

Bentonville City Council

Meeting Minutes

April 22, 2025



The City Council of Bentonville, Arkansas, met in regular session Tuesday, April 22nd, 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, Gayatri Agnew, and Bill Burckart (via Zoom). 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.

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 April 8th, regular council meeting as presented, second by Council Member Sooter. There was no discussion. Motion carried (8-0)

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 Sanchez. There was no discussion. Motion carried (8-0).

Motion for Consent Agenda:

-Council Member Sooter motioned to move items 2, 3, 7, 8 under New Business, and item 1, 2 on Utility Board; to a consent agenda.

Seconded by Council Member Sanchez

Motion carried (8-0).

I. New Business

1. Proclamation: National Lineman Appreciation Day 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.

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

II. Consent Agenda Items

New Business

2. **Resolution 4-22-25 A: Resolution to Purchase Memorial Park 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 4-22-25 B: Resolution Authorizing an Application for a TAP grant for the Arkansas Missouri Trail**
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.
7. **Resolution 4-22-25 C: Resolution Setting a Public Hearing to Vacate a Utility Easement (VAC25-0008)**
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 4-22-25 D: Resolution Setting a Public Hearing to Vacate a Street Right of Way (VAC25- 0010)**
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).

Utility Board

1. **Resolution 4-22-25 E: Resolution Amending IFB-24-70 - IDIQ Water Service Line Replacement Agreement - Calcon Inc.**
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 4-22-25 F: Resolution to Approve Hawkins-Weir Wastewater Treatment Capacity Feasibility Study Amendment 3**
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.

City Attorney Nicholas Henry read the consent agenda items by title only.

Council Member Sanchez motioned to approve the consent agenda items, as there was an. Seconded by Council Member Sooter. Motion passes (8-0)

II. New Business NON Consent

4. **Ordinance 2025-80: Ordinance Approving a Personnel Policy Amendment - Sick Time**

Recommend a change to the city policy regarding management of sick time. 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 Agnew. There was no discussion. Motion passed (8-0).

5. **Ordinance 2025-81: Ordinance Amending the 2025 City of Bentonville Pay Plan**

Ordinance amending the 2025 pay plan and approving a budget adjustment in the amount of \$141,415.50. A 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 Agnew. There was no discussion. Motion passed (8-0).

6. **Ordinance 2025-82: Public Hearing and Ordinance Vacating Street Right of Way (VAC25-0009)**

Public Hearing and approval of Ordinance vacating Street Right of Way located at Lot 6 of Walmart Layout Subdivision (VAC25-0009).

Mayor Orman opened the public hearing, there was no discussion. Mayor Orman closed the public hearing.

City Attorney Nicholas Henry read the Emergency Clause calling for immediate action. Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion passed (8-0).

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion passed (8-0).

III. Planning

1. **Ordinance 2025-83: Elzey's Subdivision**

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.

City Attorney Nicholas Henry read the Ordinance by title only. Motion to approve by Council Member Sanchez, second by Council Member Agnew. There was no discussion. Motion passed (8-0).

2. **Suen: 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.

Upon recent review from the staff and planning commission, it was suggested by Tyler Overstreet for this item be sent back to planning for further review due to criteria brought forward by citizens, along with additional adjustments.

Council, along with city staff and community members, engaged in a thorough discussion regarding this matter, citing numerous reasons for its reconsideration by the Planning Commission. Several Council Members expressed concern over why the issue had been brought before them at this stage, particularly given that it was not yet ready for a formal vote, raising questions about the fairness of the process for the developer.

City officials and staff representatives acknowledged all concerns, and stated circumstances had been brought to their attention regarding this development. Given the complexities of the regulatory framework—where certain provisions were subject to interpretation rather than being strictly defined—it was determined that a more comprehensive review was necessary. As this issue was initially raised by residents, the most appropriate course of action was to refer it back to the Planning Commission for further clarification.

While Council Members expressed their commitment to supporting both development initiatives and the city's overall growth, they voiced frustration with the position they were placed in, feeling caught between competing interests. Ultimately, the Council

resolved to return the matter to the Planning Commission for additional evaluation, ensuring that all relevant concerns are properly addressed before further consideration.

Full conversation and discussion can be viewed [here](#) (time 11:30 min- 1:42 hours)

City Attorney Nicholas Henry read the Ordinance by title only further clarifying after debate, discussion from council and the public, that a final motion on the table to send it back to Planning Commission to revisit, would entail: YES to send back, NO to vote as is.

Motion to approve by Council Member Hook, second by Council Member Agnew.

YES-Seba, Sooter, Hook, Sanchez, Patterson, Acree

NO-Agnew, Burckart

Motion passed, item will be sent back to Planning Commission at the recommendation of the City.

3. Ordinance 2025-84: Establishing a lot size standard for Attached Single Family dwellings in the R-2 Medium Density Zone

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.

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 (8-0).

IV. Other Business

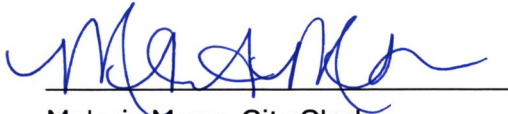
a. Committee Reports

- i. Sanchez: Library Board: Met – Library will be having the finals for the an Art Competition, Utility Board met, and discussed the items on tonight’s agenda.
- ii. Seba: Public Art: Met – discussed the conservation and maintenance plan for the existing art structures, and has been assigned priorities levels. Currently

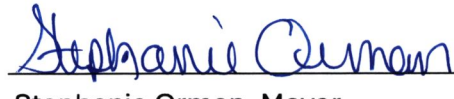
reviewing and reimagining the Water Tower Rd Project by the NWACC roundabout.

- iii. Agnew: Discussing the activation and scheduled meeting times for the newly formed Active Transportation Committee. 3rd Tuesdays of the month.
- iv. Hook: Tree and Landscaping: Went over the procedures and COE from the giveaway, gave over 500 trees in a short period of time. Always looking at tree education opportunities.

The next Bentonville City Council meeting will be on Tuesday May 13, 2025.



Malorie Marrs, City Clerk



Stephanie Orman, Mayor

