

# **Bentonville City Council**

## **Meeting Minutes**

### **April 8, 2025**



The City Council of Bentonville, Arkansas, met in regular session Tuesday, April 8th, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez, Cindy Acree, Holly Hook, Chris Sooter, Aubrey Patterson, Beckie Seba, and Bill Burckart. Also present were Mayor Stephanie Orman, City Attorney Nicholas Henry, City Clerk Malorie Marrs, the press, city staff, and the audience. Several members of the city staff and the public attended remotely via Zoom. Council member Agnew was absent.

Mayor Orman called the meeting to order, and a Scout Member from Troop 36, led everyone present in the Pledge of Allegiance, which was followed by a moment of silence in support of our armed forces.

Motion was made by Council Member Sanchez to approve the minutes of March 11th, regular council meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (7-0)

A motion was made by Council Member Sooter to suspend the rules regarding the reading of all ordinances on three separate days, and further that all ordinances and resolutions be read by title only, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

#### **Motion for Consent Agenda:**

-Council Member Sooter motioned to move items 5, 7, 8, 9, 10, 11, 13, 15, 16, & 17 under New Business, and item 1, 2, 3, & 4 on Utility Board; to a consent agenda, seconded by Council Member Burckart

Council Member Burckart asked for Item 2 under Utility Board to stay on the regular agenda, and Council Member Hook asked for Item 3 under Utility Board to stay on the regular agenda.

Seconded by Council Member Sanchez

Motion carried (7-0).

#### **I. New Business**

##### **1. Informational: Spring 2025 Upskill Update:**

Presentation by the Upskill nonprofit foundation for helping first time students/adults gain education and work. View PowerPoint [HERE](#) (25:00).

**2. Proclamation to Celebrate National Library Week Proclamation to Celebrate National Library Week.** Read at Mondays 4/7/2025 Committee of the Whole

**3. Proclamation: Recognizing "National Public Safety Telecommunicator Week"**

Proclamation recognizing the Bentonville Emergency Communications Center for "National Public Safety Telecommunicator Week" - April 13-19, 2025.

Mayor Orman read the proclamation aloud, and members of the organization came up for a photo, and applause.

**4. Proclamation: Recognizing "National Animal Control Officer Appreciation Week"**

Proclamation recognizing the Bentonville Animal Services employees during "National Animal Control Officer Appreciation Week" - April 13-19, 2025.

Mayor Orman read the proclamation aloud, and members of the organization came up for a photo, and applause.

**II. Consent Agenda Items**

***New Business***

**5. Resolution 4-8-25 A: Resolution and Budget Adjustment Recognizing a Donation from the Bentonville Rotary Club**

Resolution recognizing a donation in the amount of \$1,100.00 from the Bentonville Rotary Club. A budget adjustment is needed.

**7. Resolution 4-8-25 B: Setting a Public Hearing to Vacate a Street Right of Way (VAC25-0009)**

Approve Resolution to set a Public Hearing for April 22, 2025 to vacate Street Right of Way located at Lot 6 of Walmart Layout Subdivision (VAC25-0009).

**8. Resolution 4-8-25 C: Award Bid IFB-25-15 for Asphalt Materials - Quarter 2**

Resolution awarding bid IFB-25-15 to Emery Sapp & Sons, Inc. per the unit prices attached for the purchase of asphalt materials as required for street surface repairs and street resurfacing. No budget adjustment is needed.

**9. Resolution 4-8-25 D: Approving Addendum 7 to Master Development Agreement for Global Home Office Project**

Resolution approving an addendum to the Global Home Office Project Master Development Agreement. No budget adjustment is needed.

**10. Resolution 4-8-25 E: Award Bid IFB-25-18 for Airport Mowing Services to Luttrell Enterprises**

Resolution awarding bid IFB-25-18 for Airport Mowing Services to Luttrell Enterprises for biweekly mowing services at a price of \$5,326.91 per mowing cycle. No budget adjustment is needed.

**11. Resolution 4-8-25 F: Approving VBT Hangar Development Project Access Road Change Order 05**

A Resolution authorizing Change Order 05 with Sy-Con, for the VBT Access Road Change Order 05. No budget adjustment is needed.

