<hr/>						
23	N	CODE ENFORCEMENT OFFICER III	HOURLY	24.78	30.98	37.17
23	N	GRANT WRITER				
23	N	JUNIOR SYSTEMS ADMINISTRATOR	ANNUAL	51,542	64,428	77,314
23	N	FACILITIES MAINTENANCE COORDINATOR				
23	N	LIBRARIAN II				
23	N	PLANNER				
<hr/>						
24	N	PLANNER II	HOURLY	25.95	32.44	38.92
			ANNUAL	53,976	67,465	80,954
<hr/>						
25	N	ASPHALT SUPERVISOR	HOURLY	27.69	34.61	41.52
25	N	CONSTRUCTION SUPERVISOR	ANNUAL	57,595	71,978	86,362
25	N	GIS ANALYST				
25	N	RECREATION PROGRAM SUPERVISOR				

City of Bentonville

25	N	TRAFFIC OPERATIONS CENTER SPECIALIST				
26	N	GIS COORDINATOR	HOURLY	31.84	38,76	45,67
26	N	PLANNER III	ANNUAL	66,227	80,610	94,994

Note: Annual salaries are calculated from hourly rates of pay, using 2080 hours per year.

ADD-PAY TITLE	AMOUNT	CODE
Associates Degree	\$35.00/PP	DA
Bachelors Degree	\$100.00/PP	DB
Masters/PE/CPA	\$150.00/PP	DM
Bi-lingual	\$100.00/PP	BL

**CITY OF BENTONVILLE
2025 EXEMPT PAY RANGES**

<u>GRADE</u>	<u>FLSA STATUS</u>	<u>JOB TITLE</u>		<u>MIN</u>	<u>MID</u>	<u>MAX</u>
32	E	PART-TIME MEDICAL DIRECTOR	HOURLY	28.85	28.85	28.85
			ANNUAL	60,008	60,008	60,008
33	E	ACCOUNTANT	HOURLY	27.92	37.74	47.55
33	E	AIRPORT MANAGER	ANNUAL	58,074	78,489	98,904
33	E	ASST PARKS MAINTENANCE MANAGER				
33	E	ASST STREET DEPT MANAGER				
33	E	ASST PW MAINT DEPT MANAGER				
33	E	ASST UTILITY BILLING MANAGER				
33	E	BIKE & PEDESTRIAN PLANNER				
33	E	CHIEF BUILDING INSPECTOR				
33	E	COMMUNICATIONS MANAGER				
33	E	ENGINEERING PROJECT MANAGER				
33	E	INVENTORY MANAGER				
33	E	IT APPLICATIONS MANAGER				
33	E	NETWORK ADMINISTRATOR				
33	E	PARKS PLANNER				
33	E	SENIOR LIBRARIAN				
33	E	SENIOR PLANNER				
33	E	STORMWATER COORDINATOR				
34	E	ACCOUNTING MANAGER	HOURLY	33.27	44.22	55.17
34	E	ANIMAL SERVICES MANAGER	ANNUAL	69,202	91,978	114,754
34	E	ASSISTANT HR MANAGER				
34	E	BILLING & COLLECTIONS MANAGER				
34	E	CHIEF COURT CLERK				
34	E	PARKS MAINTENANCE MANAGER				
34	E	PURCHASING AND COMPLIANCE MANAGER				
34	E	PW MAINTENANCE MANAGER				
34	E	RECREATION FACILITIES MANAGER				
34	E	RECREATION SERVICES MANAGER				
34	E	STAFF ENGINEER				
34	E	STREET DEPARTMENT MANAGER				
34	E	SYSTEMS ADMINISTRATOR				
35	E	COMPREHENSIVE PLANNING MGR	HOURLY	34.42	46.52	58.61
35	E	PLANNING SERVICES MANAGER	ANNUAL	71,594	96,751	121,909
35	E	RECREATION SERVICES MANAGER				
36	E	ASSISTANT FINANCE DIRECTOR	HOURLY	37.67	50.91	64.15
36	E	DEPUTY DIRECTOR PARKS & RECREATION		78,354	105,893	133,432
37	E	ASSOCIATE STAFF ATTORNEY	HOURLY	40.92	55.31	69.69
37	E	CITY ENGINEER	ANNUAL	85,114	115,034	144,955
37	E	DEPUTY DIR. TRANSPORTATION				
37	E	HUMAN RESOURCES DIRECTOR				
37	E	IT DIRECTOR				
37	E	LIBRARY DIRECTOR				
38	E	PARKS & RECREATION DIRECTOR	ANNUAL	44.23	59.73	75.22
38	E	COMMUNITY DEVELOPMENT DIR		91,998	124,228	156,458
38	E	TRANSPORTATION DIRECTOR				
39	E	FINANCE DIRECTOR	HOURLY	47.42	64.09	80.76
				98,634	133,307	167,981
39A	E	ELECTRIC UTILITY DIRECTOR	HOURLY	\$50.67	68.48	\$86.29
		STAFF ATTORNEY	ANNUAL	105,394	142,438	179,483

**CITY OF BENTONVILLE
2025 ELECTRIC DEPARTMENT PAY RANGES**

<u>GRADE</u>	<u>FLSA STATUS</u>	<u>JOB TITLE</u>		<u>MIN</u>	<u>MID</u>	<u>MAX</u>
91	N	APP ELECTRIC ENGINEERING TECH	HOURLY	19.08	23.85	28.62
91	N	ELECTRIC CAD TECHNICIAN	ANNUAL	39,686	49,608	59,530
91	N	FIELD OPERATIONS COORDINATOR				
91	N	TREE TRIMMER I				
91A	N	APPRENTICE LINEMAN I	HOURLY	23.85	23.85	23.85
			ANNUAL	49,608	49,608	49,608
91B	N	APPRENTICE LINEMAN II	HOURLY	28.62	28.62	28.62
			ANNUAL	59,530	59,530	59,530
91C	N	APPRENTICE LINEMAN III	HOURLY	33.78	33.78	33.78
			ANNUAL	70,262	70,262	70,262
91D	N	APPRENTICE LINEMAN IV	HOURLY	38.79	38.79	38.79
			ANNUAL	80,683	80,683	80,683
92	N	ELECTRIC ENGINEERING TECH I	HOURLY	26.37	30.08	33.78
92	N	ELECTRIC TECHNICIAN I	ANNUAL	54,850	62,556	70,262
92	N	NEW SERVICE COORDINATOR I				
92	N	TREE TRIMMER II				
93	N	APPRENTICE LINEMAN IV	HOURLY	30.09	34.44	38.79
93	N	ELECTRIC ENGINEERING TECH II	ANNUAL	62,587	71,635	80,683
93	N	ELECTRIC TECHNICIAN II				
93	N	NEW SERVICE COORDINATOR II				
93	N	TREE TRIMMER III				
93A	N	TREE TRIMMING CREW LEADER	HOURLY	34.68	38.72	42.75
			ANNUAL	72,134	80,527	88,920
94	N	ELECTRIC ENGINEERING TECH III	HOURLY	34.68	39.70	44.71
94	N	ELECTRIC SYSTEMS COORDINATOR	ANNUAL	72,134	82,566	92,997
94	N	ELECTRIC TECHNICIAN III				
94	N	NEW SERVICE COORDINATOR III				
95	N	JOURNEYMAN LINEMAN	HOURLY	50.00	50.00	50.00
95	N	CONSTRUCTION COORDINATOR	ANNUAL	104,000	104,000	104,000
95	N	SAFETY COMPLIANCE OFFICER				
95A	N	ELECTRIC DEVELOPMENT COORD.	HOURLY	40.37	46.72	53.07
			ANNUAL	83,970	97,178	110,386
96	N	ELECTRIC CREW LEADER	HOURLY	52.50	52.50	52.50
96	N	SUBSTATION TECHNICIAN	ANNUAL	109,200	109,200	109,200
96A	E	ASST ELECTRIC ENGINEER. MANAGER	HOURLY	45.00	52.50	60.00
			ANNUAL	93,600	109,200	124,800
97	N	FIELD ELECTRIC SUPERVISOR	HOURLY	55.00	55.00	55.00
			ANNUAL	114,400	114,400	114,400
98	E	ELECTRIC ENGINEERING MANAGER	HOURLY	43.89	59.24	74.58
		ELECTRIC CONSTRUCTION MANAGER	ANNUAL	91,291	123,209	155,126

**CITY OF BENTONVILLE WATER 2025
NON EXEMPT PAY PLAN**

GRADE	STATUS	JOB TITLE		MIN	MID	MAX
101	N	WATER DISTRIBUTION OPERATOR I (ASSOCIATE)	HOURLY	18.41	22.56	26.70
101	N	WASTEWATER COLLECTION OPERATOR I (ASSOCIATE)	ANNUAL	38,293	46,914	55,536
101	N	WRRF OPERATIONS TECHNICIAN I				
101	N	WRRF LAB TECHNICIAN I				
101	N	WRRF COMPOST TECHNICIAN I				
101	N	WRRF MAINTENANCE TECHNICIAN I				
102	N	WATER DISTRIBUTION OPERATOR II (INTERMEDIATE)	HOURLY	20.73	25.13	29.53
102	N	WASTEWATER COLLECTION OPERATOR II (INTERMEDIATE)	ANNUAL	43,118	52,270	61,422
102	N	WRRF OPERATIONS TECHNICIAN II				
102	N	WRRF LAB TECHNICIAN II				
102	N	WRRF COMPOST TECHNICIAN II				
102	N	WRRF MAINTENANCE TECHNICIAN II				
103	N	WATER DISTRIBUTION OPERATOR III (SENIOR)	HOURLY	21.13	25.66	30.19
103	N	WASTEWATER COLLECTION OPERATOR III (SENIOR)	ANNUAL	43,950	53,373	62,795
103	N	WRRF MAINTENANCE TECHNICIAN III				
103	N	WRRF LAB TECHNICIAN III				
103	N	WRRF OPERATIONS TECHNICIAN III				
103	N	WRRF COMPOST TECHNICIAN III				
104	N	WATER DISTRIBUTION CONTROLLER	HOURLY	21.29	26.61	31.93
104	N	WATER UTILITIES DAMAGE PREVENTION SPECIALIST	ANNUAL	44,283	55,349	66,414
104	N	WATER UTILITIES METER TECHNICIAN				
105	N	WATER DISTRIBUTION CREW LEADER	HOURLY	22.45	28.07	33.88
105	N	WW COLLECTION CREW LEADER	ANNUAL	46,696	58,375	70,054
105	N	WRRF COMPOST CREW LEADER				
106	N	WATER CROSS-CONNECTION CONTROL COORDINATOR	HOURLY	23.61	29.52	35.42
106	N	WATER NEW SERVICE COORDINATOR	ANNUAL	49,109	61,391	73,674
106	N	WATER PRE-TREATMENT COORDINATOR				
106	N	WATER PROJECT COORDINATOR				
107	N	WATER CONTROLLER FOREMAN	HOURLY	28.50	34.70	40.89
107	N	WATER METER SYSTEMS FOREMAN	ANNUAL	59,280	72,166	85,051
107	N	WRRF COMPOST FOREMAN				
107	N	WRRF OPERATIONS FOREMAN				
108	N		HOURLY	29.66	36.15	42.63
108	N		ANNUAL	61,693	75,182	88,670
109	N	GIS ANALYST	HOURLY	31.84	38.76	45.67
109	N	WATER CONSTRUCTION INSPECTOR	ANNUAL	66,227	80,610	94,994
		WATER UTILITIES SYSTEMS TECHNICIAN				
110	N	WATER DISTRIBUTION SUPERVISOR	HOURLY	32.10	39.61	47.11
110	N	WATER UTILITY OPERATIONS SUPERVISOR	ANNUAL	66,768	82,378	97,989
110	N	WATER UTILITY TECHNICAL SUPERVISOR				
110	N	WASTEWATER COLLECTIONS SUPERVISOR				
110	N	WRRF MAINTENANCE SUPERVISOR				
110	N	WRRF OPERATIONS SUPERVISOR				
110	N	WRRF LAB SUPERVISOR				

**CITY OF BENTONVILLE WATER 2025
EXEMPT PAY RANGES**

<u>GRADE</u>	<u>STATUS</u>	<u>JOB TITLE</u>		<u>MIN</u>	<u>MID</u>	<u>MAX</u>
201	E		HOURLY	32.10	40.88	49.65
			ANNUAL	66,768	85,020	103,272
204	E	WATER UTILITIES STAFF ENGINEER	HOURLY	33.27	44.22	55.17
204	E	PROJECT MANAGER	ANNUAL	69,202	91,978	114,754
205	E	WRRF ASSISTANT MANAGER	HOURLY	34.42	46.52	58.61
205	E	OPERATIONS MAINTENANCE ASSISTANT MANAGER	ANNUAL	71,594	96,751	121,909
205	E	TECHNICAL SERVICES ASSISTANT MANAGER LAND DEVELOPMENT				
205	E	TECHNICAL SERVICES ASSISTANT MANAGER CAPITAL CONSTRUCTION				
206	E	TECHNICAL SERVICES MANAGER	HOURLY	37.67	50.91	64.15
206	E	OPERATIONS/MAINTENANCE MANAGER	ANNUAL	78,354	105,893	133,432
206	E	WRRF MANAGER				
207	E	DEPUTY DIRECTOR WATER UTILITY	HOURLY	40.92	55.31	69.89
			ANNUAL	85,114	115,034	144,955
209	E	DIRECTOR WATER UTILITY	HOURLY	47.42	64.09	80.75
			ANNUAL	98,634	133,297	167,960

ADD-PAY TITLE	AMOUNT	CODE
Associates Degree	\$35.00/PP	DA
Bachelors Degree	\$100.00/PP	DB
Masters/PE/CPA	\$150.00/PP	DM
Bi-lingual	\$100.00/PP	BL

**CITY OF BENTONVILLE
2025 PART-TIME NONEXEMPT PAY RANGES**

<u>GRADE</u>	<u>FLSA STATUS</u>	<u>JOB TITLE</u>		<u>MIN</u>	<u>MID</u>	<u>MAX</u>
81	N	P/T Rec Worker I	HOURLY	12.00	13.87	15.73
81	N	P/T Basic F/F				
82	N	P/T Rec Worker II	HOURLY	12.51	14.38	16.25
82	N	P/T Library Page				
82	N	P/T Lifeguard I				
82	N	P/T Groundskeeper				
82	N	P/T Basic F/F - EMT				
83	N	P/T Rec Worker III	HOURLY	13.02	14.90	16.78
83	N	P/T Lifeguard II				
83	N	P/T Basic F/F - Paramedic				
84	N	P/T Admin Clerk/Intern	HOURLY	13.53	15.94	18.35
84	N	P/T Library Clerk I				
84	N	P/T Rec Worker IV				
84	N	P/T Lifeguard III				
84	N	P/T Head Lifeguard I				
84	N	P/T F/F I				
85	N	P/T Rec Worker	HOURLY	14.04	16.46	18.87
85	N	P/T Head Lifeguard II				
85	N	P/T Library Clerk II				
85	N	P/T F/F - EMT				
86	N	P/T Rec Leader I	HOURLY	14.55	16.99	19.40
86	N	P/T Head Lifeguard III				
86	N	P/T Library Clerk III				
86	N	P/T F/F - Paramedic				
87	N	P/T Rec Leader II	HOURLY	15.06	18.02	20.97
87	N	P/T Asst. Pool Mgr I				
87	N	P/T Library Clerk IV				
87	N	P/T F/F II				
88	N	P/T Rec Leader III	HOURLY	15.57	18.54	21.50
88	N	P/T Asst. Pool Mgr I I				
88	N	P/T F/F II - EMT				
89	N	P/T Asst. Pool Mgr III	HOURLY	16.08	19.05	22.01
89	N	P/T Library Technician				
89	N	P/T F/F II/Paramedic				
89	N	P/T Rec Leader IV				

