

1. Agenda

Documents:

[MAY 23, 2017 CITY COUNCIL FULL AGENDA.PDF](#)

2. Short Agenda

Documents:

[MAY 23, 2017 CITY COUNCIL SHORT AGENDA.PDF](#)



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, May 23, 2017 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, May 23, 2017 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: May 9, 2017**

AGENDA

1. Proclamation presented to recognize "National EMS Week" in Bentonville, Arkansas. **(Page 5)**
2. An ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. (DEB FARM ADVENTURES) **(Pages 6-13)**
3. Planning:
- 3a. **Rezoning: First Baptist Church of Bentonville; Southwest 2nd Street & Southwest 'B' Street; Rezoning from R-1, Single Family Residential & D-E, Downtown Edge to D-E, Downtown Edge.**

(Pages 17-20)

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Mixed Use Residential (DMUR) and Downtown Medium Density Residential.

****This item was previously approved by council on 5-9-17. The ordinance was mistakenly altered to reflect D-C zone based on a contradicting staff report. This is an ordinance amendment to the correct zoning of DE, Downtown Edge.***

- 3b. **Lot Split: Lot 10, Block 4, Deming's Addition, Polly E. Harris, 405 Northwest 'A' Street, R-1, Single Family Residential.**

(Pages 21-24)

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create one new lot from the northern portion of one existing lot. The new lot will be known as Lot 10 (0.24 acres) Block 4 of Deming's Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along North Main Street. The new lot will have access to public utilities and a public street.

- 3c. **Property Line Adjustment: Lots 34, 35, & 36 Dickson's Addition, Cottage Home XNA, LLC , West Central Avenue, Southwest 'F' Street, Southwest 2nd Street, R-1, Single Family Residential.**

(Pages 25-28)

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common lot line between five existing lots and will create three new single-family residential lots that will be known as Lot 34, Lot 35 and Lot 36 of Dickson's Addition. Each new lot is approximately 0.54 acres. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along West Central Avenue, Southwest "F" Street, and Southwest 2nd Street. Each new lot will have access to public utilities and a public street.

- 3d. **Lot Split: Lots 1 & 2 Opal Subdivision, Highland, LLC, Southwest Opal Road/Southwest Barron Road & Southwest Regional Airport Boulevard, R-1, Single Family Residential.**

(Pages 29-32)

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing parcel. The new lots will be known as Lot 1 (28.06 acres) and Lot 2 (97.16 acres) of Opal Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along SW Opal Road and SW Barron Road. A 20' wide utility easement is also being dedicated with the plat along SW Opal Road.

- 3e. **Rezoning: Kenneth Ehret, North Main Street & Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

(Pages 33-36)

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 3f. **Resolution: Bear State Bank, Southwest 2nd Street and Northwest Elm Tree Road, Low Density Residential or Medium Density Residential.**

(Pages 37-42)

The Planning Commission voted 6-1, recommending approval.

Policy LU-23, Housing Types, within the General Plan suggest that the city should encourage the development of a mix of housing types to meet the needs of its residents throughout their lives. The proposed medium density residential development will help to create additional density and reduce the impact on the city's infrastructure by utilizing existing public utilities and traffic networks.

- 3g. **Lot Split: Lots 25, 26, 27, 28, & 29, Block 6, W.A. Burks Addition, Kenneth Ehret, North Main Street & Northeast Monroe Street, R-1, Single Family Residential.**

(Pages 43-46)

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a lot split request that will create five new lots from four existing lots. The new lots will be known as Lots 25, 26, 27, 28 & 29, Block 6 of W.A. Burk's Addition. Each new lot is approximately 0.14 acres. Per the requirements of the current Master Street Plan, the plat shows the dedication of right-of-way along North Main Street. Each lot will have access to a public alley along the side or rear lot lines. All lots will have access to public utilities and a public street.

- 3h. **Property Line Adjustment: Lot 16, Crystal Bridges Addition & Lots 3 & 4, Martz Addition, Crystal Bridges Museum of American Art , 600 Museum Way & 1107 Northeast 'J' Street, A-1, Agricultural.**

(Pages 47-50)

The Planning Commission voted 6-1, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common lot line between existing Lot 9 of Crystal Bridges Addition and existing Lot 2 of Martz Addition and will create new Lot 16 of Crystal Bridges Addition and Lots 3 & 4 of Martz Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along NE 'J' Street. The plat also shows the dedication of a 20' wide utility easement along NE 'J' Street. All lots will have access to public utilities and a public street.

4. Reappointment of David Short for a second three year term on the Tree and Landscape Advisory Committee. The term will expire on May 23, 2020.

(Pages 51-53)

5. Approval of the installation of a permanent piece of artwork, titled "The Monarch and Dandelions" by artist Amanda Wilshire, on public property located at Orchards Park. The purchase and installation of the artwork is funded by the Bentonville Advertising & Promotions Commission. The Public Art Advisory Committee recommended approval on May 9, 2017. **(Pages 54-58)**

6. Parks and Recreation Staff seeks City Council's approval of a bid award to Challenger Teamwear in an amount not to exceed \$43,000.00 for the purchase of uniforms for the 2017-2018 season. Challenger Teamwear was chosen through the RFP selection process. **(Pages 59-60)**
7. Recommend City Council approve increase in Electric Department fleet by one vehicle in order to transfer the surplus vactor truck from the Sewer Department. **(Pages 61-62)**
8. Staff recommends that the Mayor and City Council approve the reconciliation change order for the Bentonville Sidewalk Improvements 2016. The final project cost is \$12,633.12 less than the currently contracted amount of \$210,782.00. The final contract amount is \$198,148.88. **(Pages 63-66)**
9. City Council approval of a resolution adopting the updated Quality Management Plan to be used for EPA funded projects. This update is required by EPA and if any changes are made, a new Quality Management Plan has to be submitted. This Quality Management Plan will be in effect for five years from the original release, requiring yearly audits and submissions. After this period has expired, the plan will either be reissued without change, revised, or withdrawn from the EPA Quality System. **(Pages 67-92)**
10. Staff recommends City Council approval of a resolution authorizing the Mayor and Clerk to enter into an amended agreement with the Arkansas Highway and Transportation Department for the design and construction of a Single Point Urban Interchange at the Hwy 71B (Walton Blvd) and I-49 Interchange, for an increase of \$15,000.00. Amendment increases commitment amount to \$1.515 million. **(Pages 93-98)**

PROCLAMATION

WHEREAS: Emergency Medical Services is a vital public service; and

WHEREAS: The members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS: Access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS: The emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, first responders, educators, administrators and others; and

WHEREAS: The members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills, and

WHEREAS: It is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, I Bob McCaslin, Mayor of the City of Bentonville do hereby proclaim the week of May 21-27, 2017 as **"Emergency Medical Services Week"** in the City of Bentonville, Arkansas. With the theme, "EMS Strong: Always in Service", I encourage the community to observe this week with appropriate programs, ceremonies and activities. .

Given this 23rd day of May, 2017, in Bentonville, in the great State of Arkansas, in the United States of America.

Bob McCaslin, Mayor
City of Bentonville





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

AGENDA FORM

CITY COUNCIL MEETING OF:

May 23, 2017

Submitted by:

Camille Thompson

Department

Staff Attorney

Phone

271-5914

ACTION REQUIRED:

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

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



ORDINANCE NO. _____

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

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

WHEREAS, on the 4th day of May, 2017, the County Court of Benton County, Arkansas, found that the petition was signed by the owners of said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Bentonville, Arkansas; that an accurate plat or map of said territory had been filed with, and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and a part of the City of Bentonville, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

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

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

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

Section 2. That the above described territory shall be annexed to and made a part of **Ward** 3 of the City of Bentonville, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

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

PASSED AND APPROVED THIS _____ **DAY OF** _____, 2017.

APPROVED: _____

Mayor

ATTEST: _____

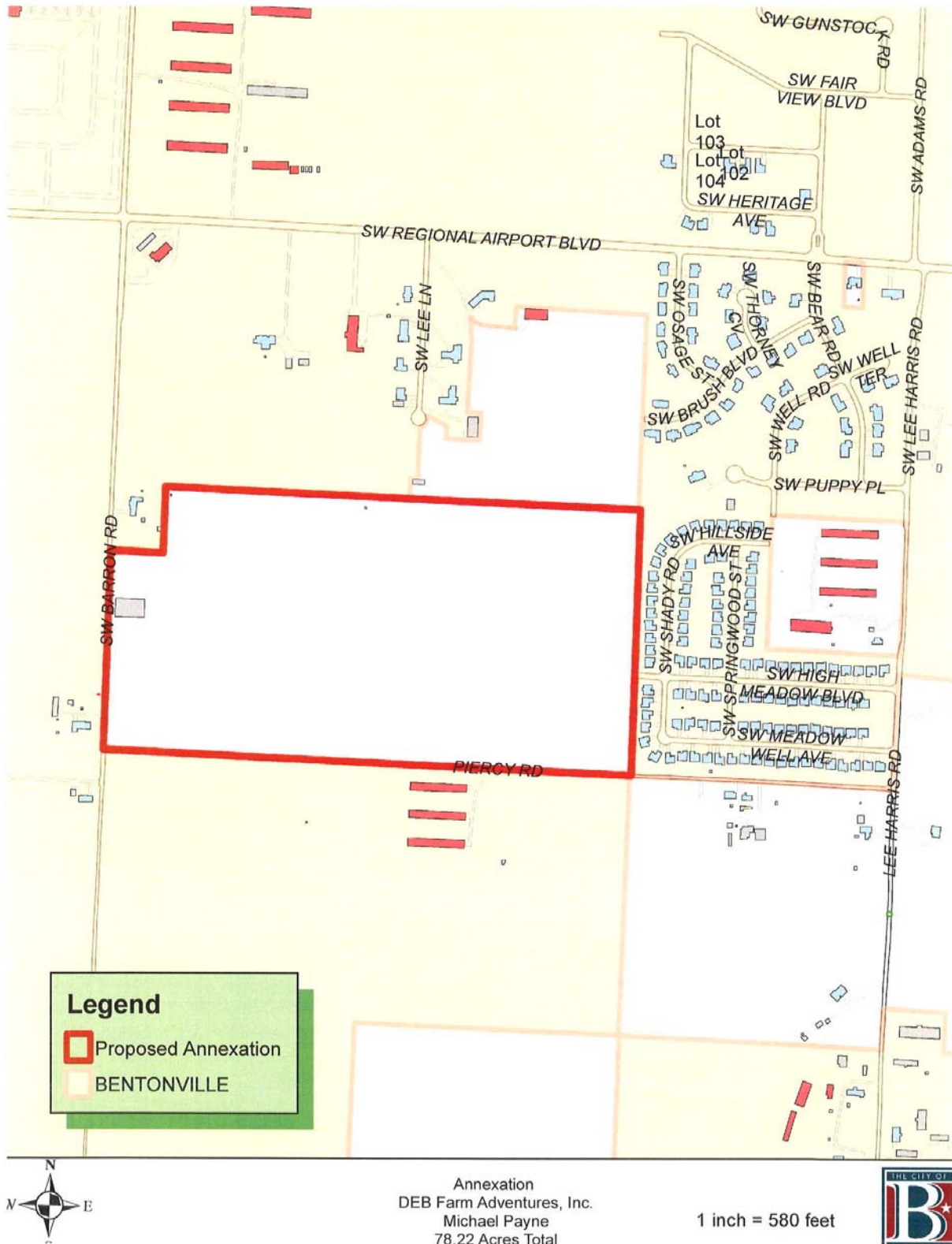
Clerk

Annexation-DEB Farm Adventures, Inc.