**13. Resolution 4-8-25 G: Approve Substantial Amendment of the 2023-2027 Consolidated Plan - CDBG Program**

A Resolution approving the substantial amendment to the 2023-2027 Consolidated Plan and 2023 Annual Action Plan (AAP) for the CDBG Program. A budget adjustment is needed to reallocate funds

**15. Active Transportation Advisory Board Member Appointments**

City Council approval of Mayor Orman's recommendation to appoint Ashley Calderon, Monica Diodati, Steven George, Christina Johnson, Jocelyn Lampkin, Jason McCrory, Luke Powers, Shannon Reyenga, and Evan Springer to the Active Transportation Advisory Board. As well as the recommended appointment of Sadie Koudelka as an ex-officio member representing the Bentonville youth.

**16. Resolution 4-8-25 H: Approving an Extra Work Authorization for the 'A' Street Promenade**

Resolution authorizing the Mayor to enter into an amended agreement with Design Workshop, to design the turn-around on Blake Street and the A Street Promenade. No budget adjustment is needed.

**17. Resolution 4-8-25 I: Amend Contract from Bid Award IFB 24-56 - Skyline Printing Run Bentonville Hoodies**

A resolution amending the contract with Skyline Printing, allowing for additional design, for the Bentonville Half Marathon hoodies. No budget adjustment is needed.

***Utility Board***

**1. Resolution 4-8-25 J: To approve Amendment 1 ARDOT Utility Relocation Agreement**

A Resolution authorizing the Mayor and City Clerk to enter into an agreement amendment with the Arkansas State Highway Commission and Olsson Engineering for relocation of utilities associated with ARDOT Project 090512 - Springdale Bypass - Hwy 12 P.E. Route 112, Section 2, Benton County. Utility Board approved 5-0. A budget adjustment is needed.

**4. Resolution 4-8-25 M: Amending IFB-24-70 - IDIQ Water Service Line Replacement Agreement**

A Resolution amending the 2025 budget and authorizing the Mayor and City Clerk to amend the IDIQ contract for Mo-Ark Utilities, increasing the amount by \$500,000.00. Utility Board approved 5-0. A budget adjustment is needed.

City Attorney Nicholas Henry read the consent agenda items by title only. Council Member Sanchez motioned to approve the consent agenda items omitting item 18, as there was an edit, and would need to be voted on separately. Seconded by Council Member Sooter. Motion passes (7-0)

**II. New Business NON Consent**

**6. Ordinance 2025-63: Public Hearing and Ordinance Vacating Utility Easement (VAC25-0007)**

Public Hearing and approval of Ordinance vacating a Utility Easement Vacation located at Lot 1 of Mason Addition (VAC25-0007).

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion passed (7-0).

**12. Ordinance 2025-64: Ordinance Amending Municipal Code Article 14-XIII Creating a New Construction Board of Appeals**

An ordinance amending Bentonville Municipal Code Article 14-XIII Construction Appeals Board to create a new Construction Board of Appeals and set forth membership and meeting standards. No budget adjustment is needed.

Council Member Sanchez thanked Council Member Burckart for all his work on establishing this board.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion passed (7-0).

**14. Ordinance 2025-65: An Ordinance to Repeal and Replace Ordinance 2005-147**

Repeal and replace Ordinance 2005-147 vacating a drainage and utility easement due to a scrivener's error of omitting a legal description. No budget adjustment is needed.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion passed (7-0).

City Attorney Nicholas Henry read the Emergency Clause, calling for immediate activation. Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion passed (7-0).

### **Utility Board *Non-Consent Agenda Items***

#### **2. Resolution 4-8-25 K: Resolution Approving Water and Wastewater Capacity Fee Analysis**

A resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Raftelis Finances Consultants, Inc., in an amount not to exceed \$59,600.00, to perform a water and wastewater capacity fee analysis for the Water Utility. Utility Board approved 5-0. No budget adjustment is needed.

Council Member Burckart explored the possibility of reviewing capital improvements, including current utilization, future projections, and needs. He questioned whether there would be an opportunity to analyze all proposed data.