ADD PAY TITLE	AMOUNT	CODE
Swimming Instructor I	\$80.00/PP	SI-1
Swimming Instructor II	\$120.00/PP	SI-2
Swimming Instructor III	\$240.00/PP	SI-3
Swimming Instructor IV	\$400.00/PP	SI-4



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
Ordinance	Resolution	Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Fund(s) Impacted

(check all that apply)

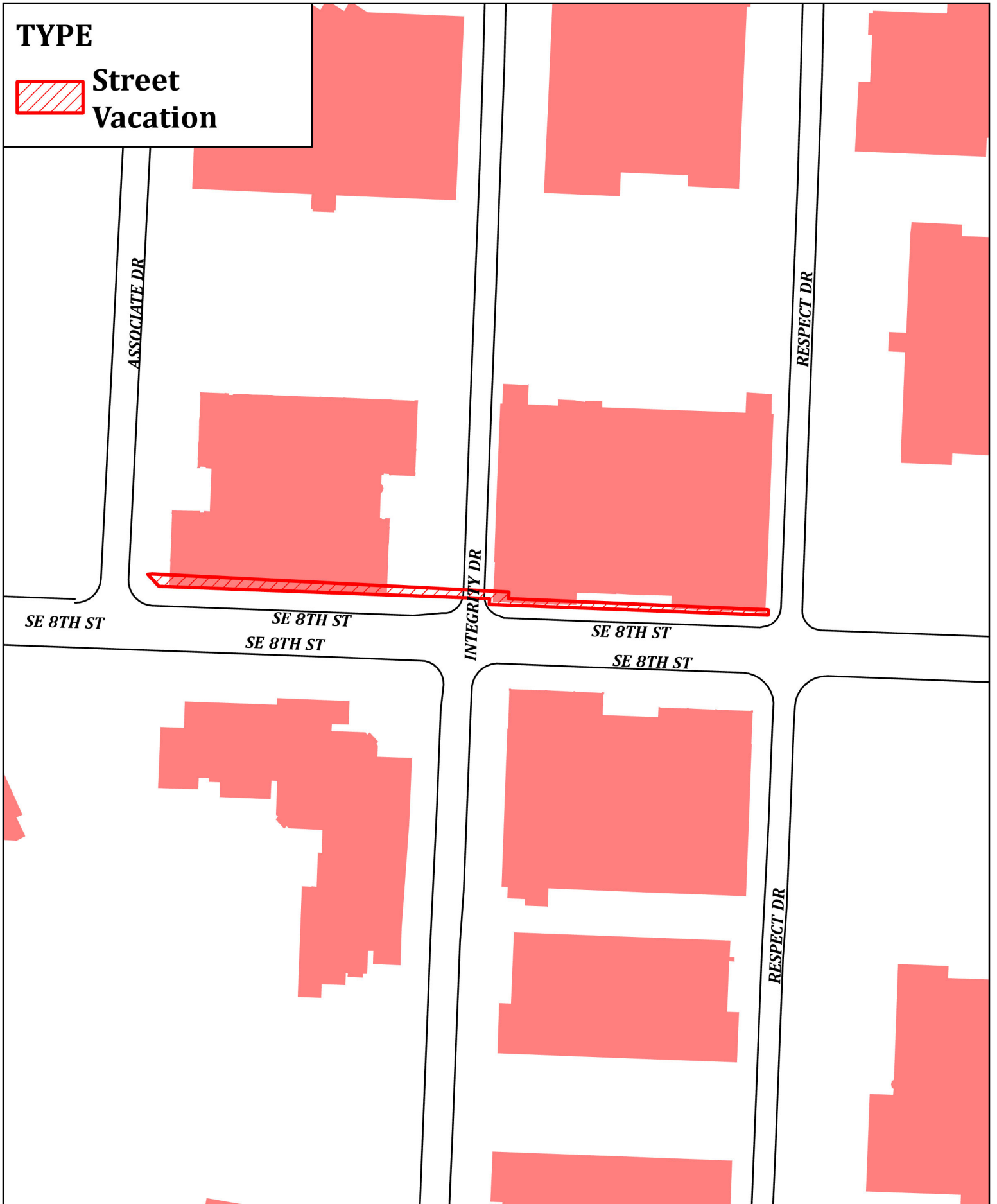
General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

TYPE



**Street
Vacation**



SE 8TH ST

SE 8TH ST
SE 8TH ST

INTEGRITY DR

SE 8TH ST

SE 8TH ST

RESPECT DR

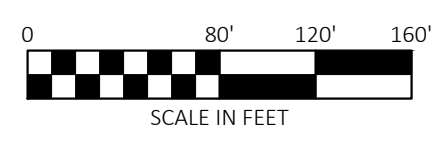
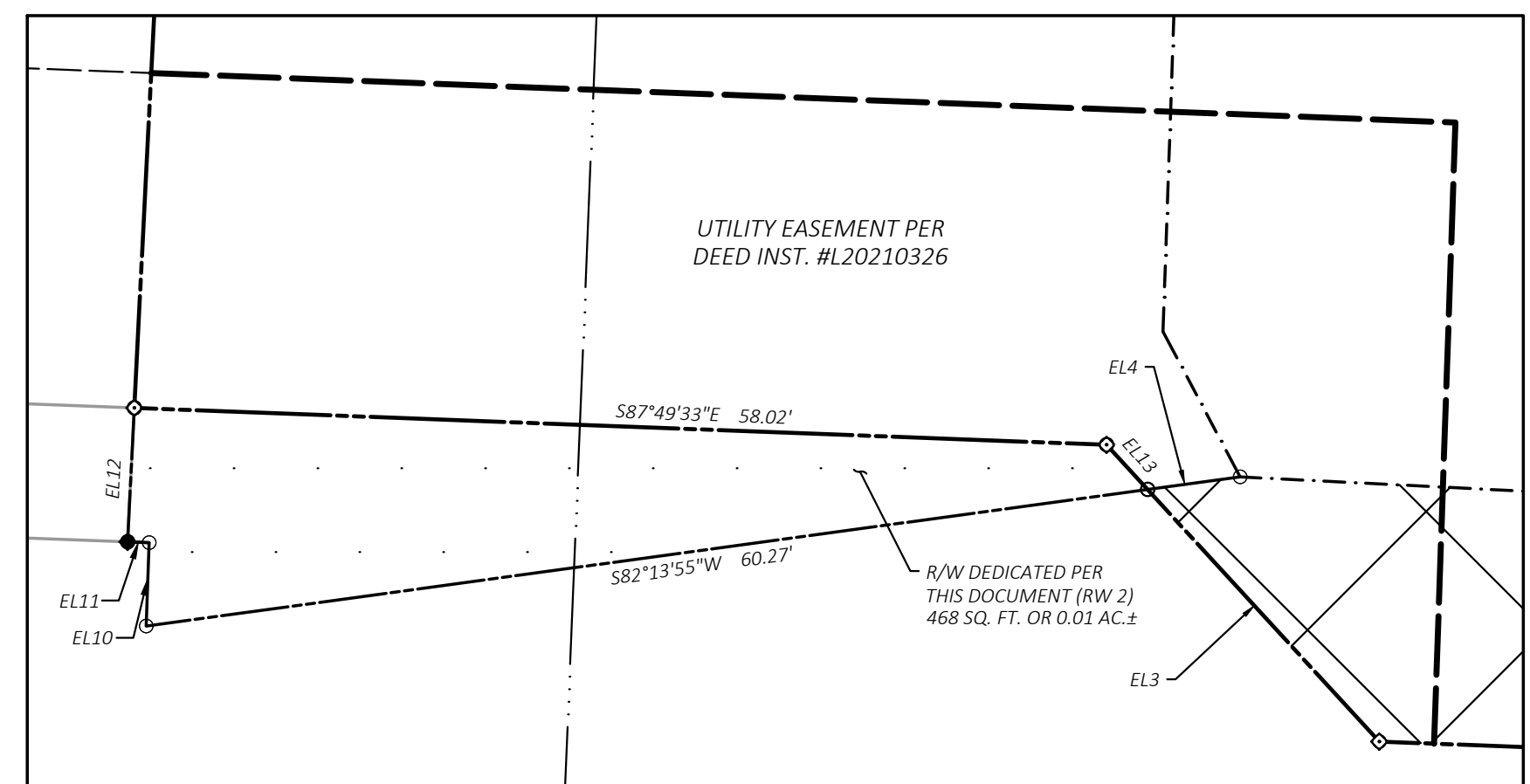
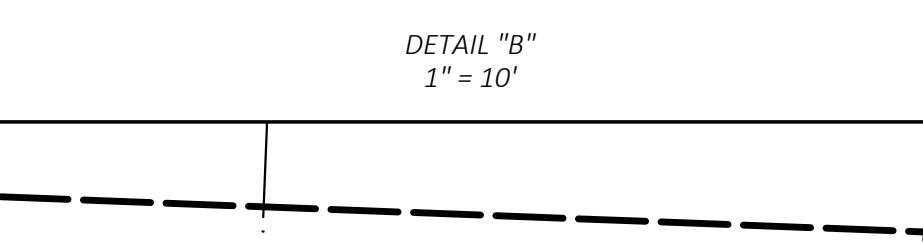
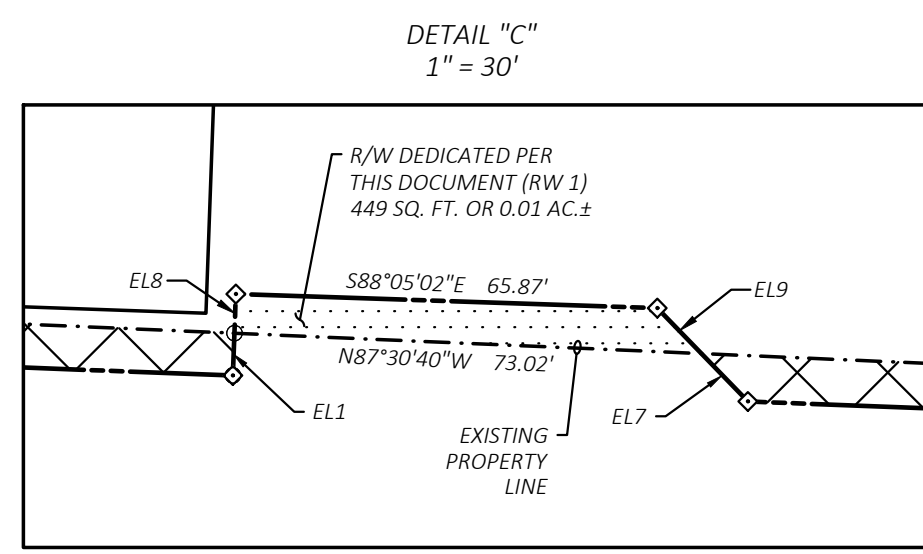
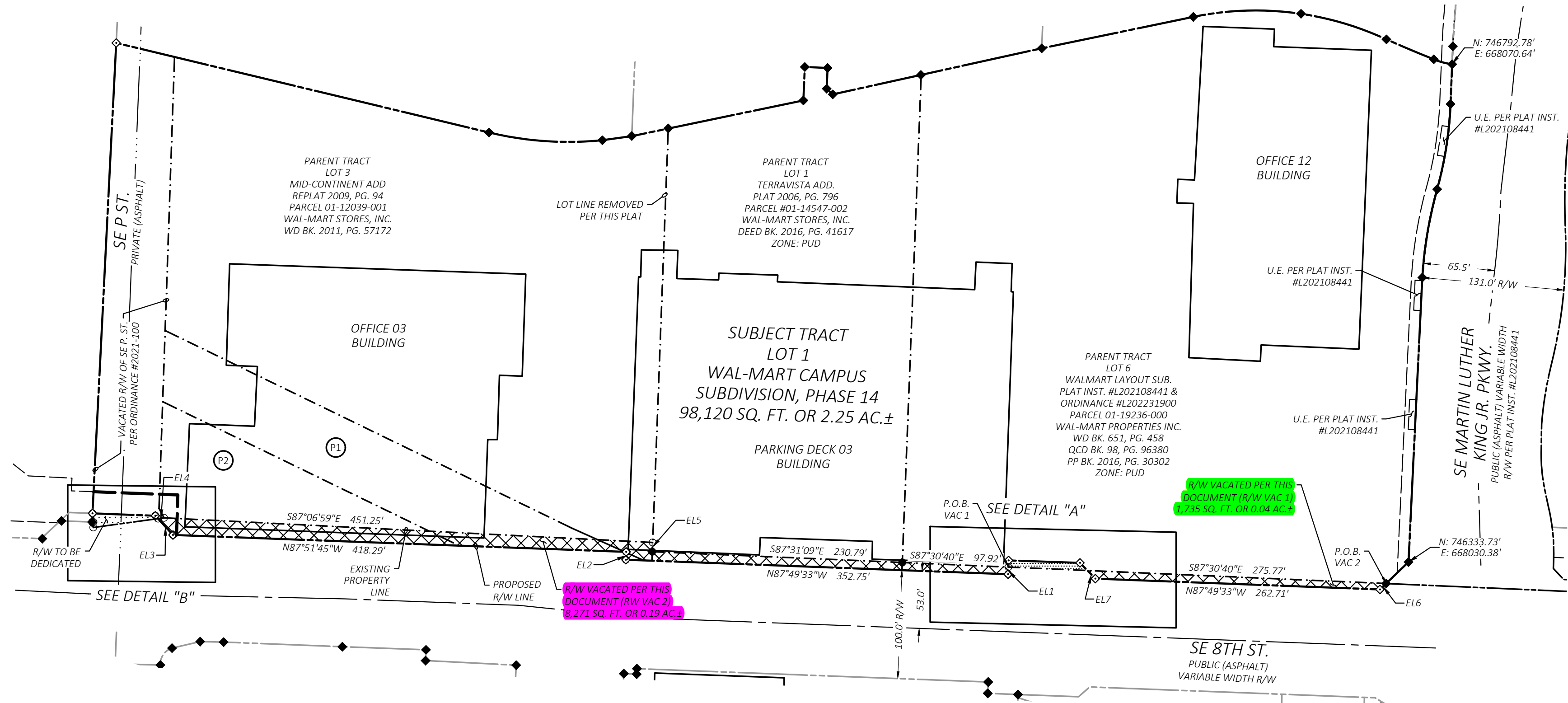
RESPECT DR