Exhibit 'A'

Part of the South $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21, Township 19N, Range 31W, Benton County, Arkansas,
and being more particularly described as follows:

Beginning at the SW Corner of said NW $\frac{1}{4}$ of said Section 21;
Thence N $0^{\circ}00'00''$ E, 992.21';
Thence S $89^{\circ}13'31''$ E, 263.81;
Thence N $0^{\circ}01'57''$ E, 330.55';
Thence S $89^{\circ}20'42''$ E, 2378.04';
Thence S $00^{\circ}04'26''$ W, 1324.40';
Thence N $89^{\circ}17'40''$ W, 2640.35' to the point of beginning.



FILED

2017 APR 17 PM 1:42

DEBRA C. BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, AR

IN THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO
THE CITY OF BENTONVILLE,
ARKANSAS, CERTAIN PROPERTY
CONTIGUOUS TO SAID CITY IN
BENTON COUNTY, ARKANSAS

CASE NO. CC 2017-03

DEB Farm Adventures

PETITIONER(S)

Amended
PETITION FOR ANNEXATION BY 100% PETITION

Comes now the undersigned petitioner(s), and state as follows:

1. That we, as property owners of the following described area, do hereby petition the County Court of Benton County, Arkansas, to annex the following lands to the City of Bentonville:

SEE ATTACHED LEGAL DESCRIPTION

2. We further state that this petition is signed by 100% of the real estate owners owning the property described.

3. We do further by this Petition appoint Camille Thompson, Staff Attorney, City of Bentonville, to act on behalf of the petitioners herein in presenting this matter to the Court.

4. That said property described herein is contiguous to and adjoining the present city limits of the City of Bentonville, as shown by the attached by the attached map.

5. That a description of services to be provided is attached hereto.

6. That the petitioners request that the Court enter an Order granting this Petition and annexing the territory described herein.

WHEREFORE, petitioner(s) pray that the lands described herein be annexed to the City of Bentonville, Arkansas.

FILED

2017 APR 17 PM 1:42

Petitioner(s)

[REDACTED]

Address:

11276 TALAMORE BLVD, BENTONVILLE, AR

JEFF G. GRIEN
CO. & PROBATE CLERK
BENTON COUNTY, AR

And

Camille Thompson, City of Bentonville
Their Agent

FILED

Municipal Services for Annexation

All properties annexed into the City of Bentonville are provided with Police, Fire and EMS services.

Additional services such as water and sewer may be provided if readily available. Such services are provided in accordance with existing ordinances and terms of service, including but not limited to the payment of required fees, the necessary permits, inspections and approvals. This exhibit does not obligate the City to provide utility services that are not available to the annexed area.

2017 APR 17 PM 1:42
JONAS FLINEN
CO. CLERK
BENTON COUNTY, AR



City Council Agenda Items
For City Council Meeting of May 23, 2017
From the May 16, 2017 Planning Commission Meeting

Rezoning: First Baptist Church of Bentonville; Southwest 2nd Street & Southwest 'B' Street; Rezoning from R-1, Single Family Residential & D-E, Downtown Edge to D-E, Downtown Edge.

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Mixed Use Residential (DMUR) and Downtown Medium Density Residential.

**This item was previously approved by council on 5-9-17. The ordinance was mistakenly altered to reflect D-C zone based on a contradicting staff report. This is an ordinance amendment to the correct zoning of DE, Downtown Edge.*

Lot Split: Lot 10, Block 4, Deming's Addition, Polly E. Harris, 405 Northwest 'A' Street, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create one new lot from the northern portion of one existing lot. The new lot will be known as Lot 10 (0.24 acres) Block 4 of Deming's Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along North Main Street. The new lot will have access to public utilities and a public street.

Property Line Adjustment: Lots 34, 35, & 36 Dickson's Addition, Cottage Home XNA, LLC, West Central Avenue, Southwest 'F' Street, Southwest 2nd Street, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common lot line between five existing lots and will create three new single-family residential lots that will be known as Lot 34, Lot 35 and Lot 36 of Dickson's Addition. Each new lot is approximately 0.54 acres. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along W. Central Avenue, SW F Street, and SW 2nd Street. Each new lot will have access to public utilities and a public street.

Lot Split: Lots 1 & 2 Opal Subdivision, Highland, LLC, Southwest Opal Road/Southwest Barron Road & Southwest Regional Airport Boulevard, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing parcel. The new lots will be known as Lot 1 (28.06 acres) and Lot 2 (97.16 acres) of Opal Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along SW Opal Road and SW Barron Road. A 20' wide utility easement is also being dedicated with the plat along SW Opal Road.

Rezoning: Kenneth Ehret, North Main Street & Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

Resolution: Bear State Bank, Southwest 2nd Street and Northwest Elm Tree Road, Low Density Residential or Medium Density Residential.

The Planning Commission voted 6-1, recommending approval.

Policy LU-23, Housing Types, within the General Plan suggest that the city should encourage the development of a mix of housing types to meet the needs of its residents throughout their lives. The proposed medium density residential development will help to create additional density and reduce the impact on the city's infrastructure by utilizing existing public utilities and traffic networks.

Lot Split: Lots 25, 26, 27, 28, & 29, Block 6, W.A. Burks Addition, Kenneth Ehret, North Main Street & Northeast Monroe Street, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a lot split request that will create five new lots from four existing lots. The new lots will be known as Lots 25, 26, 27, 28 & 29, Block 6 of W.A. Burk's Addition. Each new lot is approximately 0.14 acres. Per the requirements of the current Master Street Plan, the plat shows the dedication of right-of-way along North Main Street. Each lot will have access to a public alley along the side or rear lot lines. All lots will have access to public utilities and a public street.

Property Line Adjustment: Lot 16, Crystal Bridges Addition & Lots 3 & 4, Martz Addition, Crystal Bridges Museum of American Art , 600 Museum Way & 1107 Northeast 'J' Street, A-1, Agricultural.

The Planning Commission voted 6-1, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common lot line between existing Lot 9 of Crystal Bridges Addition and existing Lot 2 of Martz Addition and will create new Lot 16 of Crystal Bridges Addition and Lots 3 & 4 of Martz Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along NE 'J' Street. The plat also shows the dedication of a 20' wide utility easement along NE 'J' Street. All lots will have access to public utilities and a public street.

REZONING STAFF REPORT



First Baptist Church of Bentonville

SW 2nd Street & SW B Street

PC Date: 5/2/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-09000021
Applicant / Current Owner	First Baptist Church of Bentonville 220 S Main Street Bentonville, AR 72712
Site Area	2.74 acres
Current Zoning	R-1, Single Family Residential & DE, Downtown Edge
Requested Zoning	DE, Downtown Edge
Future Land Use Map Designation	Downtown Mixed Use Residential (DMUR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of the parking lot for the existing church facility and the portion of SW B Street from SW 2nd Street south to SW 3rd Street. A separate vacation process is currently under way that will vacate the right-of-way for this portion of SW B Street.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property is located within the downtown area where the existing street grid network will provide adequate options for ingress and egress.

Utility Infrastructure

Per the City's GIS website, public water and sewer are available at this location.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Downtown Mixed Use Residential (DMUR) and Downtown Medium Density Residential. The DE, Downtown Edge zoning district is suitable for these land use designations.

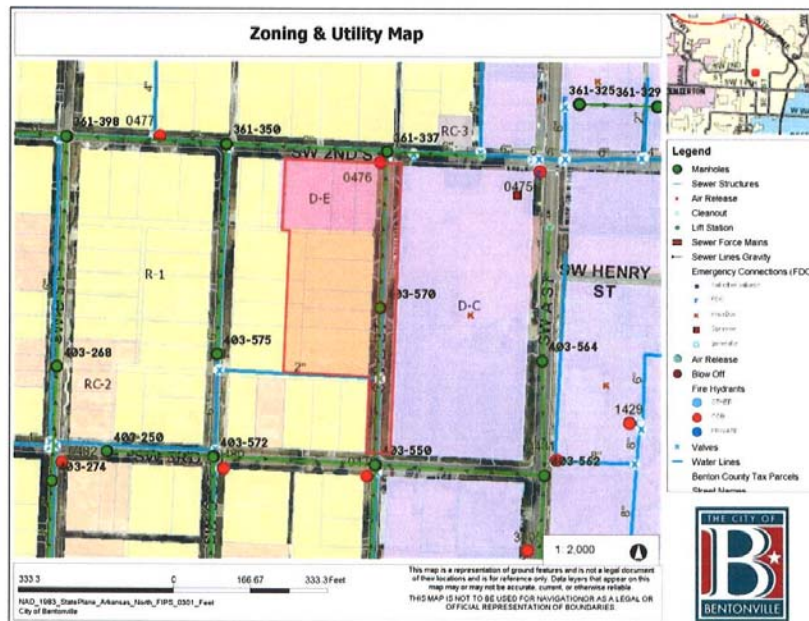
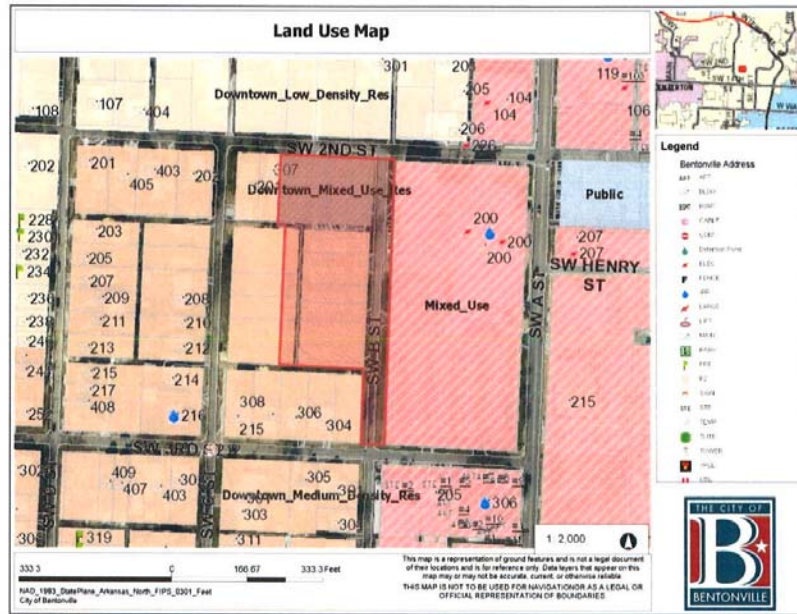
Conclusion

The DE, Downtown Edge zoning is an appropriate zoning district for this property and will serve as a transition from the more intense uses allowed along SW A Street to the east and the single-family residential neighborhoods to the west.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-1, Single Family Residential and D-E, Downtown Edge to D-E, Downtown Edge.

REZONING STAFF REPORT



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 2017- 82 TO CORRECT THE PREVIOUSLY ADOPTED REZONING DESIGNATION FROM THE PROPERTY'S PREVIOUS CLASSIFICATION OF R-1, SINGLE FAMILY RESIDENTIAL & DE, DOWNTOWN EDGE TO DE, DOWNTOWN EDGE.