Thomas Beckley explained the approach to calculating capacity fees, aiming to ensure new customers receive equitable value compared to existing ones. He noted that while there are various methods to gather this information, discretion in these projects is limited. Beckley emphasized that capacity fees are evaluated by calculating a maximum fee, though communities often adopt a reduced fee to remain competitive. He referenced a recent discussion with Fayetteville, highlighting the importance of balancing unit cost calculations with policy decisions to maintain competitiveness.

Burckart summarized his understanding, stating that the data being utilized has already been vetted to comprehend capacity fees. Beckley reiterated the focus on equitable evaluation and the interplay between data-driven calculations and strategic policy considerations.

City Attorney Nicholas Henry read the Resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter. Motion passed (7-0).

**3. Resolution 4-8-25 L: Award Bid IFB-25-32 IDIQ for Water and Sewer Maintenance Work**

A Resolution awarding bid IFB-25-32 to Hickman Underground, LLC, per the unit prices, in an amount not to exceed \$500,000.00. Utility Board approved 5-0. No budget adjustment is needed.

City Attorney Nicholas Henry read the Resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter There was no discussion. Motion passed (6-1: Council Member Hook abstained).

**III. Planning**

**1. Ordinance 2025-66: Property Line Adjustment - Lots 13 & 14, Block F of Orchard Addition 414/ 416 Southeast 6th Street**

*The Planning Commission voted 6-0, recommending approval.*

An Ordinance Accepting A Property Line Adjustment Of Existing Lot 12 And The East Half Of Lot 2, Block F Creating New Lots 13 And 14, Block F Of Orchard Addition To The City Of Bentonville, Arkansas; And For Other Purposes.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Sooter There was no discussion. Motion passed (7-0).

**2. Ordinance 2025-67: Lot Split - Lots 18-22, Block 1 Young's Addition 305 Southeast F Street**

*The Planning Commission voted 6-0, recommending approval.*

An Ordinance Accepting A Lot Split Of Lots 5, 6, And 7, Block 1 Of Young's Addition Creating New Lots 18-22, Block 1 Of Young's Addition To The City Of Bentonville, Arkansas; And For Other Purposes.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart There was no discussion. Motion passed (7-0).

**3. Ordinance 2025-68: Lot Split - Lots 17 and 18, Block 15 of Demings 2nd Addition 504 Northwest B Street**

*The Planning Commission voted 6-0, recommending approval.*

An Ordinance Accepting A Lot Split Of Lots 7 And 8, Block 15 Of Demings 2nd Addition Creating New Lots 17 And 18, Block 15 Of Demings 2nd Addition To The City Of Bentonville, Arkansas; And For Other Purposes.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart There was no discussion. Motion passed (7-0).

**4. Ordinance 2025-69: Rezoning - Emma Properties, LLC - I-2, Heavy Industrial to DE, Downtown Edge 701 Southeast 5th Street**

*The Planning Commission voted 6-0, recommending approval.*

An Ordinance Changing Real Estate In The City Of Bentonville, Arkansas, From Its Present Zoning Classification Of I-2, Heavy Industrial To DE, Downtown Edge; And For Other Purposes.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart There was no discussion. Motion passed (7-0).

**5. Ordinance 2025-70: Rezoning - Johnson - R-1, Low-Density Single-Family Residential to DN-2, Downtown Medium Density Residential 701 Southwest 2nd Street**

*The Planning Commission voted 6-0, 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-2, Downtown Medium-Density Residential; And For Other Purposes.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart There was no discussion. Motion passed (7-0).

**6. Ordinance 2025-71: Rezoning - Garrett - RE, Residential Estates to R-1, Low-Density Single Family Residential 1600 Northwest 3rd Street**

*The Planning Commission voted 6-0, recommending approval.*

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

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart There was no discussion. Motion passed (7-0).

**7. Ordinance 2025-72: Rezoning - Limestone LLC - Planned Unit Development (PUD), to R-3, Medium-High Density Multifamily Residential Southwest 41st Street and Southwest Ranch Road**

*The Planning Commission voted 6-0, recommending approval.*

An Ordinance Changing Real Estate In The City Of Bentonville, Arkansas, From Its Present Zoning Classification Of PUD, Planned Unit Development To R-3, Medium-High Density Multifamily Residential; And For Other Purposes.