**VAC25-0009
Zone 1 ROW Vacation
SE 8th Street**



DRAWING LOCATION - S:\31000\31470\DRAWINGS\SURVEY\31470\FP_ZONE_1\RW_EXHIBITS\31470\FP_ZONE_1_SOUTH_RW_EXHIBITS.DWG -- SAVED BY - WPIERSON

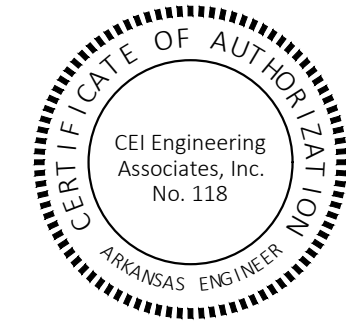


Legend	
	Boundary Line
	Adjoining Boundary Line
	Existing Boundary Line (removed per this plat)
	Easement Line
	Centerline
	Found 5/8" Rebar "LS#1618"
	Set 5/8" Rebar "LS#1618"
	Bearing & Distance Change
	Right-of-Way
	Parent Tract Info Block
	Dedicated Right-Of-Way (R/W)
	Vacated Right-Of-Way (R/W)

Easement Line Table		
LINE	BEARING	DISTANCE
EL1	S02°05'37"W	6.60'
EL2	N02°06'52"E	7.25'
EL3	N42°34'40"W	20.42'
EL4	N82°13'55"E	5.57'
EL5	S02°08'50"W	8.48'
EL6	S46°13'44"W	7.92'
EL7	N44°08'57"W	10.43'
EL8	N02°05'37"E	6.13'
EL9	S44°08'57"E	9.89'
EL10	N01°58'13"E	4.98'
EL11	N87°49'33"W	1.29'
EL12	N02°53'08"E	8.00'
EL13	S42°34'40"E	3.62'

PARENT TRACT PARCEL INFO.	
P1	P2
PARENT TRACT PT. LOT 3 & VACATED STREET MID-CONTINENT ADD. REPLAT 2009, PG. 94 PARCEL 01-12039-002 WAL-MART STORES INC. DEED INST. #L202062198 ZONE: PUD	PARENT TRACT LOT 3 MID-CONTINENT ADD REPLAT 2009, PG. 94 PARCEL 01-12039-001 WAL-MART STORES, INC. WD BK. 2011, PG. 57172 ZONE: PUD

NOTE:
It is to be understood that this sketch is descriptive only of the size, shape and location of the easement and does not constitute a plat or survey of the Grantors' property.



CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

R/W Vacation/Dedication
Walmart Campus
SE MARTIN LUTHER KING JR Pkwy
Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	WAP
FIELD WORK	CSS
CEI PROJECT NUMBER	31470
DATE	1/22/2025
REVISION	REV-0

R/W Exhibit
SHEET TITLE
SHEET NUMBER

1 OF 1

State Survey Code: 500-20N-30W-0-32-130-04-1618

ORDINANCE NO _____

**AN ORDINANCE VACATING UTILITY EASEMENTS LOCATED AT LOT 6
OF WALMART LAYOUT SUBDIVISION OF THE CITY OF BENTONVILLE,
ARKANSAS, BENTON COUNTY ARKANSAS (VAC25-0009).**

WHEREAS, a petition was filed with the City Council of the City of Bentonville, Arkansas, by Wal-Mart Stores, Inc. asking the City Council to vacate the right of way located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

R/W Vacation 1 Description:

A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 32, Township 20 North, Range 30 West also being a part of the Right-of-way of SE 8th Street per Plat Instrument #L202108441 in the public records of Benton County, Arkansas and being described by metes and bounds as follows:

BEGINNING at a 5/8-inch rebar found at the Southeast corner of Lot 6, Walmart Layout Subdivision per Plat Instrument #L202108441;
THENCE departing the South Line of said Lot 6, South 46°13'44" West, 7.92 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 87°49'33" West, 262.71 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 44°08'57" West, 10.43 feet to said South Line of Lot 6;
THENCE along said South Line, South 87°30'40" East, 275.77 feet to the POINT OF BEGINNING containing 1,735 square feet or 0.04 acres, more or less.

R/W Vacation 2 Description:

A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 32, Township 20 North, Range 30 West also being a part of the Right-of-way of SE 8th Street per Plat Instrument #L202108441 in the public records of Benton County, Arkansas and being described by metes and bounds as follows:

COMMENCING at a 5/8-inch rebar found at the Southeast corner of Lot 6, Walmart Layout Subdivision per Plat Instrument #L202108441;
THENCE departing the South Line of said Lot 6, South 02°05'37" West, 6.60 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 87°49'33" West, 352.75 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 02°06'52" East, 7.25 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 87°51'45" West, 418.29 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 42°34'40" West, 20.42 feet to the East Right-of-way of SE P. Street;
THENCE along said East Right-of-way, North 82°13'55" East, 5.57 feet to the South Line of Lot 3, Mid-Continent Addition per Replat Book 2009, Page 94;
THENCE along said South Line, South 87°06'59" East, 451.25 feet to the West Line of Lot 1, Terravista Addition per Plat Book 2006, Page 796;
THENCE along said West Line, South 02°08'50" West, 8.48 feet to a 5/8-inch rebar found at the Southwest Corner of said Lot 1;
THENCE along the South Line of said Lot 1, South 87°31'09" East, 230.79 feet to a 5/8-inch re-bar found on the South Line of said Lot 6, Walmart Layout Subdivision;
THENCE along said South Line, South 87°30'40" East, 97.92 feet to the POINT OF BEGINNING containing 8,271 square feet or 0.19 acres, more or less.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of

the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described right of way.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bentonville, Arkansas:

Section 1: The City of Bentonville Arkansas releases, vacates, and abandons all of its rights together with the rights of the public generally, in and to the right of way designated as follows:

R/W Vacation 1 Description:

A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 32, Township 20 North, Range 30 West also being a part of the Right-of-way of SE 8th Street per Plat Instrument #L202108441 in the public records of Benton County, Arkansas and being described by metes and bounds as follows:

BEGINNING at a 5/8-inch rebar found at the Southeast corner of Lot 6, Walmart Layout Subdivision per Plat Instrument #L202108441;
THENCE departing the South Line of said Lot 6, South 46°13'44" West, 7.92 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 87°49'33" West, 262.71 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 44°08'57" West, 10.43 feet to said South Line of Lot 6;
THENCE along said South Line, South 87°30'40" East, 275.77 feet to the POINT OF BEGINNING containing 1,735 square feet or 0.04 acres, more or less.

R/W Vacation 2 Description:

A part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 32, Township 20 North, Range 30 West also being a part of the Right-of-way of SE 8th Street per Plat Instrument #L202108441 in the public records of Benton County, Arkansas and being described by metes and bounds as follows:

COMMENCING at a 5/8-inch rebar found at the Southeast corner of Lot 6, Walmart Layout Subdivision per Plat Instrument #L202108441;
THENCE departing the South Line of said Lot 6, South 02°05'37" West, 6.60 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 87°49'33" West, 352.75 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 02°06'52" East, 7.25 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 87°51'45" West, 418.29 feet to a 5/8-inch rebar with cap LS1618;
THENCE North 42°34'40" West, 20.42 feet to the East Right-of-way of SE P. Street;
THENCE along said East Right-of-way, North 82°13'55" East, 5.57 feet to the South Line of Lot 3, Mid-Continent Addition per Replat Book 2009, Page 94;
THENCE along said South Line, South 87°06'59" East, 451.25 feet to the West Line of Lot 1, Terravista Addition per Plat Book 2006, Page 796;
THENCE along said West Line, South 02°08'50" West, 8.48 feet to a 5/8-inch rebar found at the Southwest Corner of said Lot 1;
THENCE along the South Line of said Lot 1, South 87°31'09" East, 230.79 feet to a 5/8-inch re-bar found on the South Line of said Lot 6, Walmart Layout Subdivision;
THENCE along said South Line, South 87°30'40" East, 97.92 feet to the POINT OF BEGINNING containing 8,271 square feet or 0.19 acres, more or less.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2025 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Malorie Marrs, City Clerk
Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
Ordinance	Resolution	Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

TYPE



**Easement
Vacation**

25

23

NW 2ND ST

12

11

51

10

W CENTRAL AVE

43

32

33

1

34

VAC25-0008

Proposed Utility Easement Vacation

710 W CENTRAL AVE



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 requesting Utility Easement (VAC25-0008) by Casey & Hannah Roberts within the City of Bentonville, Arkansas be vacated, which said right of way is described as follows:

A PART OF THE SW1/4 OF THE SW 1/4 OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NW CORNER OF LOT 51 OF DICKSONS ADDITION TO BENTONVILLE, A SUBDIVISION IN BENTONVILLE, ARKANSAS, BENTON COUNTY; THENCE ALONG THE WEST LINE OF SAID LOT 51 S 02°15'46" W A DISTANCE OF 7.00' TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG WEST LINE S 02°15'46" W A DISTANCE OF 8.00' TO A POINT; THENCE LEAVING SAID WEST LINE S 87°34'46" E A DISTANCE OF 96.06' TO A POINT ON THE EAST LINE OF SAID LOT 51; THENCE ALONG SAID EAST LINE N 02°25'14" E A DISTANCE OF 8.00' TO A POINT; THENCE LEAVING SAID EAST LINE N 87°34'46" W A DISTANCE OF 96.04' TO THE POINT OF BEGINNING, CONTAINING 768 SQ. FEET, 0.02 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

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 vacate the above described Right-of-Way is set for a hearing May 13, 2025 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 _____ 2025 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Malorie Marrs, City Clerk
Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
Ordinance	Resolution	Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	Expense	Revenue
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Fund(s) Impacted

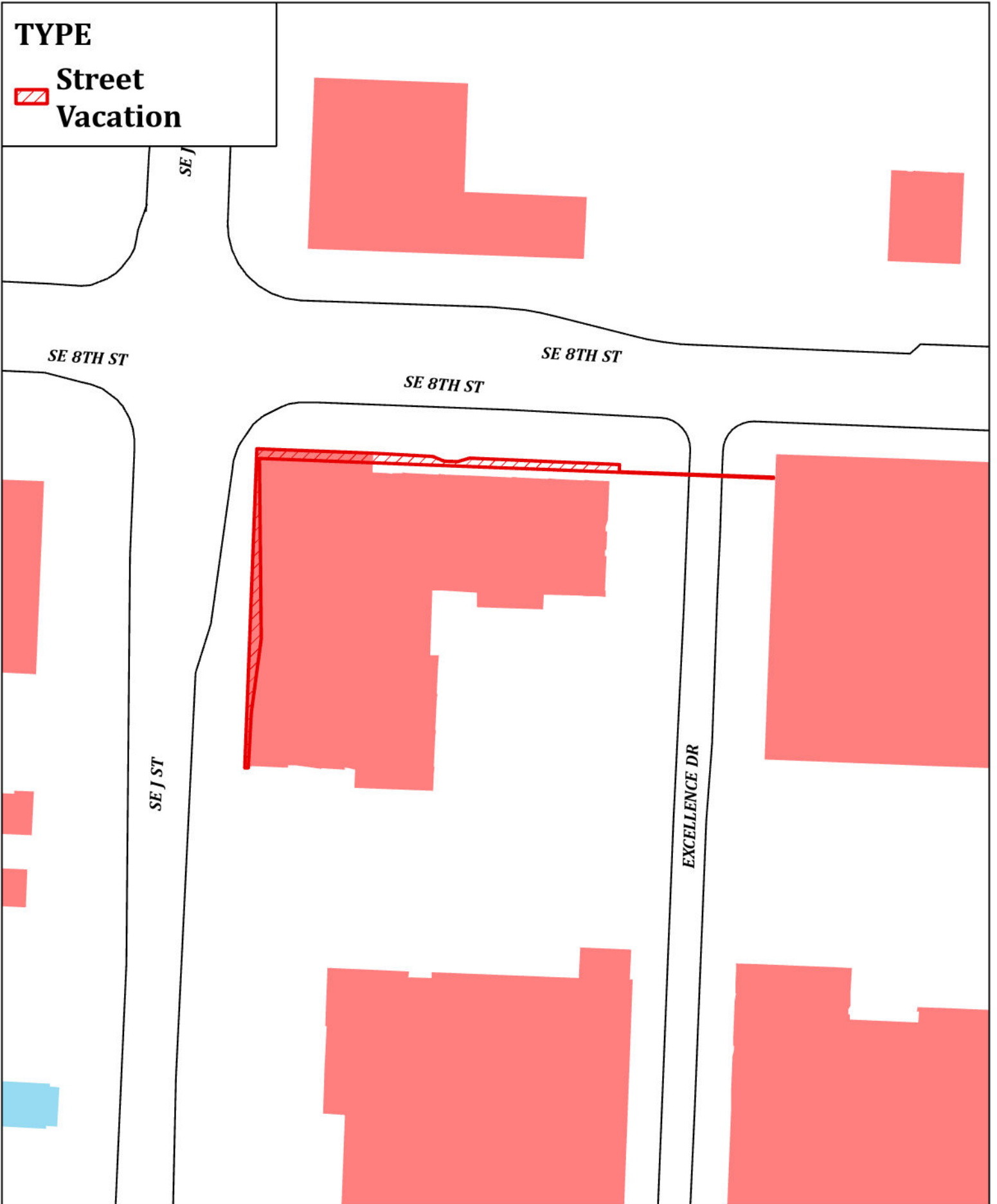
(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

TYPE

 **Street
Vacation**



VAC25-0010
ROW Vacation
806 EXCELLENCE DR



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 Wal-Mart Stores, Inc. requesting Street Right-of-Way Vacations (VAC25-0010) within the City of Bentonville, Arkansas be vacated, which said right of way is described as follows:

A **tract** of land situated in the Southeast Quarter (SE1/4) of Section 32, Township 20 North, Range 30 West, Benton County, Arkansas, being portions of the Right-of-Way of Southeast 8th Street and Southeast J Street and being described by metes and bounds as follows:

COMMENCING at the computed Northwest corner of the Northwest Quarter (NW1/4) of the Southeast Quarter (1/4) of said Section 32 per Survey No. 105854 as recorded on September 7, 1999 in the Arkansas State Surveyor's Office;

THENCE leaving said corner, South 48°07'28" East, 109.81 feet to the south right-of-way of SE 8th Street and the **POINT OF BEGINNING**;

THENCE South 87°50'25" East, 95.94 feet to a 5/8-inch rebar with cap LS1618;

THENCE South 86°50'46" East, 48.77 feet to a 5/8-inch rebar with cap LS1618;

THENCE South 67°38'48" East, 10.18 feet to a 5/8-inch rebar with cap LS1618;

THENCE South 88°21'28" East, 11.21 feet to a 5/8-inch rebar with cap LS1618;

THENCE North 73°42'21" East, 10.09 feet to a 5/8-inch rebar with cap LS1618;

THENCE South 87°32'14" East, 123.30 feet to a 5/8-inch rebar with cap LS1618;

THENCE South 02°00'44" West, 5.95 feet to a 5/8-inch rebar with cap LS1618;

THENCE South 88°00'29" East, 126.85 feet to a 5/8-inch rebar with cap LS1618

found on the West Line of Lot 1, Wal-Mart Campus Subdivision, Phase 10 per Plat Instrument #L202503017;

THENCE along said West Line, South 02°10'31" West, 0.94 feet;

THENCE leaving said West Line, North 87°46'56" West, 422.79 feet;

THENCE South 00°34'31" East, 148.32 feet;

THENCE South 07°41'16" West, 60.81 feet;

THENCE South 03°11'15" West, 44.65 feet;

THENCE South 01°18'47" East, 1.26 feet;

THENCE North 88°30'33" West, 1.57 feet to a 5/8-inch rebar with cap LS1618;

THENCE North 87°49'33" West, 1.40 feet to a 5/8-inch rebar with cap LS1618;

THENCE North 02°10'27" East, 262.40 feet; to the **POINT OF BEGINNING**

containing **3,604** square feet or **0.08** acres, more or less.