WHEREAS, First Baptist Church of Bentonville duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification of R-1, Single Family Residential & DE, Downtown Edge to DE, Downtown Edge to be used in accordance with city zoning laws and state laws, which property is described as follows:

COMMENCING at a Found 1" Pipe at the NW Corner of Block 2, Clarks 2nd Addition, Plat Book Q, Page 502; Thence along the North line thereof, South 87°41'12" East, a distance of 100.00 feet to a Found ½" Rebar w/ Cap "LS1301" for the POINT OF BEGINNING; Thence South 87°41'12" East, a distance of 200.00 feet; Thence South 02°20'32" West, a distance of 462.69 feet; Thence North 87°28'52" West, a distance of 170.05 feet; Thence 23.52 feet along a curve to the right, having a radius of 15.00 feet, a central angle of 89°49'24", and a long chord bearing North 42°34'10" West a distance of 21.18 feet; Thence North 02°20'32" East, a distance of 298.00 feet; Thence North 87°41'12" West, a distance of 15.00 feet; Thence North 02°20'32" East, a distance of 149.07 feet to the POINT OF BEGINNING, and containing 87,723 Square Feet or 2.01 Acres, more or less.

;and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held May 2, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and,

WHEREAS, the 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, Single Family Residential & DE, Downtown Edge to DE, Downtown Edge

WHEREAS, the rezoning previously adopted by the City Council at its May 9, 2017 meeting mistakenly changed the zoning to DC, Downtown Core rather than DE, Downtown Edge,

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

Section 1: That the above described real property is hereby changed from its present classification of R-1, Single Family Residential & DE, Downtown Edge to DE, Downtown to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this_____ day of _____, 2017.

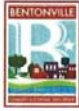
APPROVED:

ATTEST:

MAYOR

CITY CLERK

LOT SPLIT STAFF REPORT



Lot 10, Block 4 Deming's Addition

405 NW 'A' Street

PC Date: 5/16/2017

Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-05000018
Applicant / Current Owner	Polly E. Harris 405 NW 'A' Street Bentonville, AR 72712
Site Area	0.24 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Downtown High-Density Residential (D-HDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of an existing single-family home in an established but redeveloping downtown neighborhood.

Project Details

The applicant has submitted a proposal for a lot split that will create one new lot from the northern portion of one existing lot. The new lot will be known as Lot 10 (0.24 acres) Block 4 of Deming's Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along North Main Street. The new lot will have access to public utilities and a public street.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property is located within the downtown area where the existing street grid network will provide adequate options for ingress and egress.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required.

Waivers

No waivers requested.

Conclusion

This lot split does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

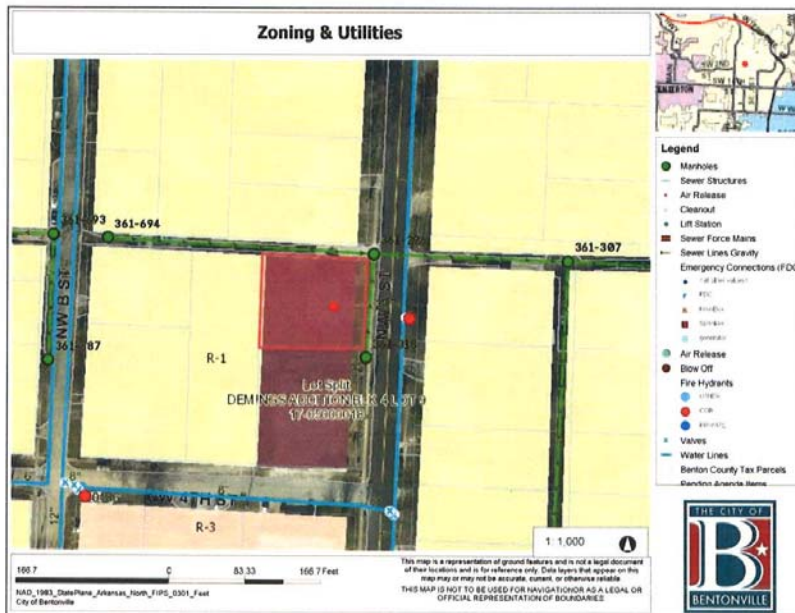
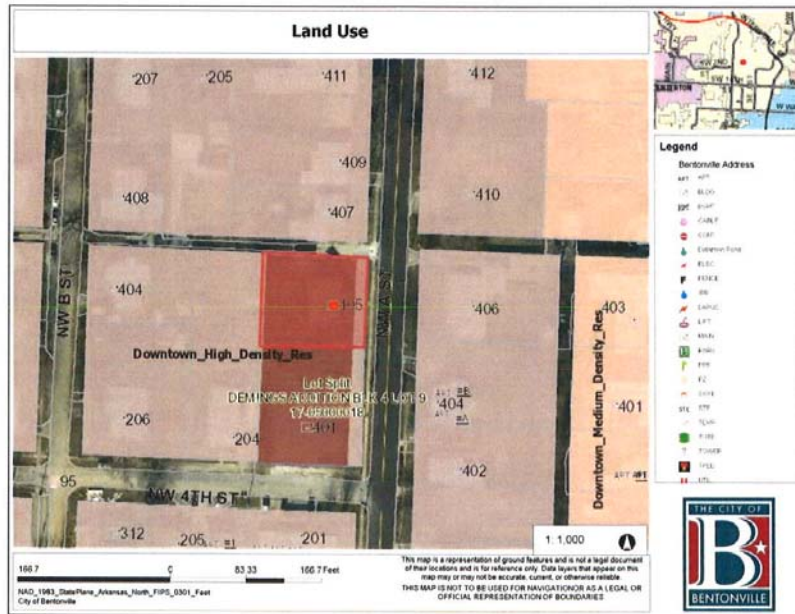
Recommendation

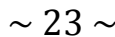
Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

NOTES

- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.

LOT SPLIT STAFF REPORT





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 10, BLOCK 4,
DEMING'S ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lot 10, Block 4, Deming's Addition, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on May 16, 2017; and,

WHEREAS, said lot split is attached hereto as Exhibit "A"; and,

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

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

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

Section 1: That the lot split of Lot 10, Block 4, Deming's Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PROPERTY LINE ADJUSTMENT STAFF REPORT



Lot s 34, 35 & 36

Dickson's Addition

W. Central Ave./SW F St./ SW 2nd St.

PC Date: 5/16/2017

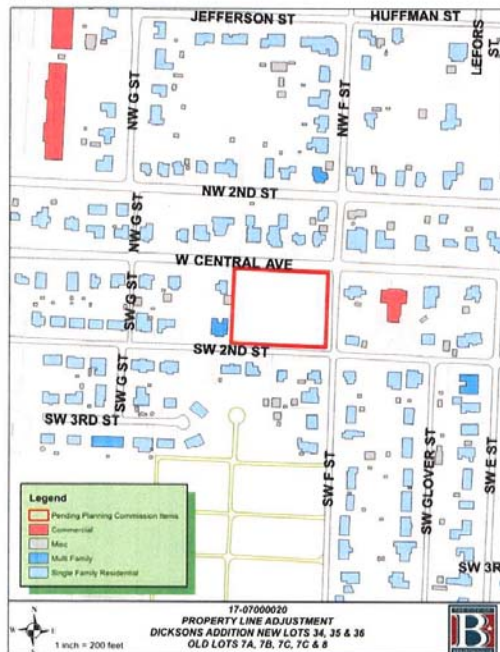
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-07000020
Applicant / Current Owner	Cottage Home XNA, LLC 236 SW 'D' Street Bentonville, AR 72712
Site Area	1.62 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Downtown Low-Density Residential (D-LDR)

<http://geo.bentonvillear.com/mgweb/PZ/pending/>

Location Map



Property Description

This property is the location of five vacant single-family lots along West Central Avenue in a redeveloping single-family residential area.

Project Details

The applicant has submitted a property line adjustment that will adjust the common lot line between five existing lots and will create three new single-family residential lots that will be known as Lot 34, Lot 35 and Lot 36 of Dickson's Addition. Each new lot is approximately 0.54 acres. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along W. Central Avenue, SW F Street, and SW 2nd Street. Each new lot will have access to public utilities and a public street.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required for this property line adjustment.

Waivers

No waivers requested.

Standard Conditions of Approval

1. Provide digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Conclusion

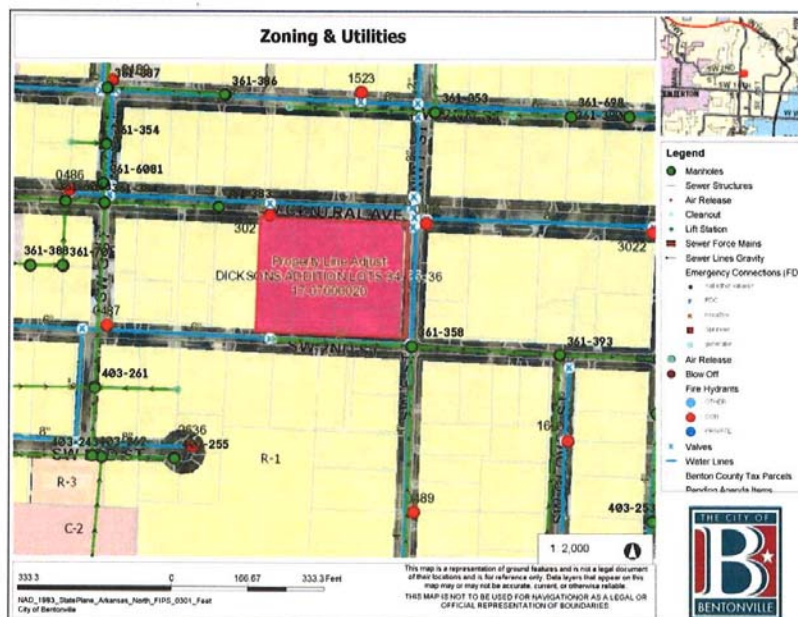
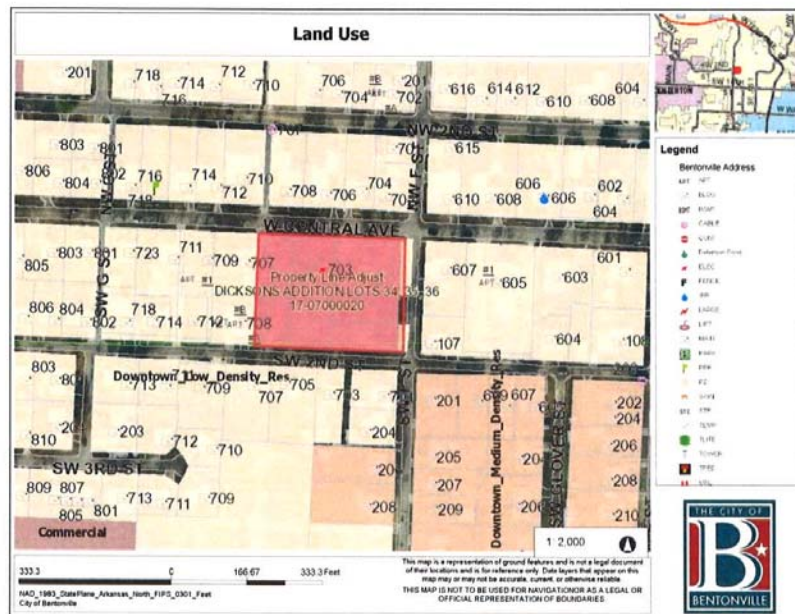
This property line adjustment does meet the minimum requirements of the subdivision regulations.