Council Member Patterson inquired about the Planned Unit Development (PUD), which Tyler Overstreet clarified had expired due to its age. Council Member Burckart noted that projects already in the queue would be grandfathered in. Patterson expressed the view that southwest Bentonville could benefit from more mixed-use developments.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Burckart, second by Council Member Seba. Motion passed (6-1: No-Patterson).

**8. Ordinance 2025-73: C3 Mixed Use Zoning District Amendment**

*The Planning Commission voted 6-0, recommending approval.*

An Ordinance Amending Bentonville Municipal Code Appendix A Zoning Code Sec. 401.05 Table Of Uses For Zoning Districts To Prohibit Gas Stations, Drive-In

Restaurants, And Drive-Through Restaurants In The C-3 Mixed-Use Commercial Zoning District; And For Other Purposes.

The Council discussed their role in determining what is permitted in each pre-zoning district. Tyler Overstreet noted that many constituents have repeatedly expressed concerns about placing gas stations, drive-thrus, and drive-in restaurants in the C-3 zoned area.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Patterson.  
Motion passed (7-0).

**9. Ordinance 2025-74: Lots 4-7 of the Reserve Subdivision**

Northwest corner of Southwest Regional Airport Boulevard and Greenhouse Road (LS24- 0031)

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Hook. There was no discussion.  
Motion passed (7-0).

**10. Ordinance 2025-75: Lots 28 and 29 of Quail Run Subdivision**

312 Quail Run Circle (PLA24-0020)

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Seba. There was no discussion.  
Motion passed (7-0).

**11. Ordinance 2025-76: Lot 1 of LSP Addition**

3302 Southeast L Street (PLA24-0034)

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Seba. There was no discussion.  
Motion passed (7-0).

**12. Ordinance 2025-77: Early Build Ordinance**

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion passed (7-0).

**13. Ordinance 2025-78: Whitebox @ Market LLC**

**801 SE G Street, 802 SE H Street (RZ25-0012)**

**Rezoning:** R-1, Low-Density Single-Family Residential to DE, Downtown Edge

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion passed (7-0).

**14. Ordinance 2025-79: Sumalinog**

804 SE H ST (RZ25-0013)

**Rezoning:** R-1, Low-Density Single-Family Residential to DE, Downtown Edge

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion passed (7-0).

Council Member Burckart made a motion to adjourn the meeting, seconded by Council Member Hook. Motion carried.

**IV. Other Business**

**a. Public Comment**

- i. Sam Hoisington with the Bentonville Bulletin spoke thanking the team at waste water, for allowing the media, and others to come tour the plant.

**b. Committee Reports**

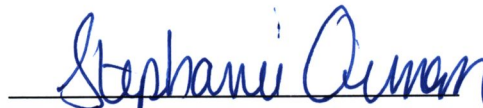
- i. Sanchez: Library Board: Met and had a financial report presented, and April the 23<sup>rd</sup> will have a national student art event hosted by the Library Board and Rep Steve Womack will be there.
- ii. Acree: Traffic & Signage: Discussed a valet service, and a loading zone for construction vehicles, funded by A & P. Approved a mid block 3 way crossway just passed Coler Creek, now there will be a cross walk. Working to

put fire lines in a section of condos and townhomes. Thaden School is building a gym. Concerns at the corner of Sears rd. and Nomad, with city and county discrepancies.

- iii. Seba: Airport Board: UP Summit is coming back in 2025 for a second consecutive year!
- iv. Sooter: Parks and Recreation: Wanted to give a shout out to the ½ Marathon, and how it went well.
- v. Burckart: Discussing the procedures with the scope of bond project change orders
- vi. Hook: Tree and Landscaping: Give Away is this upcoming weekend at the municipal building starting at 8am, and has 500 trees!

The next Bentonville City Council meeting will be on Tuesday April 22, 2025.

  
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Malorie Marrs, City Clerk

  
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Stephanie Orman, Mayor