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 vacate the above described Right-of-Way is set for a hearing May 13, 2025 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 _____, 2025 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Malorie Marrs, City Clerk
Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):



CITY OF BENTONVILLE, ARKANSAS

Purchasing Department – 1000 SW 14th Street, Bentonville Arkansas 72712

City Hall – 305 SW A Street Bentonville, Arkansas 72712

AMENDMENT TO INVITATION FOR BID CONTRACT

This amendment (the “Amendment”), dated _____ is made by the City of Bentonville, Arkansas (“City”) and Calcon, Inc. (“Contractor”), parties to the Invitation for Bid (IFB)-24-70 with Bentonville Water Department, for Indefinite Delivery – Indefinite Quantity (IDIQ) Water Service Line Replacement, dated November 20, 2024 (the “Agreement”).

1. The Original Agreement that was approved by City Council on November 12, 2024, in an amount not to exceed \$500,000 per year for each contract awarded.
2. The First Contract Amendment was approved by City Council on January 14, 2025, in an amount not to exceed \$1,000,000.00 per year for each contract awarded.
3. The Agreement is Amended as follows:
4. The estimated total of payments for the contract is estimated to be \$1,500,000.00 per contract term.
5. This Amendment shall be effective immediately when fully executed.
6. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Amendment and the Agreement, or any earlier Amendment, the terms of this Amendment shall prevail.

THE CITY OF BENTONVILLE, ARKANSAS

BY: _____
Stephanie Orman, Mayor

DATE: _____

Company Name: _____

BY: _____

Name(printed): _____

DATE: _____

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDED AGREEMENT WITH CALCON, INC., INCREASING THE CONTRACT AMOUNT BY FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), FOR WATER SERVICE LINE REPAIR; AMENDING THE 2025 BUDGET; AND FOR OTHER PURPOSES.

WHEREAS, The City of Bentonville has entered into an agreement with Calcon, Inc. for an Indefinite Delivery Indefinite Quantity (IDIQ) Water Service Line Replacement dated November 12, 2024 and amended on January 14, 2025;

WHEREAS, the need has arisen to increase the amount of said contract by five hundred thousand dollars (\$500,000.00) per contract term so the contractor can continue to replace failing water service lines for a new total of one million five hundred thousand dollars (\$1,500,000.00) per contract term; and

WHEREAS, a budget adjustment is needed to fund this amendment.

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

Section 1: The Mayor and City Clerk are authorized to enter into an amended agreement with Calcon, Inc., for water service line repair, increasing the contract amount by five hundred thousand dollars (\$500,000.00) per contract term for a new total of one million five hundred thousand dollars (\$1,500,000.00) per contract term;

Section 2: The 2025 Budget is adjusted to appropriate five hundred thousand dollars (\$500,000.00) from Utility Fund Reserves into Account #503020-44450 – Public Works by Project Maintenance;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2025.

APPROVED:

STEPHANIE ORMAN, MAYOR

ATTEST:

MALORIE MARRS, CITY CLERK



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

<input type="checkbox"/> Informational	<input type="checkbox"/> Bid Award	<input type="checkbox"/> Enter into an Agreement	<input type="checkbox"/> Change Order
<input type="checkbox"/> Recognizing Funds	<input type="checkbox"/> Budget Adjustment	<input type="checkbox"/> Waiver of Bid	<input type="checkbox"/> Emergency Clause
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Informational	

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
-----------------------------	----

Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue
		\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund **Utility Fund** **Street Fund** **Other(s):** _____

Budget Impact Notes for Consideration (Optional):

CITY OF BENTONVILLE, ARKANSAS
AMENDMENT NUMBER 3
To A
PROFESSIONAL SERVICES AGREEMENT
With
HAWKINS-WEIR ENGINEERS, INC.
VAN BUREN, ARKANSAS

In accordance with the PROFESSIONAL SERVICES AGREEMENT for the **Feasibility Study to Address Capacity/Growth for Wastewater Treatment, HWEI Project No. 2021037**, dated August 13, 2021, between the City of Bentonville, Arkansas (hereinafter called **Owner**) and Hawkins-Weir Engineers, Inc. (hereinafter called **Engineer**), Owner hereby authorizes Engineer to proceed with the following additional services:

ARTICLE II – SCOPE OF SERVICES

A. Amendment No. 3 defines additional professional engineering services associated with the initial 12 months of construction of the proposed Phase 1 Improvements to the Bentonville Water Resource Recovery Facility (WRRF). Amendment No. 3 also defines additional services required to complete the design of the proposed improvements and secure the necessary permits. Refer to the attached Amendment No. 3 APPENDIX A for a more detailed description of the scope of these additional services.

ARTICLE V – SCHEDULE OF FEES, SERVICES AND PAYMENT

B. Owner shall compensate Engineer for providing the services set forth herein in accordance with the terms of the Agreement. Total compensation shall be increased with this Amendment by **Two Million Six Hundred Thirty-Seven Thousand and 00/100 Dollars (\$2,637,000.00)**. The total compensation from the original AGREEMENT and Amendment No. 1 and 2, plus Amendment No. 3 described herein shall not exceed **Nine Million One Hundred Forty-Four Thousand and 00/100 Dollars (\$9,144,000.00)** without written approval of Owner. This Amendment also revises the billing methodology from a lump sum fee during the design phase to an hourly rate basis with not to exceed fee during the construction phase. The billing methodology for the additional services will remain as a lump sum since they represent a continuation of the design phase. Refer to Amendment No. 3 APPENDIX C for a Summary of these additional services and Phase 1 construction services.

ENGINEER:
HAWKINS-WEIR ENGINEERS, INC.

OWNER:
CITY OF BENTONVILLE, ARKANSAS

By: _____
Brett D. Peters, P.E.
President & CEO

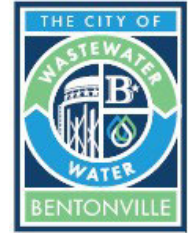
By: _____
Stephanie Orman
Mayor

Date: 04/10/2025

Date: _____



Amendment No. 3
Appendix A – Scope of Services
Bentonville WRRF Improvements
Bentonville, Arkansas
HWEI Project No. 2021037
February 6, 2025



Engineer shall provide Basic Services as set forth below:

A. Task 4 – Additional Services

1. Secondary Access Road and Bridge Design
2. Alternative Temporary Access Road Design
3. Relocated Maintenance Building Design

B. Task 5 – Construction Phase Services – Phase 1⁽¹⁾

1. Conduct Pre-Construction Conference with the Owner and Contractor, including field survey to re-establish control monumentation
2. Contract Administration, including additional WRRF capacity permitting and the NPDES permit renewal process
3. Provide observation during construction
4. Conduct up to 12 progress meetings
5. Review and respond to shop drawings submitted by the Contractor
6. Review and respond to Requests for Information submitted by the Contractor
7. Prepare field orders and change orders as directed by the Owner
8. Disadvantaged Business Enterprise (DBE) Requirements Compliance Monitoring
 - a. Coordinate with the Contractor to obtain and submit required compliance documentation during preparation of the Contract Documents
 - b. Coordinate with the Contractor to prepare and submit quarterly reports for Disadvantaged Business Enterprises in accordance with U.S. Environmental Protection Agency Requirements
9. Davis-Bacon Act Compliance Monitoring
 - a. Coordinate with the Contractor to obtain weekly or bi-weekly payroll surveys and conduct interviews to verify accuracy of the surveys. Coordinate with the Contractor to address any issues
 - b. Prepare and submit Davis-Bacon Act compliance statement with each monthly Payment Request
10. Clean Water Act State Revolving Loan Fund American Iron and Steel (AIS) Compliance Monitoring
 - a. Maintain AIS records onsite for review by the Arkansas Natural Resources Commission (ANRC)
 - b. Prepare and submit AIS compliance statement including submittal log and waiver documentation with each monthly Payment Request
11. Review the Contractor's constructed quantities and prepare monthly pay requests for the Owner's approval

⁽¹⁾ For the initial 12 months of a 49-month construction schedule as identified in Revision 5 of the GMP

Appendix B



Hawkins-Weir Engineers, Inc. Hourly Rate Schedule: 2025

Description	Billing Rate/Hour
Engineer VII	\$275
Engineer VI	\$250
Engineer V	\$225
Engineer IV	\$200
Engineer III	\$175
Engineer II	\$150
Engineer I	\$125
Environmental Specialist II	\$130
Environmental Specialist I	\$110
Designer II	\$135
Designer I	\$100
Civil Eng Assistant II	\$90
Civil Eng. Assistant I	\$80
CAD/BIM Modeler II	\$135
CAD/BIM Modeler I	\$100
CAD/GIS Technician III	\$120
CAD/GIS Technician II	\$95
CAD/GIS Technician I	\$75
Construction Manager II	\$140
Construction Manager I	\$125
Construction Observer IV	\$135
Construction Observer III	\$115
Construction Observer II	\$95
Construction Observer I	\$85
Surveyor	\$175
GPS Survey	\$200
Survey Technician	\$50
Business Manager	\$100
Graphic Designer	\$100
Document Processor	\$75
Reimbursable Expenses	
Mileage	\$0.77/mile
Printing	@ Cost
Travel	@ Cost
Expert Witness	Rate x 2.0
Other Direct Costs	@ Cost

Notes:

1. Hourly rates may be equitably adjusted
2. Adjustment to rate schedule will not change contract lump sum or NTE amounts
3. If a conflict exists, hourly rates & reimbursable expenses will be invoiced per terms of Agreement.



Amendment No. 3
Appendix C - Scope of Services and Fee Proposal - Phase 1
Bentonville WRRF Improvements
Bentonville, Arkansas
HWEI Project No. 2021037
February 6, 2025



A. Task 4 - Additional Services

Bentonville WRRF Improvements

Task	Engr VII \$275	Engr VI \$250	Engr V \$225	Engr IV \$200	Con. Ob. IV \$135	Surveyor \$175	Modeler II \$135	Tech III \$120	Doc. Proc. \$75	GPS Survey \$200	Total Hours	Sub-Total Cost	Subconsultant Services			Total Cost
													B&V	MAHG	GTS	
1. Secondary Access Road and Bridge Design		160	64	24				160	8		416	\$79,000			\$8,400	\$87,400
2. Alternative Temporary Access Road Design		20	40					80	8		148	\$24,200				\$24,200
3. Relocated Maintenance Building Design		80	56	120		8	120	120	40	20	564	\$95,600	\$99,400	\$84,800	\$3,400	\$283,200
TOTAL HOURS =	0	260	160	144	0	8	120	360	56	20	1,128					
SUBTOTAL COST =	\$0	\$65,000	\$36,000	\$28,800	\$0	\$1,400	\$16,200	\$43,200	\$4,200	\$4,000	----->	\$198,800	\$99,400	\$84,800	\$11,800	\$394,800



Amendment No. 3
 Appendix C - Scope of Services and Fee Proposal - Phase 1
 Bentonville WRRF Improvements
 Bentonville, Arkansas
 HWEI Project No. 2021037
 February 6, 2025



B. Task 5 - Construction Phase Services - Phase 1⁽¹⁾

Bentonville WRRF Improvements

Task	Engr	Engr	Engr	Engr	Con. Ob.	Surveyor	Modeler	Tech	Doc.	GPS	Total Hours	Sub-Total Cost	Subconsultant Services			Total Cost
	VII \$275	VI \$250	V \$225	IV \$200	IV \$135		II \$135	III \$120	Proc. \$75	Survey \$200			B&V	MAHG	GTS	
1. Conduct Pre-Construction Conference with the Owner and Contractor, including field survey to re-establish control monumentation	16	24	8	40	8	4			4	8	112	\$23,880	\$13,600	\$1,400		\$38,880
2. Contract Administration, including additional WRRF capacity permitting and the NPDES permit renewal process	120	80	120	48					40		408	\$92,600	\$59,900			\$152,500
3. Provide observation during construction ⁽²⁾	200	320	120	560	2,236						3,436	\$575,860	\$14,400	\$1,800	\$128,500	\$720,560
4. Conduct up to 12 progress meetings	96	144	96	280					140		756	\$150,500	\$106,400	\$5,000		\$261,900
5. Review and respond to shop drawings submitted by the Contractor	640	360	200	440					240		1,880	\$417,000	\$151,500	\$17,300		\$585,800
6. Review and respond to Requests for Information submitted by the Contractor	120	80	40	80			60	20	52		452	\$92,400	\$37,900	\$16,100		\$146,400
7. Prepare field orders and change orders as directed by the Owner	40	40	16	40			20	20	40		216	\$40,700	\$59,800			\$100,500
8. Disadvantaged Business Enterprise (DBE) Requirements Compliance Monitoring																
a. Coordinate with the Contractor to obtain and submit required compliance documentation during preparation of the Contract Documents		48		96					48		192	\$34,800				\$34,800
b. Coordinate with the Contractor to prepare and submit quarterly reports for Disadvantaged Business Enterprises in accordance with U.S. Environmental Protection Agency Requirements		24		32					16		72	\$13,600				\$13,600
9. Davis-Bacon Act Compliance Monitoring																
a. Coordinate with the Contractor to obtain weekly or bi-weekly payroll surveys and conduct interviews to verify accuracy of the surveys. Coordinate with the Contractor to address any issues.		56		192					96		344	\$59,600				\$59,600
b. Prepare and submit Davis-Bacon Act compliance statement with each monthly Payment Request		24		48					24		96	\$17,400				\$17,400
10. Clean Water Act State Revolving Loan Fund American Iron and Steel (AIS) Compliance Monitoring																
a. Maintain AIS records onsite for review by the Arkansas Natural Resources Commission (ANRC)		48		96					48		192	\$34,800				\$34,800
b. Prepare and submit AIS compliance statement including submittal log and waiver documentation with each monthly Payment Request		24		96					4		124	\$25,500				\$25,500
11. Review the Contractor's constructed quantities and prepare monthly pay requests for the Owner's approval	8	48		96	96				48		296	\$49,960				\$49,960
TOTAL HOURS =	1,240	1,320	600	2,144	2,340	4	80	40	800	8	8,576					
SUBTOTAL COST =	\$341,000	\$330,000	\$135,000	\$428,800	\$315,900	\$700	\$10,800	\$4,800	\$60,000	\$1,600		\$1,628,600	\$443,500	\$41,600	\$128,500	\$2,242,200

⁽¹⁾For the initial 12 months of a 49-month construction schedule as identified in Revision 5 of the GMP

⁽²⁾Construction Observer IV assumes 45 hours per week during construction.