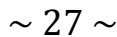
Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

NOTES

- Sidewalks. Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF
LOTS 34, 35, & 36 DICKSON'S ADDITION TO THE CITY OF
BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment Lots 34, 35, & 36 Dickson's Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on May 16, 2017; and,

WHEREAS, said property line adjustment is attached hereto as Exhibit "A"; and,

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 Lots 34, 35, & 36 Dickson's Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

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

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

LOT SPLIT STAFF REPORT



Lots 1 & 2 Opal Subdivision

SW Opal Rd./SW Barron Rd. &
SW Regional Airport Blvd.

PC Date: 5/16/2017

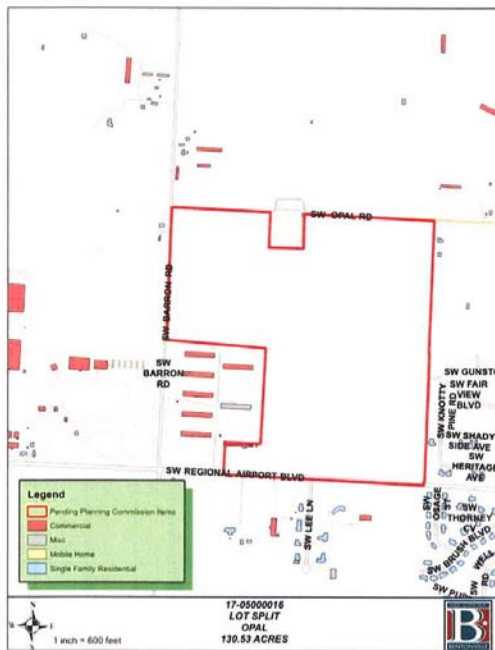
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-05000016
Applicant / Current Owner	Highland, LLC PO Box 129 Centerton, AR 72719
Site Area	125 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Downtown High-Density Residential (D-HDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of vacant agricultural land east of the Benton County Fair Grounds.

Project Details

The applicant has submitted a proposal for a lot split that will create two new lots from one existing parcel. The new lots will be known as Lot 1 (30 acres) and Lot 2 (95 acres) of Opal Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along SW Opal Road and SW Barron Road. A 20' wide utility easement is also being dedicated with the plat along SW Opal Road. Lot 2 will have access to public utilities however Lot 1 does not have direct access to public utilities at this time. Both new lots will have access to a public street.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required.

Waivers

No waivers requested.

Conclusion

This lot split does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

1. Provide a digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

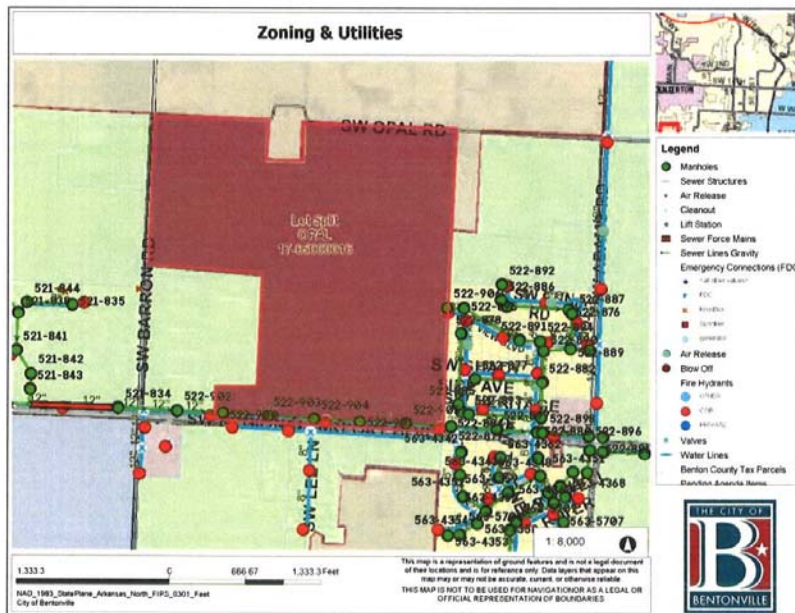
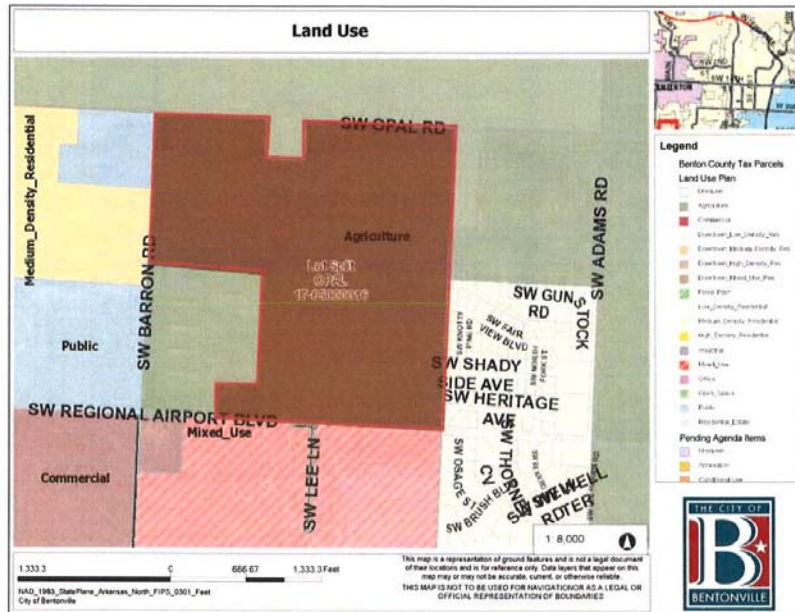
Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

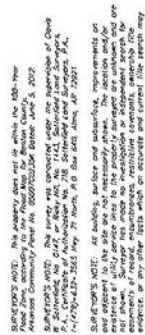
NOTES

- **Sidewalks.** Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.

LOT SPLIT STAFF REPORT



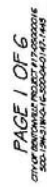
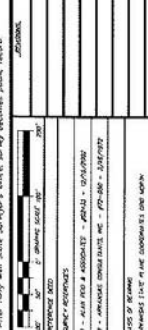
BEING A LOT SPLIT OF LEE HARRIS FARMS -
TRACT 14A, BEING A PART OF THE SOUTHWEST
QUARTER AND PART OF THE SOUTHWEST
QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 16, TOWNSHIP 19 NORTH, RANGE 31
WEST, BENTONVILLE, BENTON COUNTY, ARKANSAS



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CONTACT: HIGHLAND LLC
P.O. BOX 129
CENTERTON, AR 72719
PHONE: (479) 640-7059

DRAWN BY: M.D.L.
 SCALE: 1"=100'
 DATE: 2-9-17

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 1 & 2 OPAL
SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 1 & 2 Opal Subdivision, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on May 16, 2017; and,

WHEREAS, said lot split is attached hereto as Exhibit "A"; and,

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

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

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

Section 1: That the lot split of Lots 1 & 2 Opal Subdivision to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

REZONING STAFF REPORT



Ehret

N. Main Street & NE Monroe Street

PC Date: 5/16/2017

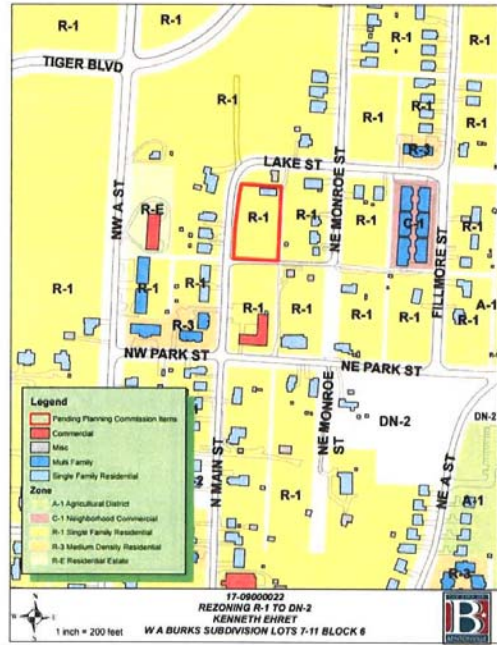
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-09000022
Applicant / Current Owner	Kenneth Ehret 1203 NE Monroe Street Bentonville, AR 72712
Site Area	0.86 acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DN-2, Downtown Medium-Density Residential
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of two low-density residential parcels within a redeveloping single-family residential neighborhood.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property is located within the downtown area where the existing street grid network will provide adequate options for ingress and egress.

Utility Infrastructure

Per the City's GIS website, public water and sewer are available at this location.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

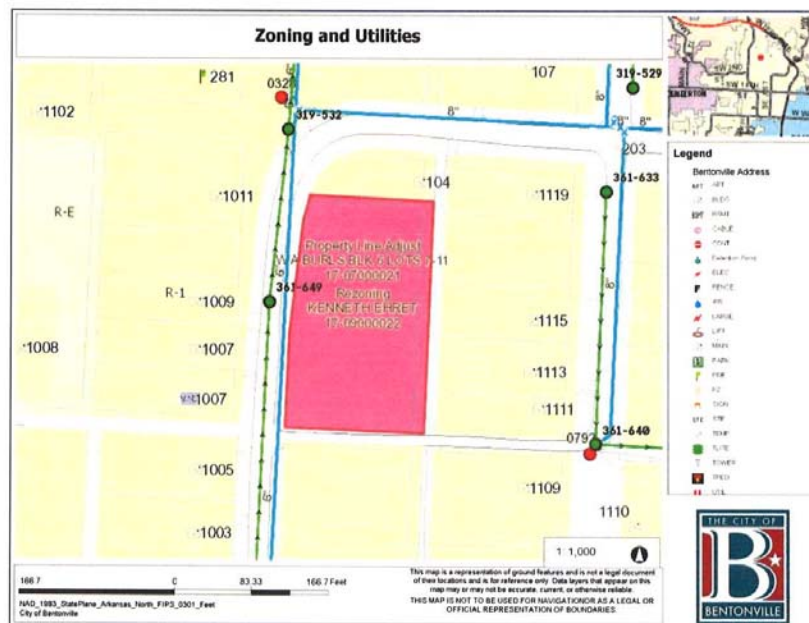
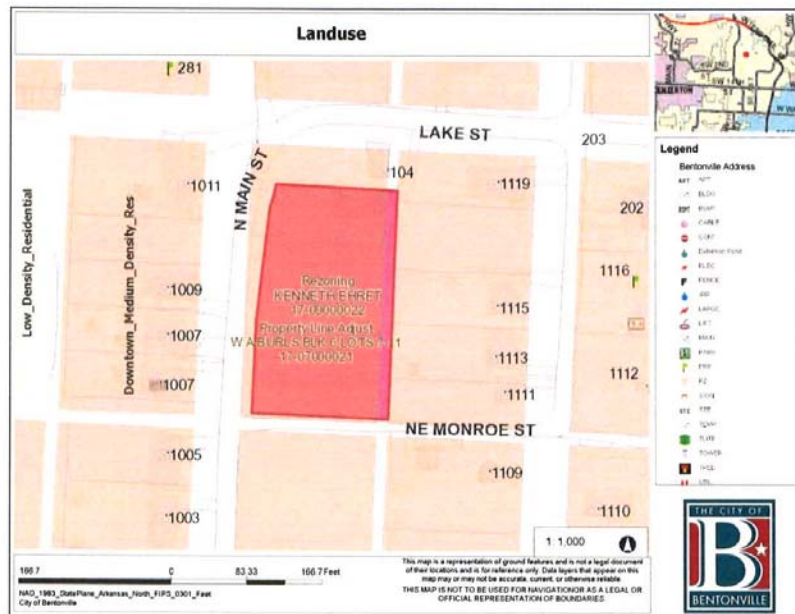
Conclusion

The DN-2, Downtown Medium-Density Residential zoning designation will offer additional housing options and additional single-family density in a redeveloping downtown neighborhood. The existing infrastructure in this area can support the slight increase in density and will allow small lot single-family developments to occur.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this rezoning request from R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.

REZONING STAFF REPORT



April 2, 2017

City of Bentonville, AR
Planning Department
305 SW A St.
Bentonville, AR

RE: Proposed Rezoning of WA Burks Addition, Block 6, Lots 7-11; also known 1010 N. Main Street
Bentonville

Dear City of Bentonville Planning Department,

Kenneth Ehret, would like to request approval of rezoning of WA Burks Addition, Block 6, Lots 7-11; also known 1010 N. Main Street Bentonville from R-1 to DN-2. I would like to build single family homes that bring up the beauty and value of the neighborhood. The request to rezone would allow for the configuration of houses to follow the new master plan specifications set forth by the city of Bentonville. The plan is to build 2 story craftsman/ modern farmhouse style homes that will bring a cohesiveness to the street and blend well with the surrounding homes. The alley behind the property will be developed for rear entry garages that can be accessed from the alley off Monroe St or Lake St in accordance with the city specifications. The property has accessibility from Main St, Monroe St, and Lake St which will have a minimal impact on traffic. Street signage currently exists on Main and Lake St. and no additional signage will be needed. Existing 6" water lines are accessible from the west side of the property. Sewer is also available for extension to the property off Main St. according to the city's GIS website.

Thank you for your consideration,

Kenneth Ehret
1203 NE Monroe St. Bentonville
9414162332
Lauren.jill83@yahoo.com

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF
BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION OF
R-1, SINGLE FAMILY RESIDENTIAL TO DN-2, DOWNTOWN
MEDIUM-DENSITY RESIDENTIAL.**

WHEREAS, Kenneth Ehret duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with city zoning laws and state laws, which property is described as follows:

Lots 7, 8, 9, 10, Block 6, W.A. Burk's Addition, to the City of Bentonville, Benton County, Arkansas, as shown on plat record "A" at page 19;

and

Lot 11, Block 6, W.A. Burk's Addition, to the City of Bentonville, Benton County, Arkansas, as shown on plat record "A" at page 81 and 119.

;and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held May 16, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and,

WHEREAS, the 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, Single Family Residential to DN-2, Downtown Medium-Density Residential.

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

Section 1: That the above described real property is hereby changed from its present classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

GENERAL PLAN AMENDMENT STAFF REPORT



Bear State Bank

PC Date: 5/16/2017
 Recommendation: Approval
 Reviewer: Jon Stanley, Planner

Project Number	17-01800002
Applicant/ Current Owner	Charles "Cody" Burnett 1011 N. Walton Blvd. Bentonville, AR 72727 Bear State Bank (First Federal Bank) P.O. Box 827 Rogers, AR 72757
Site Area	2.76 acres
Current Zoning	A-1, Agricultural
Current Future Land Use Map Designation	Low Density Residential (LDR)
Requested Future Land Use Map Designation	Medium Density Residential (MDR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of a vacant parcel along SW 2nd Street (State Hwy 72) south of the Orchards Subdivision and east of Elm Tree Elementary School and Ardis Ann Middle School.

Projected Traffic Impact

The proposed land use designation will not adversely impact traffic in the area. The two adjacent arterial streets and the signalized intersection will help to facility safe ingress/egress to and from the property. The City of Bentonville is in the process of requesting bids for improvement to the intersection.

Utility Infrastructure

Water and sewer are available.

Relationship to the General Plan

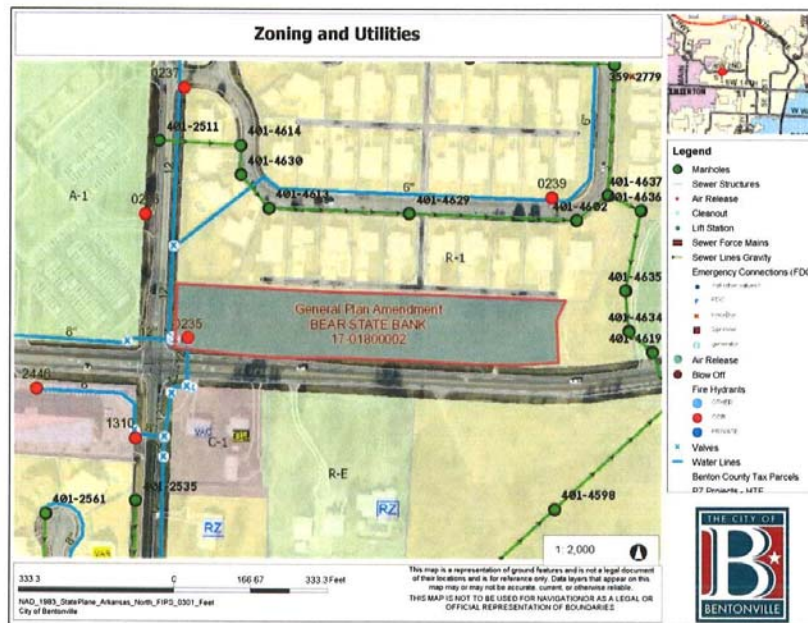
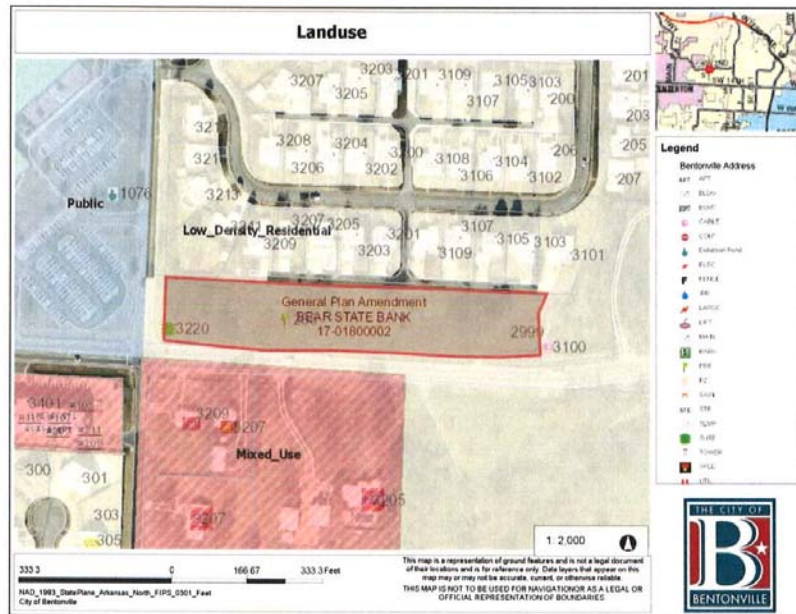
Policy LU-23, Housing Types, within the General Plan suggest that the city should encourage the development of a mix of housing types to meet the needs of its residents throughout their lives. The proposed medium density residential development will help to create additional density and reduce the impact on the city's infrastructure by utilizing existing public utilities and traffic networks.

Analysis

The requested Future Land Use Map designation of Medium Density Residential (MDR) is located where two arterial streets intersect. Additional residential units in the area will provide an opportunity for residents to live and work within the same area of the city. Furthermore, the requested land use of Medium Density Residential will serve as a transition from these two heavily traveled arterial roads and the single family residential neighborhoods located directly north. An Agricultural use at this location has the high likelihood to be non-compatible with the existing single-family subdivision. There are several ingress/egress opportunities that can be utilized in the development of the property that will help to facilitate traffic flow and reduce traffic congestion. Public utilities are readily available to the property.

Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval of this General Plan Amendment from Low Density Residential to Medium Density Residential.



Burnett Real Estate Team

1011 N. Walton Blvd., Bentonville, AR

479-640-8375

Cody@BurnettRealEstateTeam.com

- 1. Question: The reasons for initiation of this proposal. Has information become available that was not available at the time of adoption of the Future Land Use Maps? Or, since the adoption of the map has land use in the area changed?**

a. *Answer: In 2007 when the Future Land Maps were made I don't think there was as much of a need for town homes or affordable home options as there is today. This is primarily due to the sharp increase in land cost, infrastructure and development costs, building costs, and ultimately the overall cost of dwellings for end users. I think more units to the acre at this location will yield a more affordable per dwelling price so that Bentonville residents can possibly have a new home under \$150,000. This simply is not an option in Bentonville anymore.*

- 2. Question: How will this change impact the land use and character of the property in question and surrounding areas?**

a. *Answer: I think changing the zoning to medium density multifamily the area will allow for new dwellings at an affordable price point. This is something that is really missing in Bentonville.*

- 3. Question: How is the property more suitable for the proposed land use designation than for the current land use classification presented on the Future Land Use Map?**

a. *Answer: the property is less suited for low density residential because of the heavy traffic flow along HWY 72. I think most single family buyers want to be in a place off the busy road so that their kids and pets are safe. This area is more suited to the young or elderly who do not have children and who may need a lower house payment or rental rate that can be obtained with more units per acre and smaller more dense development. I think in most PUD's (planned unit developments) parcels like this would act as a buffer between the low density single family, such as the Orchards, and the busy state highway (HWY 72). In a PUD this land would be either multifamily or commercial. It would not be low density residential which is basically single family residential.*

- 4. Question: Would the uses by the proposed change be detrimental in any way to the surrounding property?**

a. *Answer: I do not believe it would be detrimental in any way to*

surrounding property. Quite the contrary, I think it will add value to surrounding properties. I think it would be nice to have new construction, with new landscaping, behind the existing single family homes. This would make for a much quieter backyard for existing residents. As of now, there is nothing to block the road noise.

5. Question: What are the alternative courses of action if the proposed land use change is not approved?

- a. *Answer: the only thing a person could do is build single family homes or use the land for some sort of agricultural application. This doesn't help with the lack of affordable housing options in Bentonville.*

6. Question: What are your plans for the property if the proposed land use change is approved?

- a. *Answer: I would want to use the property to build townhomes. I think anyone that owns this property, or that would look at buying, would have either multifamily or commercial in mind. Two gas station companies, Casey's and Kum and Go have both tried to rezone the property. I think with the type of money someone will spend buying and developing this property they would build something very nice to protect their investment. Two of the past three potential buyers had commercial buildings, gas stations, in mind. The other had multifamily in mind.*

7. Question: What alternatives other than changing the land use designation have been discussed?

- a. *Answer: at least two different companies have tried to change the zoning to allow a gas stations. One company tried to put in town homes. The land use plan and the neighbors have prevented this from getting approved. It seems changing the land use plan is the only way to achieve rezoning.*

8. Question: Additional information that is pertinent to support this request.

- a. *The City of Bentonville General Plan Book, page 11, policy LU.23 states:*

"The City should encourage the development of a mix of housing types to meet the needs of residents throughout their lives (e.g., starter homes through nursing facilities)."

This is strong support for rezoning to commercial or medium density residential from low density residential. I believe I can put town homes on the property and offer a unique and housing solution to the resident of Bentonville.