Engineering Services Summary

Bentonville WRRF Improvements

A. Task 4 - Additional Services	\$394,800
B. Task 5 - Construction Phase Services - Phase 1	\$2,242,200
Total Engineering Fee	\$2,637,000

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HAWKINS-WEIR ENGINEERS, INC., INCREASING THE CONTRACT AMOUNT BY TWO MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND DOLLARS (\$2,637,000.00); AMENDING THE 2025 BUDGET; AND FOR OTHER PURPOSES.

WHEREAS, The City of Bentonville has entered into a professional service agreement with Hawkins-Weir Engineers, Inc. dated August 13, 2021, which has been amended twice;

WHEREAS, the need has arisen to amend the contract for a third time to define additional engineering services associated with the initial twelve (12) months of construction of the proposed Phase I Improvements to the Bentonville WRRF; and

WHEREAS, a budget adjustment is needed to fund this amendment.

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

Section 1: The Mayor and City Clerk are authorized to enter into an amendment to the agreement with Hawkins-Weir Engineers, Inc. for additional engineering services, increasing the contract amount by two million six hundred thirty-seven thousand dollars (\$2,637,000.00) for a total contract price of nine million one hundred forty-four thousand dollars (\$9,144,000.00);

Section 2: The 2025 Budget is adjusted to appropriate two million six hundred thirty-seven thousand dollars (\$2,637,000.00) from Utility Fund Reserves into Account #503030-47210 Plants and Building;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

PASSED and APPROVED this _____ day of _____, 2025.

APPROVED:

STEPHANIE ORMAN, MAYOR

ATTEST:

MALORIE MARRS, CITY CLERK



Consent Agenda Item [PLA25-0007](#)

For the Planning Commission meeting on April 22, 2025

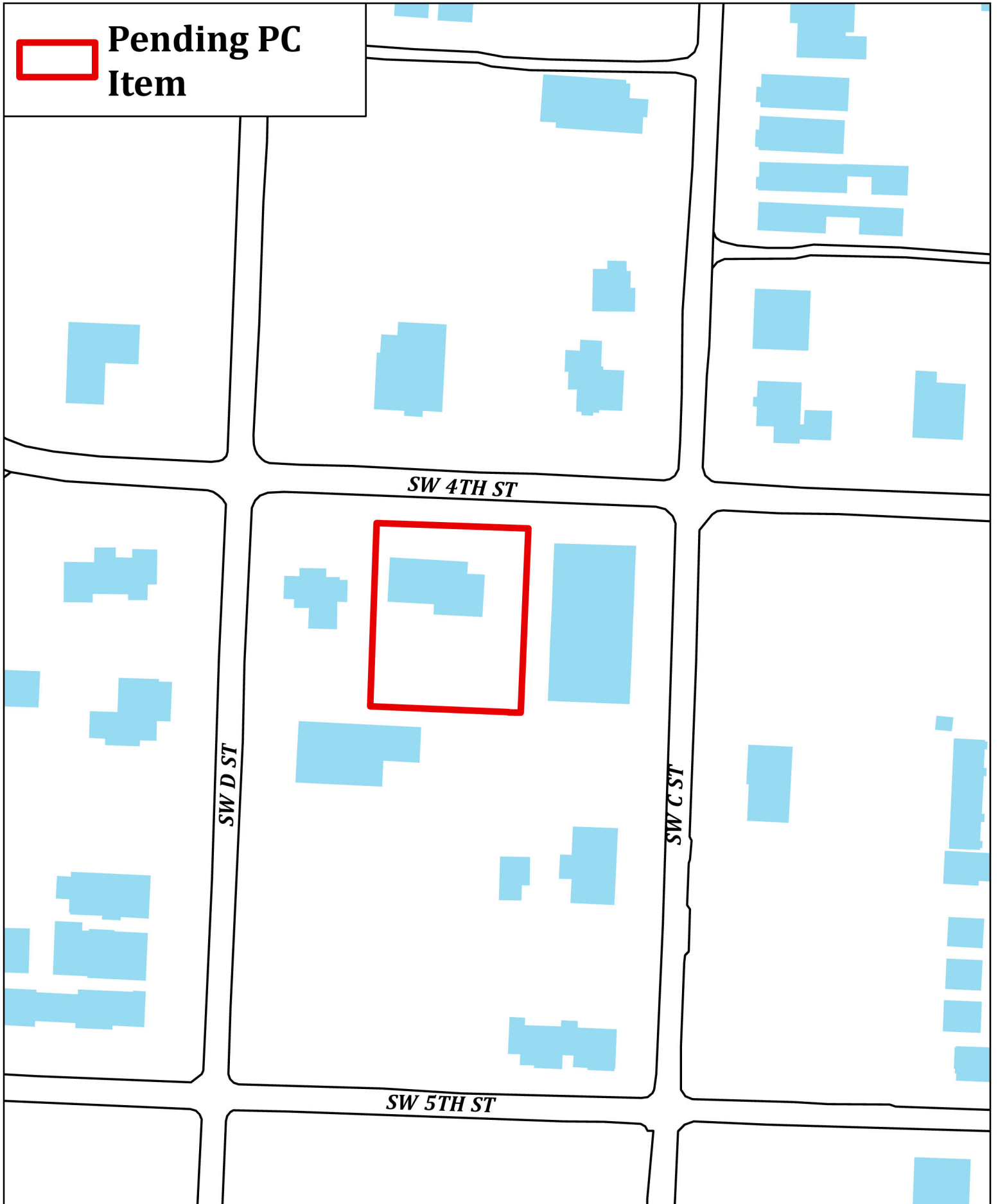
Details

Property Line Adjustment: Creating Lot 6 of Elzey's Subdivision. 405 Southwest 5th Street, 405 SW 4TH ST BENTONVILLE LLC, PLA25-0007

A property line adjustment of Lot 2 and A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST creating Lot 6 of Elzey's Subdivision. This plat is dedicating a 15' utility easement along the north property line. The right-of-way along Northwest 4th street is adequate per the Master Street Plan.



**Pending PC
Item**



PLA25-0007
Creating Lot 6 Elzeys Subdivision
405 SW 4TH ST



CITY NOTES:

- ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.
- BEUD'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BEUD TO RELOCATE THE EQUIPMENT TO THE LOT LINE.
- OWNER TO CONTACT NEW SERVICE COORDINATOR (271-3139) TO DISCUSS ELECTRIC SERVICE PRIOR TO BEGINNING ANY CONSTRUCTION. FAILURE TO CONTACT BEUD PRIOR TO CONSTRUCTION WILL RESULT IN DELAYS TO GET ELECTRIC SERVICE.
- BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
- OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
- THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
- SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
- IT IS THE RESPONSIBILITY OF THE DEVELOPER TO PAY FOR ANY COSTS ASSOCIATED WITH MOVING OF EQUIPMENT. THIS INCLUDES BUT IS NOT LIMITED TO ANY COSTS ASSOCIATED WITH LOSS OF EQUIPMENT (WIRE AND ELBOWS) AND LABOR AND MATERIAL TO MOVE THE EQUIPMENT TO THE NEW LOT LINE.
- SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT @ 479-271-3122.
- CURRENT ZONING: DN-2 (DOWNTOWN MEDIUM DENSITY RESIDENTIAL)
- THERE ARE NO WAIVERS, VARIANCES AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT OR PLAN.

PARENT DESCRIPTION:

LOT 2 IN ELZEY'S SUBDIVISION, BEING A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, IN BENTONVILLE, ARKANSAS, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "C" AT PAGE 103.

AND PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31 TOWNSHIP 20 NORTH OF RANGE 30 WEST, DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF ELZEY'S SUBDIVISION; THENCE SOUTH 89°05'21" EAST A DISTANCE OF 9.75 FEET TO A FOUND 1/2" REBAR BEING THE NORTHWEST CORNER OF SCOGGAN'S SUBDIVISION; THENCE SOUTH 02°23'10" WEST A DISTANCE OF 140.00 FEET TO A SET 5/8" REBAR; THENCE WEST 89°04'05" WEST A DISTANCE OF 9.17 FEET TO A PIPE BEING THE SOUTHEAST CORNER OF LOT 2 OF ELZEY'S SUBDIVISION; THENCE NORTH 02°08'46" EAST A DISTANCE OF 140.28 FEET TO THE POINT OF BEGINNING, CONTAINING 0.03 ACRES OR 1,325 SQUARE FEET.

NEW LOT 6 DESCRIPTION:

LOT 2 IN ELZEY'S SUBDIVISION, BEING A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST, IN BENTONVILLE, ARKANSAS, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "C" AT PAGE 103 AND A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31 TOWNSHIP 20 NORTH OF RANGE 30 WEST, DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF ELZEY'S SUBDIVISION; THENCE SOUTH 89°05'21" EAST A DISTANCE OF 9.75 FEET TO A FOUND 1/2" REBAR BEING THE NORTHWEST CORNER OF SCOGGAN'S SUBDIVISION; THENCE SOUTH 02°23'10" WEST A DISTANCE OF 140.00 FEET TO A FOUND 5/8" REBAR PLS 1845; THENCE NORTH 89°04'05" WEST A DISTANCE OF 9.17 FEET TO A PIPE BEING THE SOUTHEAST CORNER OF LOT 2 OF ELZEY'S SUBDIVISION; THENCE NORTH 02°08'46" EAST A DISTANCE OF 140.28 FEET TO THE POINT OF BEGINNING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST (NW) CORNER OF LOT 2, ELZEY'S SUBDIVISION; THENCE SOUTH 87°34'22" EAST A DISTANCE OF 99.22 FEET TO A FOUND 3/4" PIPE; THENCE SOUTH 89°05'21" EAST A DISTANCE OF 9.75 FEET TO A FOUND 1/2" REBAR; THENCE SOUTH 02°23'14" WEST A DISTANCE OF 140.00 FEET TO A FOUND 5/8" REBAR PLS 1845; THENCE SOUTH 89°02'39" WEST A DISTANCE OF 9.17 FEET TO A FOUND 1" PIPE; THENCE NORTH 87°31'44" WEST A DISTANCE OF 99.33 FEET TO A FOUND 5/8" REBAR PLS 1845; THENCE NORTH 02°11'24" EAST A DISTANCE OF 140.20 FEET TO THE POINT OF BEGINNING, CONTAINING 0.35 ACRES OR 15,247 SQUARE FEET MORE OR LESS.

Vicinity Map
N.T.S.



CERTIFICATE OF APPROVAL

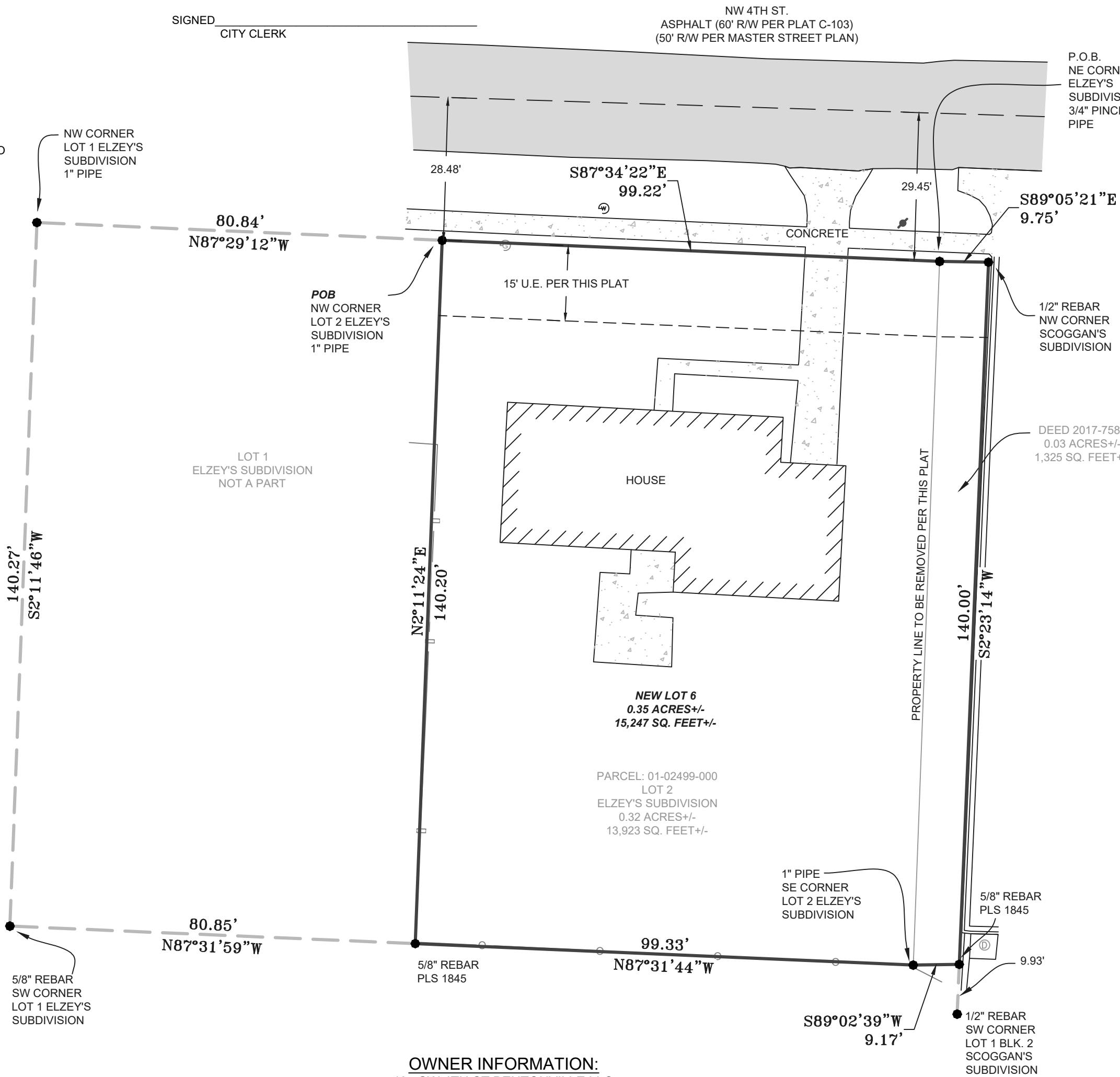
PURSUANT TO THE BENTONVILLE SUBDIVISION REGULATION AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED, THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: _____
 SIGNED: _____
 PLANNING COMMISSION CHAIRMAN
 SIGNED: _____
 MAYOR
 SIGNED: _____
 CITY CLERK