RESOLUTION NO. _____

**A RESOLUTION ADOPTING REVISIONS TO THE FUTURE LAND
USE MAP OF THE CITY OF BENTONVILLE TO CHANGE REAL
ESTATE FROM ITS PRESENT LAND USE CLASSIFICATION OF
LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY
RESIDENTIAL.**

WHEREAS, Bear State Bank duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present classification of Low Density Residential to Medium Density Residential on the City of Bentonville Future Land Use Map, which property is described as follows:

PART OF THE N 1/2 OF THE NW 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 20 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT A FOUND MAG NAIL FOR THE NW CORNER OF THE NW 1/4 OF THE NE 1/4 OF THE SAID SECTION 35, THENCE S00°15'10"E 449.73 FEET; THENCE N89°44'50"E 33.20 FEET TO A FOUND IRON PIN FOR THE TRUE POINT OF BEGINNING; THENCE S89°49'20"E 834.93 FEET, ALONG THE ORCHARDS SUBDIVISION BLOCK 1 BOUNDARY, TO A FOUND IRON PIN; THENCE FOLLOWING SAID BOUNDARY, S19°26'42"W 46.50 FEET TO A FOUND IRON PIN; THENCE S03°04'41"E 62.02 FEET TO A FOUND IRON PIN; THENCE S07°15'40"E 30.91 FEET TO A SET IRON PIN AT THE INTERSECTION OF THE ORCHARDS BOUNDARY AND THE NORTH RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 72; THENCE FOLLOWING SAID RIGHT OF WAY S85°35' 40"W 115.25 FEET TO A FOUND MARKER; THENCE N89°36'46"W 50.00 FEET TO A SET IRON PIN; THENCE N88°28'00"W 250.04 FEET TO A SET IRON PIN; THENCE S86°34'23"W 150.33 FEET TO A FOUND MARKER; THENCE N86°45'00"W 100.12 FEET TO A FOUND MARKER; THENCE N89°36'46"W 161.16 FEET TO A SET IRON PIN AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF STATE HIGHWAY 72 AND THE RIGHT OF WAY OF NORTHWEST ELM TREE ROAD; THENCE FOLLOWING NORTHWEST ELM TREE ROAD RIGHT OF WAY, N00°15'10"W 143.08 FEET TO THE TRUE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 72 ON THE SOUTH, NORTHWEST ELM TREE ROAD ON THE WEST, AND ALL EASEMENTS OF RECORD OR FACT; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held May 16, 2017 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said future land use classification as presented on the property be changed.

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

Section 1: That the above described real property is hereby changed from its present classification of Low Density Residential to Medium Density Residential on the Future Land Use Map.

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

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

Bob McCaslin, Mayor

ATTEST:

City Clerk

LOT SPLIT STAFF REPORT



Lots 25,26,27,28 & 29, Block 6, W.A. Burks Addition

N. Main Street & NE Monroe Street

PC Date: 5/16/2017

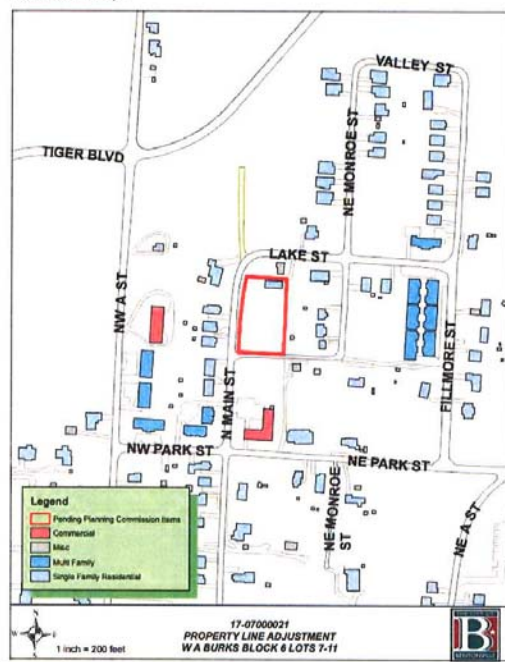
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-07000021
Applicant / Current Owner	Kenneth Ehret 1203 NE Monre Street Bentonville, AR 72712
Site Area	0.69 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Downtown Medium-Density Residential (D-MDR)

<http://geo.bentonvillear.com/mgweb/PZ/pending/>

Location Map



Property Description

This property is the location of two low-density residential parcels within a redeveloping single-family residential neighborhood.

Project Details

The applicant has submitted a lot split request that will create five new lots from four existing lots. The new lots will be known as Lots 25, 26, 27, 28 & 29, Block 6 of W.A. Burk's Addition. Each new lot is approximately 0.14 acres. Per the requirements of the current Master Street Plan, the plat shows the dedication of right-of-way along North Main Street. Each lot will have access to a public alley along the side or rear lot lines. All lots will have access to public utilities and a public street.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required for this lot split.

Waivers

No waivers requested.

Standard Conditions of Approval

1. Provide digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Conclusion

This property line adjustment does meet the minimum requirements of the subdivision regulations.

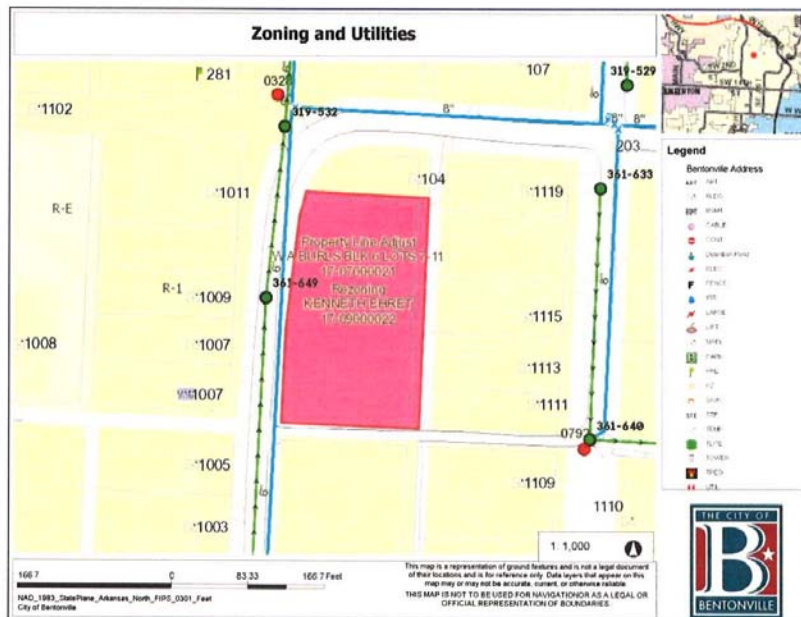
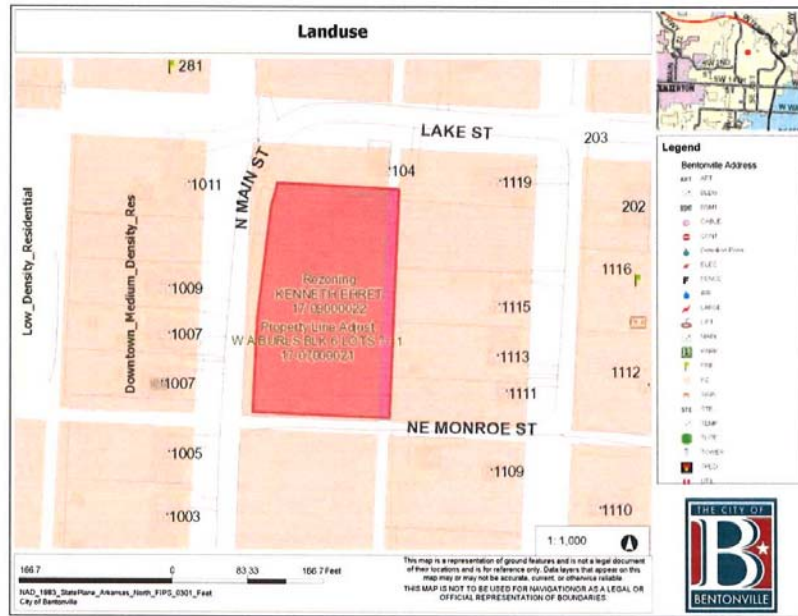
Recommendation

Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

NOTES

- Sidewalks. Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.

LOT SPLIT STAFF REPORT



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 25, 26, 27, 28, & 29,
BLOCK 6, W.A. BURKS ADDITION TO THE CITY OF BENTONVILLE,
ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 25, 26, 27, 28, & 29, Block 6, W.A. Burks Addition, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on May 16, 2017; and,

WHEREAS, said lot split is attached hereto as Exhibit "A"; and,

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

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

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

Section 1: That the lot split of Lots 25, 26, 27, 28, & 29, Block 6, W.A. Burks Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PROPERTY LINE ADJUSTMENT STAFF REPORT



Lot 16, Crystal Bridges Addition & Lots 3 & 4, Martz Addition

600 Museum Way & 1107 NE J Street

PC Date: 5/16/2017

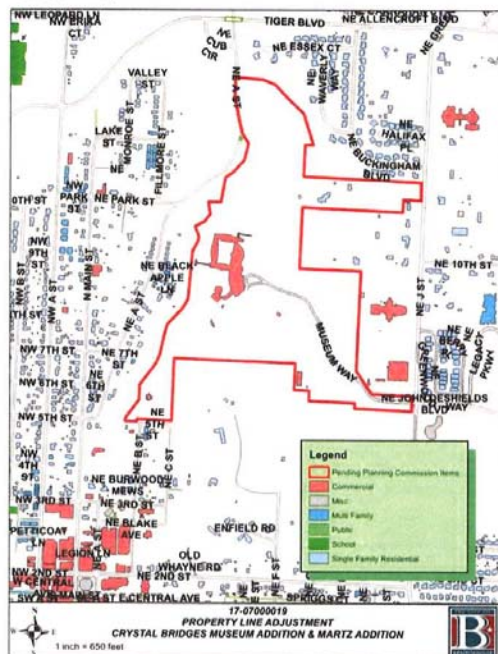
Recommendation: Approval

Reviewer: Jon Stanley, Planner

Project Number	17-07000019
Applicant / Current Owner	Crystal Bridges Museum of American Art 600 Museum Way Bentonville, AR 72712
Site Area	106.43 acres
Current Zoning	A-1, Agricultural
Future Land Use Map Designation	Residential Estates (RE) & Public/Semi Public

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of Crystal Bridges Museum of America Art located at 600 Museum Way & 1107 NE J Street.

Project Details

The applicant has submitted a property line adjustment that will adjust the common lot line between existing Lot 9 of Crystal Bridges Addition and existing Lot 2 of Martz Addition and will create new Lot 16 of Crystal Bridges Addition and Lots 3 & 4 of Martz Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along NE J Street. The plat also shows the dedication of a 20' wide utility easement along NE J Street. All lots will have access to public utilities and a public street.

Utility Infrastructure

Per the GIS website, water and sewer are available to this site.

Drainage Report

A drainage report is not required for this property line adjustment.

Waivers

No waivers requested.

Standard Conditions of Approval

1. Provide digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Conclusion

This property line adjustment does meet the minimum requirements of the subdivision regulations.

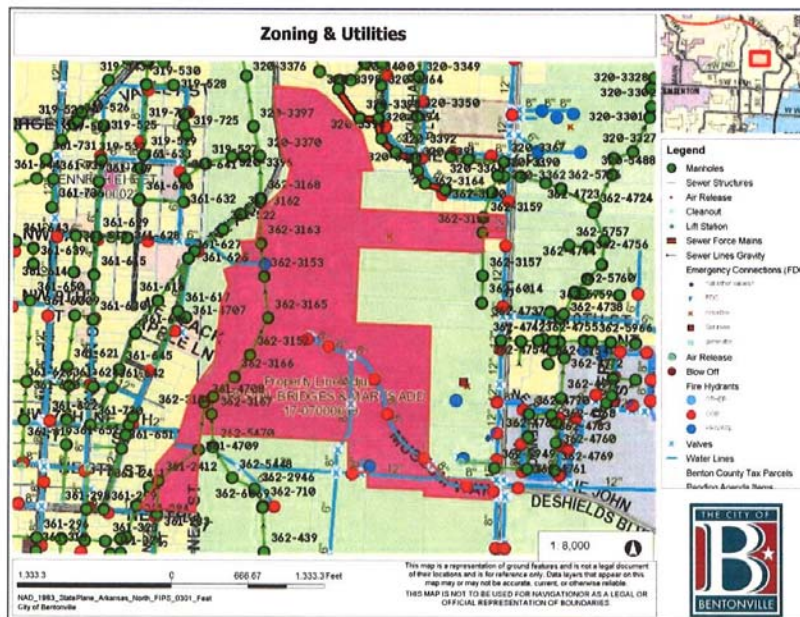
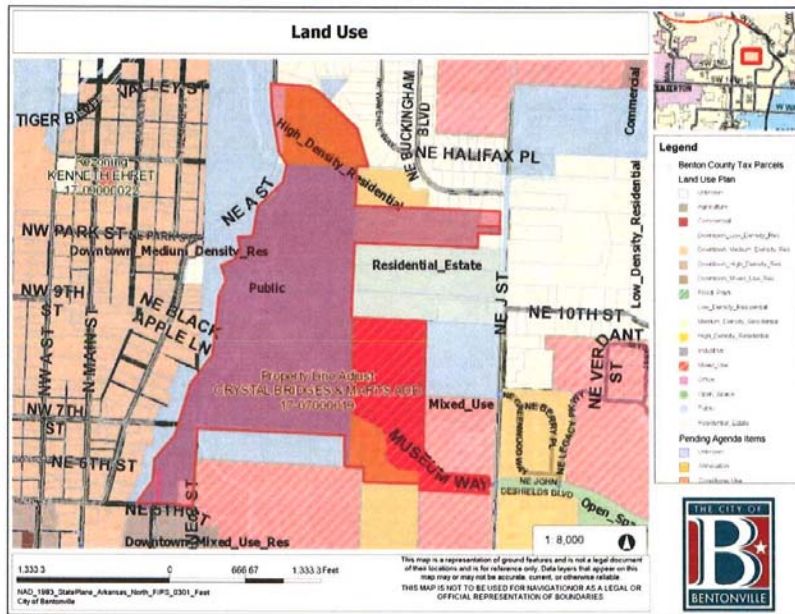
Recommendation

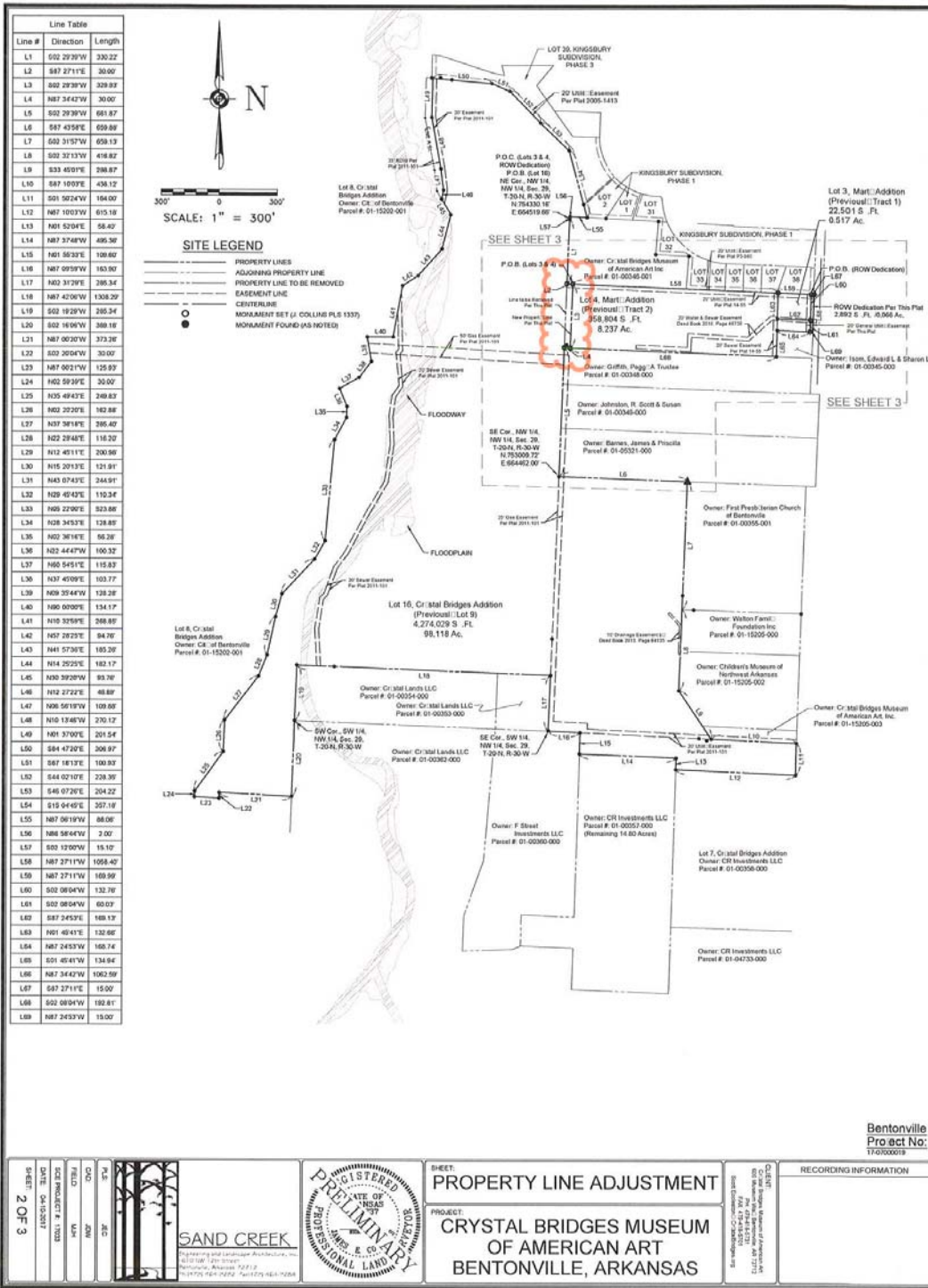
Staff has reviewed this application and based on the findings presented in this report, staff recommends approval.

NOTES

- Sidewalks. Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.

PROPERTY LINE ADJUSTMENT STAFF REPORT





ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF
LOT 16, CRYSTAL BRIDGES ADDITION & LOTS 3 & 4, MARTZ
ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment Lot 16, Crystal Bridges Addition & Lots 3 & 4, Martz Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on May 16, 2017; and,

WHEREAS, said property line adjustment is attached hereto as Exhibit "A"; and,

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 Lot 16, Crystal Bridges Addition & Lots 3 & 4, Martz Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

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

PASSED AND APPROVED this _____ day of _____, 2017.

APPROVED:

ATTEST:

MAYOR

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

May 23, 2017

Submitted by:

Troy Galloway

Department

Planning

Phone

271-6809

ACTION REQUIRED:

Reappointment of David Short for a second three year term on the Tree and Landscape Advisory Committee. The term will expire on May 23, 2020.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





May 18, 2017

To: City Council Members & City Clerk

From: Mayor Bob McCaslin

Subject: Reappointment of David Short to the City of Bentonville's Tree & Landscape Committee

I recommend David Short for reappointment to the City of Bentonville's Tree & Landscape Committee. Mr. Short's term will expire on May 23, 2020.

Bob McCaslin

From: David Short
Sent: Monday, April 17, 2017 4:59 PM
To: Danielle Shasteen
Subject: Re: T & L Committee Term

Yes. Please.

Sent from my iPhone

On Apr 17, 2017, at 3:36 PM, Danielle Shasteen wrote:

Hi David,

I was just informed your term on the T & L Committee ended on January 25th. Would you like to be re-appointed to serve another three years on the committee?

Thanks!

Danielle



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

AGENDA FORM

CITY COUNCIL MEETING OF:

May 23, 2017

Submitted by: Shelli Kerr
obo Public Art Advisory Committee

Department Planning Services

Phone 271-6822

ACTION REQUIRED:

Approval of the installation of a permanent piece of artwork, titled "The Monarch and Dandelions" by artist Amanda Wilshire, on public property located at Orchards Park. The purchase and installation of the artwork is funded by the Bentonville Advertising & Promotions Commission. The Public Art Advisory Committee recommended approval on May 9, 2017.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



MEMO



To: Mayor Bob McCaslin, City Council
From: Troy Galloway, AICP, Community & Economic Development Director
CC Date: May 23, 2017
Re: Proposal for public art on public property – Monarch and Dandelions

The Public Art Policy adopted on May 14, 2013 requires any artwork proposed to be placed on public property be approved by both the Bentonville Public Art Advisory Committee and City Council.

On May 9, the Public Art Advisory Committee reviewed a proposal by the Visit Bentonville (Bentonville Advertising & Promotions Commission) to place a permanent sculpture in Orchards Park. The artwork, titled "Monarch and Dandelions", is a steel sculpture with one monarch butterfly made of broken plastic tail lights and turn signals from cars, surrounded by four dandelions made out of bike wheels. The committee recommended approval.



Visit Bentonville is funding the cost of construction and installation at an estimated cost of \$15,000. Maintenance includes an application of Everbrite coating every three years to prevent rust.



PUBLIC ART PROPOSAL



All applications submitted for consideration to the Bentonville Public Art Advisory Committee must include this application form and the supporting material requested below. Materials can be submitted electronically (MS-Word or PDF format) or in paper format to Shelli Kerr at skerr@bentonvilleart.com.

ARTIST INFORMATION

Name Amanda Wilshire
Address 4885 Alcott Street
City, State, Zip Denver, CO 80221
Telephone 3039954884
Email amanda@awdart.com

ARTWORK INFORMATION

Title The Monarch and Dandelions
Location Orchard's Park
Size 18' x 12' x 10'
Medium Steel, bike cogs, bike wheels, plastics

Life expectancy 80+ years

Cost estimate \$15,000

Funding source

Bentonville Advertising and Promotion Commission

Method of fabrication & installation

The butterfly wings are made of steel bike cogs welded to a steel frame. The reds and yellows are made of broken plastic taillights and turn signals from autos that have been epoxied together like stained glass. The frames of the wings are welded to a 5" x 3" x 23" tube creating the base of the body. Bike forks, a seat and handle bars are welded to the body base mimicking the thorax, abdomen, head and antennae. Each dandelion is created using about 20 bikes wheels each welded to a 1.5" x 24" pipe. These pipe ends are welded to a 5-6" steel ball creating the wispy flower. The ball is welded to the top of the stem (a 3" steel pipe) which is welded to a 3' x 3' x 1/4" steel base. The bases will be bolted to concrete slabs poured in place in Orchard Park.