CERTIFICATE OF OWNERSHIP

I THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____
 SIGNED: _____
 405 SW 4TH ST BENTONVILLE LLC



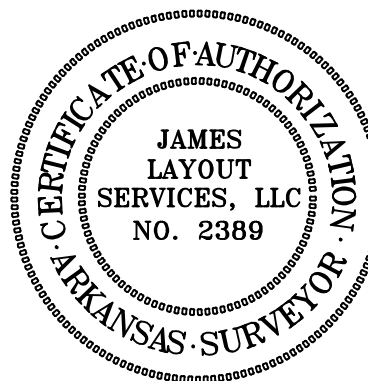
OWNER INFORMATION:
 405 SW 4TH ST BENTONVILLE LLC
 14829 FRIPP ISLAND CT
 NAPLES FL 34119

City Project Number:
 PLA25-007
 State Filing Code:
 500-20N-30W-0-31-100-04-1845

CERTIFICATE OF SURVEYING ACCURACY

I, MATTHEW JAMES, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

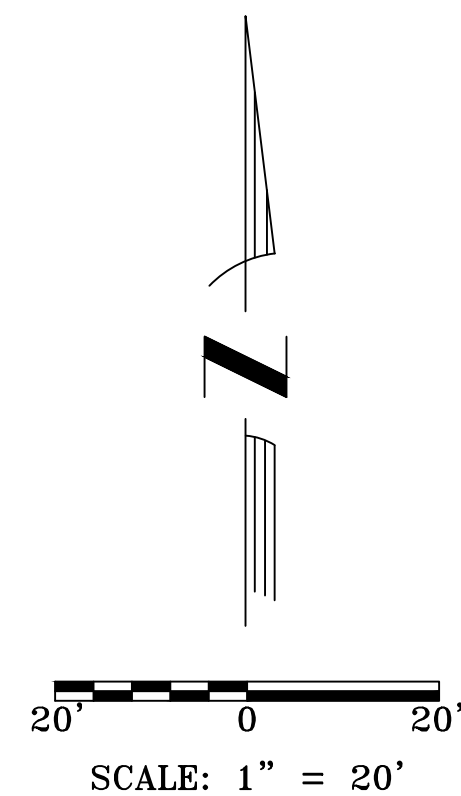
DATE OF EXECUTION: _____
 SIGNED: _____
 REGISTERED LAND SURVEYOR
 NO. 1845
 STATE OF ARKANSAS



Property Line Adjustment
Creating Lot 6 of Elzeys Subdivision

JLS

James Layout Services, LLC
 P.O. Box 611
 Farmington, Arkansas 72730
 Telephone: (479) 439-9929
 survey@jlsnwa.com



Notes:

- Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate:
 Easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor.
- This plat represents a boundary survey of the parcel recorded in Deed Records, Book L202155897 at the courthouse in Benton County, Arkansas.
- Basis of Bearings: Arkansas State Plane, North Zone (NAD83).
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats."
- This survey is based on a Title Commitment #1815513-112 supplied by Waco Title Company, and dated December 17, 2018, 7:00 am.
- Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
- This property is zoned DN-2.
- Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit <http://www.bentonvilleplanning.com/> or call the Planning Department @ 479-271-3122.
- Subsurface and environmental conditions were not examined nor considered a part of this survey.
- (BY GRAPHICAL PLOTTING ONLY)
 This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, Arkansas. Map Number 05007C0255K. Revised date 6/5/2012.
- We hereby grant to the City of Bentonville a blanket Avigation Easement over the entirety of this (Subdivision, Lot Split, Property Line Adjustment) pursuant to Municipal Code Section 401.12 and 401.13. (If the project is just in the muni airport just reference 401.12, or just list 401.13 for XNA, some areas are in both.
- No residential lot shall be permitted direct access to a collector or arterial street. All residential subdivision development contiguous to a collector or arterial street shall orient frontage to a local street, and back of the project, without access to the said major streets.

Recording Information
Job Number: 25-030 PLA
Field Work: A.S.
Drawn By: N.R.
Checked By: M.J.
Certificate of Authorization Arkansas Land Surveyor No. 2389
Date: 2/20/2025
Scale: 1"=20'
Basis of Bearings (NAD83) Arkansas State Plane North Zone

LEGEND

MONUMENT FOUND (AS NOTED)	RECORD DISTANCE	GAS LINE
MONUMENT SET (AS NOTED)	RECORD BEARING	TELEVISION CABLE
AHTD R-O-W MONUMENT	TRAFFIC SIGNAL	PROPERTY LINES
BENCHMARK	SANITARY SEWER MANHOLE	BUILDING SETBACK
GUARD POST	DECIDUOUS TREE	UTILITY POLE (WITH GUY WIRE)
UTILITY POLE	EVERGREEN TREE	PAINTED STRIPE
TELEPHONE RISER	WATER VALVE	TELEPHONE LINE
FIBER OPTIC TELEPHONE RISER	WATER HYDRANT	EXISTING WATER LINE
ELECTRICAL RISER	GAS METER	OVERHEAD ELECTRIC LINE
	DRAINAGE MANHOLE	UNDERGROUND ELECTRIC LINE

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 2 AND A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST CREATING NEW LOT 6 OF ELZEY’S SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS; AND FOR OTHER PURPOSES.

(PROJECT NUMBER: PLA25-0007)

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of LOT 2 AND A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST creating new LOT 6 OF ELZEY’S SUBDIVISION the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on April 15, 2025;

WHEREAS, said property line adjustment is attached hereto as Exhibit “A”;

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

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

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

Section 1: That the property line adjustment of LOT 2 AND A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 30 WEST creating new LOT 6 OF ELZEY’S SUBDIVISION to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes;

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

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this _____ day of _____, 2025.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Malorie Marrs, City Clerk



Suen
515 NW D ST
PC Date: 4/15/2025

Staff Report Details

Project Number	RZ25-0017
Applicant / Current Owner	SUEN, TERRY & CATHERINE L TRUSTEES
Site Area	+/- [3.9] Acres
Current Zoning	R-E, Residential Estate District
Requested Zoning	DN-1, Downtown Low Density Residential
Current Future Land Use Map Designation	Traditional Neighborhood
Requested Future Land Use Map Designation	
Development Type / Use	Residential
Related projects	

Property Description

The subject property is located at 515 NW D ST. The property is presently zoned R-E, Residential Estate, with a land use designation of Traditional Neighborhood. The property has direct access to NW D ST to the East. Surrounding zoning districts include DN-2, Downtown Medium Density Residential to the West, PRD, Planned Residential Development to the West, and R-1, Low-Density Single-Family Residential to the North, South, and East.

Project Details

The applicant has requested a rezoning of the property from R-E, Residential Estate to DN-1, Downtown Low Density Residential. The applicant states in their narrative that they are requesting the rezoning to reflect the Future Land Use Map designation.

Relationship to the Community Plan

Relationship to the Community Plan

The property is designated as a Traditional Neighborhood place type on the newly adopted future land use map. Traditional Neighborhoods serve as a bridge between denser, more mixed-use Walkable Neighborhoods and more dispersed and auto-mobile-oriented Suburban Neighborhoods. As such they merge features of both.

Characterized by gridded, walkable blocks of single family homes, townhomes, and small-scaled apartment buildings, they provide diverse housing opportunities while easing the way towards areas of single family homes only.

From a built environment lens, DN-1 and its supported housing types fit within the surrounding development.

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

Analysis / Waivers

Conclusion

This rezoning is consistent with the newly adopted future land use plan under standard review and staff recommends approval of this request as the proposed DN-1 zone is compatible with the surrounding neighborhood context.

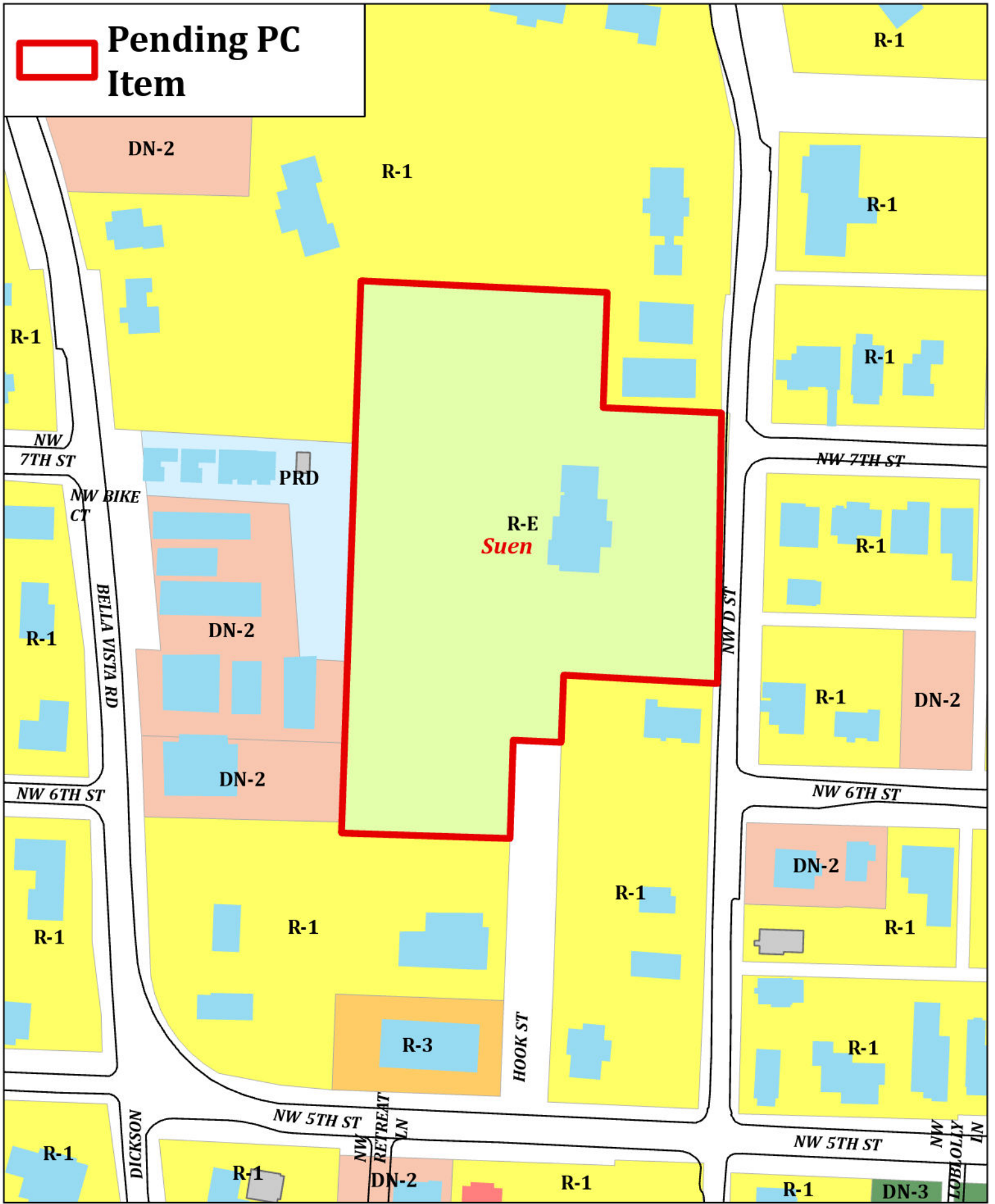
Surrounding zoning districts include DN-2, Downtown Medium Density Residential to the West, PRD, Planned Residential Development to the West, and R-1, Low-Density Single-Family Residential to the North, South, and East.

Additional Details

On July 16, 2024, the Planning Commission denied a previous application on the site for a Planned Residential Development (see attachments). The zoning code section 301.08(5)(d) states:
Re-consideration. No application for a zoning amendment will be considered by the Planning commission within one (1) year from date of final disapproval by planning commission of a proposed amendment. The resubmission must meet all requirements for a rezoning request and must be a different rezoning from original request.



Pending PC Item



RZ25-0017
Suen
515 NW D ST





MARK RUSSELL
HOMES

848 NW C Street
Bentonville, AR 72712

March 14, 2025

Dear Bentonville Planning Commission

We are requesting a rezone from R-E to DN-1 at 515 NW D St in line with the future land use map. The current and proposed use is residential and the impact on traffic is anticipated to be minimal. No signage is proposed. Existing water available along NW D and sewer available within the property.

Thank you,
Mark Haney



MARK RUSSELL
HOMES

515 NW D St Bentonville PRD Application

Mark Haney
Jun 12, 2024



"Catalpa Cottages"

The Catalpa Cottages will provide a variety of housing types within one of Bentonville's most treasured residential areas, while preserving the unique natural features of this site, including Black Apple Creek's headwaters and existing tree canopy within the valley. The proposed development features a mix of townhomes ranging from 1-3 bedroom options with one and two car garages. The homes are designed to maximize views and access to the valley as a shared neighborhood amenity to foster community and promote a strong sense of place. There are no waivers, variances and/or conditional uses at the time of preparing this plat or plan. The current zoning is Residential Estate and current land use map indicates medium density residential.

Phasing Plan

The Southwest corner including townhomes "G" and "H" along with the associated street and utilities including Hook St may be developed as a second phase, pending feasibility of the project as a whole. See attached Master Site Plan and architectural elevations for all proposed structures, streets, and lot lines.

Development Criteria for Catalpa Cottages PRD

1. Common open space
 - a. The "Shared Community Commons" of ~1.3 acre (33%) will be permanently devoted to common usable open space, maintained by the POA
 - b. Equitable distribution - the open space is primarily the valley in the center of the parcel, with additional walking trails, terraced landscaping, and side yards distributed between the proposed structures
 - c. Preservation - the Property Owner Association will maintain the common open space, and the POA agreements may be reviewed by Bentonville Planning staff prior to certificate of occupancy
 - d. Accessibility - Common open space shall be open to residents within the PRD and the general public
 - e. Common open space allocations (rough estimates)
 - i. Wetlands and water bodies - 5% (wet weather natural low area)
 - ii. Lawns - 5%
 - iii. Pedestrian paths - 5%
 - iv. Central gathering spaces - 65% (existing valley, to be enhanced with additional landscaping, seating, and other features to create a park-like feel)
 - v. Landscape areas - 20%
 - vi. Recreational areas/facilities - no formal facilities, but the central gathering space may be used for outdoor recreation (picnic, play and relax areas), and a basketball hoop will be added between townhome structures in the Southwest corner on the fire hammerhead turnaround pavement area
2. Parking and off-street loading
 - a. Two (2) off street parking spaces are provided for 21 of the proposed 36 homes with two car attached garages. One (1) off street parking spaces are provided for 15 of the proposed 36 homes with one car attached garages. The 15 homes with one car garages include only one bedroom homes. The parking ratio is 1.58.
3. Perimeter requirements

- a. Proposed setbacks are described on the site plan and there is no minimum setback requirement. On the NW D frontage, front buildings will be at least 20' away from overhead power lines in the right of way, per BEUD requirements. All other setback minimums will be 0', but the homes and lots are designed to allow for side yards, utilities, and buffers between adjacent properties as labeled on the site plan with varying setbacks designed accordingly. Building heights will not exceed 40', with all eaves under 30' for fire access.
- b. Within this PRD, there are no lot area, width, or ROW frontage requirements or minimums. All proposed lot sizes are indicated on the site plan.

4. Density

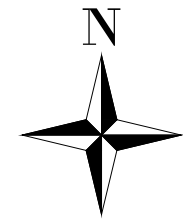
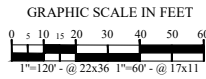
- a. The proposed density is 36 homes on 4 acres, or 9 per acre. This is less than the suggested 10-12 homes per acre in medium density land use areas as the land use map designates this parcel.

5. Authorization of housing types

- a. All housing types proposed are single family townhomes for sale or lease individually and the majority will be constructed on their own lots, each with public right-of-way frontage as shown on the site plan. Buildings "E" and "F" are proposed as a Horizontal Property Regime condos to allow for more efficient utility design, thus Condos, two family, and multifamily structures are a permissible housing type within this PRD along with townhomes and single family homes. The housing type in the vast majority of the surrounding neighborhood is single family detached homes, with a handful of small multifamily and townhome lots. By providing townhomes and condos in this highly residential area, we will diversify the housing product available in the neighborhood while retaining the residential character. By providing 1 bed, 2 bed, and 3 bed options, a variety of sizes and price points will be available. Residential accessory structures and dwelling units including sheds, garages, carports, and guest houses are permissible as long as they conform to ADA guidelines. Home occupations including Type A and Type B are permissible. Any home owner wishing to have a Type B home occupation must secure a conditional use permit per the requirements of Land Development Code Sec 601.12.

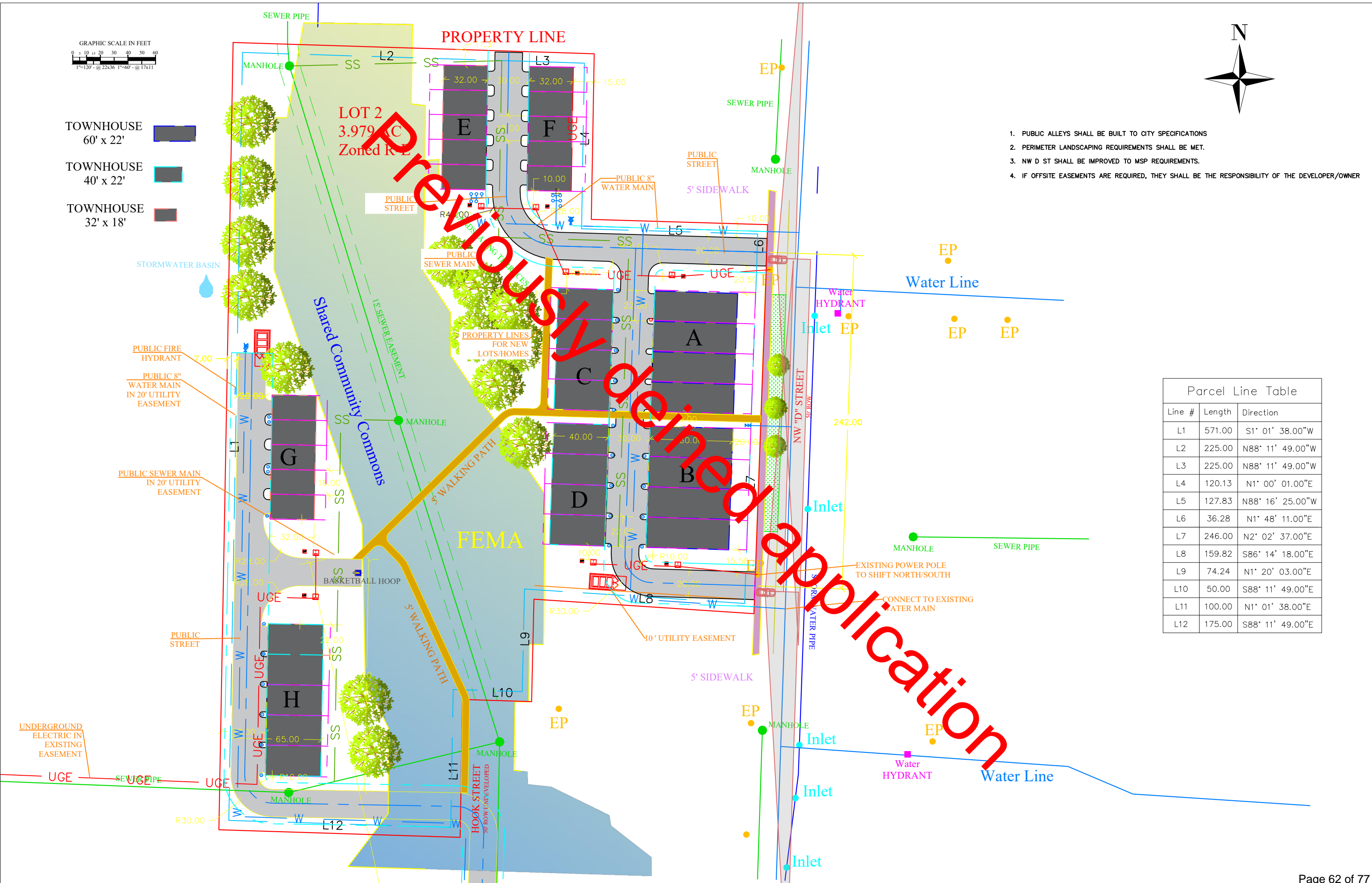
6. Structural design standards

- a. The homes are entirely designed around the natural site conditions, including the frontage on NW D, secondary access via Hook St, and a valley that holds the headwaters of Black Apple Creek. The homes are connected via a series of public alleys for mirrored garage access, with frontages proposed to face the valley/ common green, NW D, or in the case of the "F" block of townhomes, a small shared front yard area. All structures will be designed in the style of the elevations and watercolor included in this application, featuring full brick veneer and hardi-board trim accents with thoughtfully designed gables, dormers, and front entry. There will be minor variations in the building heights and roofline articulation as indicated on the elevations, and according to the size of each home ranging from 1-3 bedroom. All homes include rear loading garages access from a shared public alley in order to maximize views over the valley, efficiency in utility design, and constraints of the site's unique shape and topography.



- TOWNHOUSE 60' x 22'
- TOWNHOUSE 40' x 22'
- TOWNHOUSE 32' x 18'

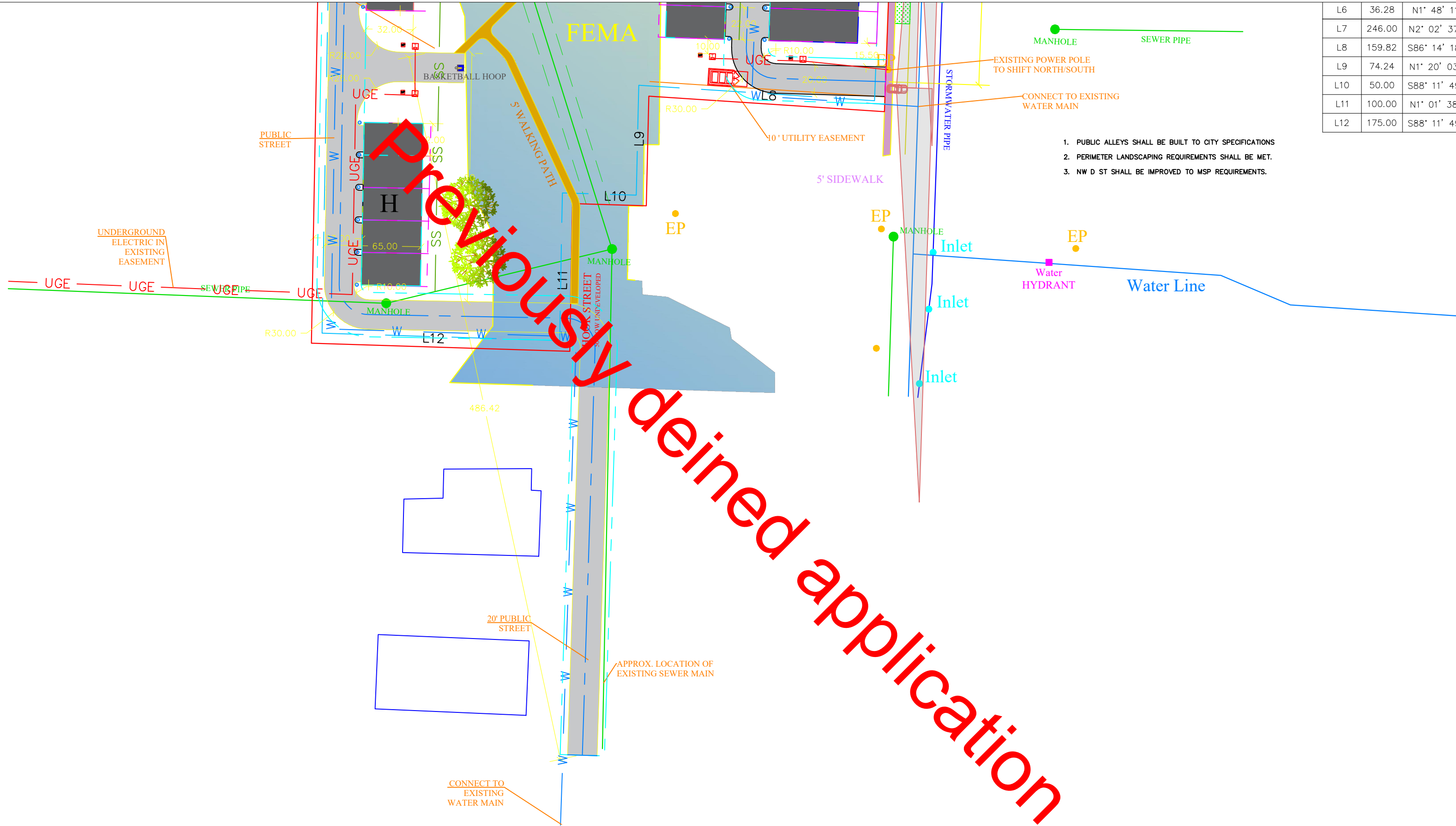
1. PUBLIC ALLEYS SHALL BE BUILT TO CITY SPECIFICATIONS
2. PERIMETER LANDSCAPING REQUIREMENTS SHALL BE MET.
3. NW D ST SHALL BE IMPROVED TO MSP REQUIREMENTS.
4. IF OFFSITE EASEMENTS ARE REQUIRED, THEY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER



Parcel Line Table

Line #	Length	Direction
L1	571.00	S1° 01' 38.00"W
L2	225.00	N88° 11' 49.00"W
L3	225.00	N88° 11' 49.00"W
L4	120.13	N1° 00' 01.00"E
L5	127.83	N88° 16' 25.00"W
L6	36.28	N1° 48' 11.00"E
L7	246.00	N2° 02' 37.00"E
L8	159.82	S86° 14' 18.00"E
L9	74.24	N1° 20' 03.00"E
L10	50.00	S88° 11' 49.00"E
L11	100.00	N1° 01' 38.00"E
L12	175.00	S88° 11' 49.00"E

L6	36.28	N1° 48' 11"
L7	246.00	N2° 02' 37"
L8	159.82	S86° 14' 18"
L9	74.24	N1° 20' 03"
L10	50.00	S88° 11' 49"
L11	100.00	N1° 01' 38"
L12	175.00	S88° 11' 49"



1. PUBLIC ALLEYS SHALL BE BUILT TO CITY SPECIFICATIONS
2. PERIMETER LANDSCAPING REQUIREMENTS SHALL BE MET.
3. NW D ST SHALL BE IMPROVED TO MSP REQUIREMENTS.



Catalpa Cottages
515 Northwest D Street
PC Date: 7/16/2024

Staff Report Details

Project Number	PRD24-0003
Applicant / Current Owner	Mark Haney (applicant), Suen Family Trust (owner)
Site Area	+/- 3.98 Acres
Current Zoning	R-E, Residential Estate
Requested Zoning	Planned Residential Development (PRD)
Current Future Land Use Map Designation	Medium Density Residential (MDR)
Requested Future Land Use Map Designation	N/A
Development Type / Use	1-3 bedroom Townhome units
Related projects	N/A

Property Description

The subject property is currently a single lot addressed as 515 Northwest D Street that is presently occupied by a one single family residence that has direct access to Northwest D Street and Hook Street, both of which are classified as local streets on the most recent Master Street Plan.

The property is presently zoned R-E, Residential Estate with a land use designation of Medium Density Residential (MDR). Surrounding zoning districts include DN-2, Downtown Medium Density Residential to the North and R-1, Low-Density Single-Family Residential to the North, East, and South. Planned Residential Development (PRD), R-1, Low-Density Single-Family Residential and DN-2, Downtown Medium Density Residential zoning districts all border the property to the West.

Project Details

The applicant is proposing a PRD on the subject property, to include eight total structures collectively consisting of 36 units. All structures are designed to be townhomes that are a mix of for sale and for lease. Two of the townhome units would directly front Northwest D Street, while the other six units will be tucked beyond the units that front Northwest D Street and also be located behind the existing properties that front onto Northwest 5th Street, Bella Vista Road and Northwest 9th Street. The unit mix consists of 1-

Project Details

bedroom, 2-bedrooms and 3 bedrooms each containing either a single or two-car garage. The exterior of the proposed structures will be composed of full brick with Hardie Board trim accents that incorporate gables, dormers and accented front entries.

All housing types proposed are single family townhomes for sale or lease individually and the majority will be constructed on their own lots, each with public right-of-way frontage as shown on the site plan. Buildings "E" and "F" are proposed as a Horizontal Property Regime condos to allow for more efficient utility design. The housing types in the vast majority of the surrounding neighborhood is single family detached homes, with a handful of small multifamily and townhome lots. By providing townhomes and condos in this highly residential area, the applicant seeks to diversify the housing products available in the neighborhood while retaining the residential character.

The proposed project will exceed the 15% minimum open space requirement by providing +/-1.3 acres or 33% of common usable open space that will be maintained by a Property Owner Association. This area is identified as "Shared Community Commons" on the included site plan. This area is primarily located in the valley or low point that traverses the middle of the project with additional walking trails, terraced landscaping and side yards distributed between the proposed structures.

The applicant is proposing to build two off-street parking spaces for the 21 of the proposed 36 units with two car attached garages. One off-street parking space is provided for each one-car garage for the one-bedroom units. The parking ratio is 1.58.

The only allowable uses the applicant is proposing are the four uses they are showing on their site plan, being single-family, two-family, townhomes and condos. Street improvements are proposed to Northwest D Street and Hook Street in addition to the construction of two new public streets internal to the project.

The applicant is proposing development in two phases with structures "G" and "H" as identified on the site plan as a second phase.

Relationship to the General Plan / Projected Traffic Impact

This property has a future land use designation of Medium Density Residential (MDR), which aligns with a PRD zoning request. This is also located in Priority Area 1, Downtown Intensification. This proposed development does intensify the property, and does so with respect to the surrounding neighborhood, keeping the building scale and form limited. While vehicle traffic will increase from the site due to the increase in total units, many trips will be replaced by walking or biking due to the proximity to downtown as well as the well-established street grid in this part of town.

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

This proposal appears to meet the intent of the Community Plan by increasing intensity in the downtown area. The project proposes to keep the structures consistent in scale with the surrounding neighborhood

Analysis / Waivers

while the location of the property at lower elevation than the surrounding properties keeps the building heights low while increasing the unit counts, allowing the proposed development to blend in with the existing neighborhood. The lot coverage of the proposed development is consistent with some of the larger single-family homes in the vicinity.

The property proposes a high-quality product, being both the site design and landscaping as well as the building design and form. The site is designed to preserve the natural areas located in the valley portion of the site, which is the head waters area of Black Apple Creek and could be an amenity to this development and the surrounding community.

While the immediate neighborhood is predominately single-family, the zoning nearby is somewhat more of a mix, with some DN-2 and PRD zoning designations immediately adjacent to this property.

All landscape requirements, including buffering, will be followed and will be reviewed at the Large Scale Development stage. These items are not modifiable through the PRD.

Conclusion

Staff recommends approval of this PRD request as it follows the intent of the Bentonville Community Plan and aligns with the land use designation. The following conditions of approval are proposed for the project:

1. The developer shall demonstrate that a minimum of 1,500 square feet of open space per dwelling has been turned over to the POA for ownership and maintenance in perpetuity prior to each certificate of occupancy for the project.
2. The developer shall construct all open space trails and sidewalks proposed for the entire PRD with the first phase of the project.
3. The developer shall construct the full 20' width of Hook St and dedicate all required right of way from the project to NW 5th St prior to any certificate of occupancy for structures "G" and "H".
4. No building, trash enclosure or roadway shall be constructed closer than 7' from the perimeter of the overall project (i.e buildings "E" and "F" to be 7' southerly of the northerly property line; the road and trash enclosure on the westerly property line to be 7' from the westerly property line; the road and trash enclosure on the southerly property line to be 7' north of the southerly property line).

Additional Details

NOTICE OF INTENT TO REZONE

Mark Russell LLC

has requested the Bentonville

Planning Commission to set a public hearing date to consider rezoning the following property from

R-E, Residential Estate



to DN-1, Downtown Low Density Residential



The legal description of the property is as follows:

Lot 2 of the Property Line Adjustment of Phillips Valley Addition, Bentonville, Benton County, Arkansas, as shown in Plat Record P3 at Page 957

The common description of the property is: 515 NW D St

The public hearing will be held April 15, 2025 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

- 1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

- [X] I/ we have no objections to the rezoning.
[] I/ we object to the rezoning because:

For all the previous reasons stated to the city in the former attempts by this builder to build here. D street cannot handle the school traffic. And this is an R1 Neighborhood

Signature

Address



Monte Boulanger, owner



Signature and Physical Address



Monte Boulanger (home address)



NOTICE OF INTENT TO REZONE

Mark Russell LLC

_____ has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-E, Residential Estate to DN-1, Downtown Low Density Residential

The legal description of the property is as follows:

Lot 2 of the Property Line Adjustment of Phillips Valley Addition, Bentonville, Benton County, Arkansas, as shown in Plat Record P3 at Page 957

The common description of the property is: 515 NW D St

The public hearing will be held April 15, 2025 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

- 1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

- [X] I / we have no objections to the rezoning.
[] I / we object to the rezoning because:

As a plan progress We support low density residential housing in this area. We do not support building on or extending Hook St onto the FEMA Floodplain

[Redacted signature and address]

[Redacted signature and address]

Signature and Physical Address

Signature and Physical Address

NOTICE OF INTENT TO REZONE

Mark Russell LLC _____ has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from R-E, Residential Estate to DN-1, Downtown Low Density Residential

The legal description of the property is as follows:

Lot 2 of the Property Line Adjustment of Phillips Valley Addition, Bentonville, Benton County, Arkansas, as shown in Plat Record P3 at Page 957

The common description of the property is: 515 NW D St

The public hearing will be held April 15, 2025 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

- I/ we have no objections to the rezoning.
- I/ we object to the rezoning because:

Signature and Physical Address

Signature and Physical Address

*Bentonville, AR
72712*

MEMORANDUM

TO: Bentonville Planning Commission, Mayor Stephanie Orman, Bonnie Bridges & Tyler Overstreet
DATE: April 13, 2025
RE: RZ25-0017 – 515 NW D Street – Suen Property

For the third time in 18 months Mark Haney (“Haney”) is pursuing a rezone of 515 NW D Street (Suen Property). Haney’s first attempt at a rezone was for DN-3, it was withdrawn as it was to be denied. Haney applied for PRD zoning May 3, 2024 and was denied by the planning commission, by a 7-0 vote on July 16, 2024. About one month later Haney appealed to the City Council and such appeal was denied. Haney filed the current rezoning application March 17, 2025, however such application is not ripe for application at least until July 16, 2025. As referenced in the additional details of the Staff Report, which references zoning code section 301.08(5)(d) and states: Re-consideration. No application for a zoning amendment will be considered by the Planning commission within one (1) year from date of final disapproval by planning commission of a proposed amendment. The resubmission must meet all requirements for a rezoning request and must be a different rezoning from original request. This current request is subject to this zoning code section and we would ask the Planning Commission to move to strike this application given that such application is several months inside of one year from the last denial. The entirety of Section 301.08 is clear on its face that the one year waiting period applies. The word “amendment” sounds different than “new zoning” or “rezoning”, perhaps that could be a basis for differentiation, except that the word “amendment” is routinely and exclusively used to describing the “new zoning” or “rezoning” in the entirety of Section 301.08(b)(5). This is the section that covers approval, denial, forward to city council and re-consideration. We don’t see how the current request can go forward inside a year from the planning commission’s denial. In fact, Section 301.08 is even titled **“Zoning Amendments (Rezoning).”**

A meritorious discussion as to this rezoning should not move forward and the resources set forth by the city staff, commissioners and concerned neighbors have been expended unnecessarily. If such discussion moves forward despite the clear application of Section 301.08, the neighbors to this memorandum have many concerns and questions in light of the current alignment policy for zoning. Such questions include:

- (1) What does DN-1 allow Haney to construct on the Suen property? Tyler Overstreet states that the alignment policy does not change the existing code and that only single family or cottage court are potential uses for the Suen Property. However, the Staff Report details the property’s relationship to the community plan and concludes that the rezoning is consistent with the newly adopted future land use plan. Please provide us clarity as to what Haney can construct on the Suen property if and when such property is rezoned to DN-1.
- (2) Tonight is not the time for public comment on the rezoning, which should be stricken. If the application was timely there would be little room for debate as the future use plan calls for DN-1 zoning. Unlike Haney’s previous two attempts at rezoning, the property (DN3 & PRD), the new

application is not beyond the future use plan. If and when Haney gets DN-1 approval, what public comments and input will the neighbors be afforded?

Our concern is that Haney is attempting to circumvent the previous rulings by this commission and the city council by seeking a DN-1 zone and then attempting to apply it to the broadly worded community plan for Traditional Walkable Neighborhood. Such attempt defeats the spirit of the rezoning and the previously denied attempts by trying to create a work-around to create density similar to his previous attempts that were overwhelmingly denied. This memo will not go into all of the reasons why a high-density project on this property is not feasible. You have all heard the concerns multiple times: that being traffic congestion with TJ Elementary, safety for pedestrians, bikes and children walking to school, a large flood plain that continues to experience an increased volume of water, no secondary outlet for the development, infrastructure deficiencies at and around the property, and insufficient parking. The implications of a dense project on this property are severe.

We hope Mr. Haney will propose a project that fits in the neighborhood and does not exacerbate the problems briefly outlined above. In fact, we will be relieved not to have to continue to come back before you and set forth the same concerns that you, the commissioners, and us, the neighbors, have shared. We hope Mr. Haney will set forth tonight his intentions for the property and we hope such intentions are a relief rather than of major concern. All of this however, is not ripe for consideration until after Mr. Haney timely applies for rezoning on or after July 16, 2025. We are not requesting special relief, rather asking you to follow the applicable city ordinance that is outlined above.

FROM: Chip & Charlotte Stacy, [REDACTED]

Alan Lewis and Nancy Martin, [REDACTED]

Melanie Kerr, [REDACTED]

Dave & Linda Slaton, [REDACTED]

Terry & Janet Little, [REDACTED]

Allen & Marsha Beck, [REDACTED]

Kevin Green, [REDACTED]

Rosemary Green, [REDACTED]

Shannon Bedore, [REDACTED]

Steve & Lisa Lockwood, [REDACTED]

Cindy Walters, [REDACTED]

Lena B. Evans, [REDACTED]

Don & Sue Ann Overstreet, [REDACTED]

Deborah Elsenhout & Kim Lupo, [REDACTED]

Steve & Debbie Hanska, [REDACTED]

NOTICE OF INTENT TO REZONE

Mark Russell LLC

_____ has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from

R-E, Residential Estate



to

DN-1, Downtown Low Density Residential



The legal description of the property is as follows:

Lot 2 of the Property Line Adjustment of Phillips Valley Addition, Bentonville, Benton County, Arkansas, as shown in Plat Record P3 at Page 957

The common description of the property is: 515 NW D St

The public hearing will be held April 15, 2025 at 5:00 p.m. It will be held at 305 S.W. "A" Street.

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views.
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department, 305 SW A Street, Bentonville, AR 72712.
3. Use the bottom of this form to express your opinion by checking the appropriate box. (This may also be delivered or mailed to the above address.)

For more information, you may call the Planning Department at (479)271-3122.

I/We have received notice of the public hearing for the rezoning of the above described property and:

I / we have no objections to the rezoning.

I / we object to the rezoning because:

It is not clear how many smaller lots will be on there. IF broken into 35 0.11 acre lots, parking and water run off will be an issue. The loss of ground cover will increase the velocity and severity of flash flooding.

Signature and Physical Address

Bentonville, AR 72712

Signature and Physical Address

downstream

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING
CLASSIFICATION OF R-1, LOW DENSITY SINGLE FAMILY
RESIDENTIAL TO DN-1, DOWNTOWN LOW-DENSITY RESIDENTIAL;
AND FOR OTHER PURPOSES.
(PROJECT NUMBER: RZ25-0017)**

WHEREAS, Terry Y Suen and Catherine L Suen Trustees duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-1, DOWNTOWN LOW-DENSITY RESIDENTIAL to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 2 OF THE PROPERTY LINE ADJUSTMENT OF PHILLIPS VALLEY ADDITION,
BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD P3
AT PAGE 957;

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held April 15, 2025 in the Council Chambers of the City of Bentonville;

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-1, DOWNTOWN 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 zoning classification of R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL to DN-1, DOWNTOWN LOW-DENSITY RESIDENTIAL to be used in accordance with the city zoning laws and state laws;

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED AND APPROVED this _____ day of _____, 2025.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

Malorie Marrs, City Clerk



R-2 Medium Density Duplex and Townhome Residential Zoning District Amendment

PC Date: 4/15/2025

Reviewer: Shelli Kerr, AICP, Comprehensive Planning Mngr

Request

Approval of an ordinance amending Bentonville Municipal Code Appendix A Zoning Code Sec. 401.07 Residential (R) District Regulations to establish a lot size standard for attached single family dwellings in the R-2 Medium Density Two-Family and Townhome Residential Zoning District

History

This amendment was heard on the April 1, 2025 Planning Commission meeting. After discussion, planning commission tabled the item requesting the minimum lot area be increased from 2,000 to 2,500 and the lot width be increased from 20' t 25'. Staff also suggests adding a category under building type of "single family attached – structure"

Purpose of Amendment

The proposed amendment is to better align lot and area standards with the purpose of the R-2 zoning district. The purpose of the R-2 Medium Density Two Family and Townhome Residential zoning district states "The R-2 district should provide areas for the development of two-family residential structures, attached or detached." Currently, the R-2 Medium Density Two Family and Townhome Residential zoning district does not provide lot and area standards for attached single-family, which is a two-family residential structure with the individual units sitting on separate lots. This use and structure type are described in the district purpose statement and should be allowed with standards established.

Recommendation

On the Lot an Area Standards Table for R-2, add the following:

- Building type of "single family attached – structure" with a minimum lot area of 5,000 square feet and minimum lot width of 50'.
- Building type of "single family attached – unit" with a minimum lot area of 2,500 square feet and minimum lot width of 25'.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING BENTONVILLE MUNICIPAL CODE
APPENDIX A ZONING CODE SEC. 401.07 RESIDENTIAL (R) DISTRICT
REGULATIONS, TO ESTABLISH A LOT SIZE STANDARD FOR
ATTACHED SINGLE FAMILY DWELLINGS IN THE R-2 MEDIUM
DENSITY TWO-FAMILY AND TOWNHOME RESIDENTIAL ZONING
DISTRICT; AND FOR OTHER PURPOSES.**

WHEREAS, the purpose of the R-2 Medium Density Two Family and Townhome Residential zoning district states “The R-2 district should provide areas for the development of two-family residential structures, attached or detached”;

WHEREAS, R-2 Medium Density Two Family and Townhome Residential zoning district does not provide lot and area standards for attached single-family, which is a two-family residential structure with the individual units sitting on separate lots; and

WHEREAS, this use and structure type are described in the district purpose statement and should be allowed with standards established.

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

Section 1: That Bentonville Municipal Code, Appendix A Zoning Code, *Sec. 401.07 Residential (R) District Regulations, Sec. (b)(1) Standards* shall be and is hereby amended by adding lot standards for the R-2 Medium Density Two Family and Townhome Residential zoning district as shown below as underline red text:

District	Building type	Min. Lot area (sq. ft.)	Min. Land area / Dwelling Unit (sq. ft.)	Min. lot width	Max. lot coverage	
					Interior lot	Exterior/ corner lot
R-2	Single-family	5,000	--	50'	40%	45%
	<u>Single-family attached – structure</u>	5,000	--	50'	50%	55%
	<u>Single- family attached - unit</u>	<u>2,500</u>	<u>--</u>	<u>25'</u>	<u>--</u>	<u>--</u>
	Two-family	5,000	--	50'	50%	55%
	Cottage Court	8,000	2,000	80'	50%	55%
	Townhouse – unit	2,000	--	20'	--	--
	Townhouse – structure	6,000	2,000	60'	65%	70%
All others not listed	6,000	6,000	60'	40%	45%	

Section 2- Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED and APPROVED this ____ day of _____, 2025.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Malorie Marrs, City Clerk