Special requirements (i.e. water, electricity)

Not applicable

Timeline for design, fabrication and installation

The butterfly and one dandelion are built and on-loan to the city of Longmont until June. Fabrication of the four additional dandelions will begin in April. Installation of all components to occur mid-June, 2017.

Ongoing maintenance requirements

A yearly application of Everbrite coating (<https://www.everbritecoatings.com/cart/everbrite-coating-only-c-6.html>) is best to prevent rust. The entire structure can and should be sprayed with this coating every three years. An initial coating will be applied prior to installation with any needed touch-ups sprayed after installation.

SUPPORT MATERIALS

- ☐ **Illustration of proposed work**
Provide at least one sketch, drawing or digital illustration of the proposed work. Proposal illustrations should accurately and clearly describe the proposed work.
- ☐ **Artist portfolio**
Provide at least three (3) images of previous artwork. These may be imbedded into a Word or PDF document and must include a title, date, media and description of each image.
- ☐ **Artist resume/CV**
Provide an artist resume/CV and include artist website or links to web resources, if available.

Narrative (describe the inspiration for the artwork and how it contributes to the visitor's experience)

My first bike was deep blue with beautiful butterflies on the frame. The banana seat had a cool inlay of sparkly material down the center that felt nice and smooth – as long as it didn't sit in the sun too long. The exaggerated V-wing handlebars had shimmering blue streamers to match the seat. I've been in love with biking since.

A few years ago I began doing long-distance rides. Biking allows me to get back to nature. I would often see hawks, deer, coyotes, fox, and butterflies on my rides. Around that same time I began shifting my work focus from graphic design to metal art – a transformation. When the weather is nice I open the studio garage door which allows me to move freely from inside to outside work areas. For a few months of the year, beautiful monarchs and yellowtails make their way through Denver. Often times, they fly into the studio as if to say hi – landing on me or my work table. It occurred to me to combine these two loves and create a giant butterfly of bike parts with the cogs being a perfect representation of the wings.

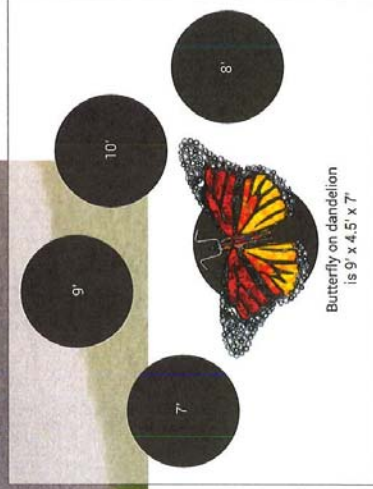
The dandelion rose out of a need of a base for the butterfly to hover above. This creates an airy and interesting structure for the butterfly. The addition of the four dandelions will create a magical space for visitors to walk in and around. The "Butterfly and Dandelions" challenges the visitor's perspective of not only size but use of materials.



The Monarch and Dandelions

The existing butterfly and dandelion will center the installation with four additional dandelions of varying heights surrounding. Each dandelion will mount to it's own concrete pad.

View from above showing the heights of the outer dandelions. The space for the entire installation will be approximately 18' x 12'.





CHECK ALL THAT APPLY			
☒	Bid Award	Bid #	2017-03
☐	Budget Adjustment		
☐	Change Order		
☐	Informational		
☐	Ordinance		
☐	Resolution		
☐	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

May 22, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

Parks and Recreation Staff seeks City Council's approval of a bid award to Challenger Teamwear in an amount not to exceed \$43,000.00 for the purchase of uniforms for the 2017-2018 season. Challenger Teamwear was chosen through the RFP selection process.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Lee Farmer, Recreation Services Manager
Through: David Wright, Parks and Recreation Director
Date: May 15, 2017
Re: Bid Award for Soccer Uniforms

Parks and Recreation is seeking council approval of a bid award of RFP number 2017-03 to Challenger Teamwear for the purchase of soccer uniforms for the 2017 – 2018 Soccer Seasons. Our department started this program in fall 2010 with approximately 850 youth participants. Since that original season, our program has been a tremendous success. We witnessed our participation rates grow to more than 2,200 youth participants in the spring of 2017. We anticipate our numbers to be approximately 1800 participants in the fall and 2,350 in the spring during the 2017 – 2018 season.

When a recreation program experiences these types of numbers, the revenue and the expenses increase as well. Included in each participant's registration fee is the cost of a full soccer uniform. This includes a jersey with matching shorts and socks. A sample of this uniform will be available on the evening of the City Council meeting. This uniform set will cost us \$14.95 each.

Parks and Recreation worked with the Purchasing Department to issue a RFP for Soccer Uniforms. This RFP requested companies to provide samples of uniforms with a description of color choices, order process, delivery method and price. Two companies submitted proposals, with Challenger Teamwear being selected as the provider for the next three seasons. They were selected based on the quality of their uniforms at the most affordable rate.

This season, Parks and Recreation is planning to order the "Tomahawk" Style Uniforms. As stated earlier, these uniforms cost the City \$14.95 each. After screen-printing, taxes and freight, the City will pay a total invoice amount of approximately \$42,229.00. As we discussed when this program started, the expenses from this program have a recovery rate of 100 percent. Our 2016 soccer revenue was \$196,090.

If you have any questions regarding this item, please let me know. Please call me at 464.7275, or email lfarmer@bentonvillear.com.

Attachments:
Bid Tabulation:



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

AGENDA FORM

CITY COUNCIL MEETING OF:

May 23, 2017

Submitted by:

Travis Matlock

Department

Electric

Phone

271-5941

ACTION REQUIRED:

Recommend City Council approve increase in Electric Department fleet by 1 vehicle in order to transfer the surplus vector truck from the Sewer Department.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



M E M O R A N D U M

DATE: May 15, 2017

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineer Director

RE: Increase of fleet – Vactor Truck

Staff recommends increasing of the Electric Dept. fleet by 1 vehicle in order to transfer the surplus vactor truck from the Sewer Dept.

There are areas within town where using the standard digger truck is not possible to set power poles. In the past, the Electric Dept. would schedule a time for the Sewer Dept. to use the vactor truck to excavate to the hole in order to protect other utilities. With the amount of development, it became increasingly difficult to get the schedules to line up. Transferring the surplus vactor truck would eliminate the need to pull the Sewer Dept. away from their work.



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

AGENDA FORM

CITY COUNCIL MEETING OF:

May 23, 2017

Submitted by:

Bryan Wick

Department

Engineering

Phone

696-0227

ACTION REQUIRED:

Staff recommends that the Mayor and City Council approve the reconciliation change order for the Bentonville Sidewalk Improvements 2016. The final project cost is \$12,633.12 less than the currently contracted amount of \$210,782.00. The final contract amount is \$198,148.88.

COST TO CITY:

Cost of this Request: (\$12,633.12)

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$	210,782.00
Funds Expended to Date		178,333.99
Remaining Budget		32,448.01
Budget Adjustment		(12,633.12)
Remaining After Adjustment	\$	19,814.89

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memorandum



To: Mayor and City Council

From: Bryan Wick, Project Manager

Date: Monday, May 15, 2017

Re: Reconciliation Change Order for Bentonville Sidewalk Improvements 2016

The Bentonville Sidewalk Improvements 2016 project is now complete. A reconciliation change order is needed to adjust the final values of the contract.

Original Contract Amount - \$210,782.00

Reconciliation Change Order - (\$12,633.12)

New Contract Amount - \$198,148.88

Staff recommends that the Mayor and City Council approve of the reconciliation change order to finalize the Bentonville Sidewalk Improvements 2016 project.

Please contact me with any questions or concerns regarding the proposed contract or the project as a whole. My telephone number is (479) 696-0227 or I can be reached via email at bwick@bentonvillear.com.

BENTONVILLE SIDEWALK IMPROVEMENTS 2016

FINAL PAYMENT APPLICATION AND CHANGE ORDER RECONCILIATION

CITY OF BENTONVILLE

BID NO. 16-35

THE CONTRACTOR CERTIFIES THAT (1) TITLE TO ALL WORK, MATERIALS, AND EQUIPMENT INCORPORATED IN THE WORK, OR OTHERWISE LISTED IN OR COVERED BY THIS AND ALL PREVIOUS PAY ESTIMATES WILL PASS TO THE OWNER AT TIME OF PAYMENT FREE AND CLEAR OF ALL LIENS, CLAIMS, SECURITY INTERESTS AND ENCUMBRANCES (EXCEPT SUCH AS ARE COVERED BY BOND ACCEPTABLE TO OWNER INDEMNIFYING OWNER AGAINST ANY SUCH LIEN, CLAIM, SECURITY INTEREST OR ENCUMBRANCE), AND (2) ALL WORK COVERED BY THIS PAY ESTIMATE IS IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND IS NOT DEFECTIVE.

SUBMITTED BY:

 TRI STAR CONTRACTORS, LLC
 1910 WAUKESHA ROAD
 SILOAM SPRINGS, AR 72761

CONTRACTOR: TRI STAR CONTRACTORS, LLC

 SIGNATURE AND DATE

APPROVED BY: CITY OF BENTONVILLE

 SIGNATURE AND DATE (OWNER)

PAY ESTIMATE NUMBER:	7
DATE OF ESTIMATE:	5/23/2017
NOTICE TO PROCEED ISSUED:	11/1/2016
CONTRACT DAYS:	90
% CONTRACT TIME USED:	213.33%
% WORK COMPLETED:	100.00%
FINAL ACCEPTANCE DATE:	5/12/2017
DAYS UNDER/OVER CONTRACT:	102

ORIGINAL CONTRACT AMOUNT:	\$ 210,782.00
APPROVED CHANGE ORDER:	
RECONCILIATION CHANGE ORDER:	\$ (12,633.12)
FINAL CONTRACT AMOUNT:	\$ 198,148.88

TOTAL WORK TO DATE:	\$ 198,148.88
---------------------	---------------

MATERIALS ON HAND:	
LESS MATERIALS USED:	
SUBTOTAL:	\$ -

LESS RETAINAGE (0%):	\$ -
----------------------	------

INCENTIVE PER DAY:	\$ -	\$ -
DISINCENTIVE PER DAY:	\$ -	\$ -

AMOUNT DUE:	\$ 198,148.88
LESS PREVIOUS PAYMENTS:	\$ 178,333.99

DUE AND PAYABLE THIS PERIOD:	\$ 19,814.89
------------------------------	--------------

State of Oklahoma
 County of Adair
 Subscribed and sworn to before me this 10th day of May 2017.
 Notary Public
 My Commission Expires 01-14-2021
 Personally Appeared to me:
 Anthony W F Goederis II



[illegible]



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

AGENDA FORM

CITY COUNCIL MEETING OF:

May 23, 2017

Submitted by:

Bryan Wick

Department

Engineering

Phone

696-0227

ACTION REQUIRED:

City Council approval of a resolution adopting the updated Quality Management Plan to be used for EPA funded projects. This update is required by EPA and if any changes are made, a new Quality Management Plan has to be submitted. This Quality Management Plan will be in effect for five years from the original release, requiring yearly audits and submissions. After this period has expired, the plan will either be reissued without change, revised, or withdrawn from the EPA Quality System.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

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

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memorandum



To: Mayor and City Council
From: Bryan Wick, Project Manager
Date: Monday, May 15, 2017
Re: Update to Quality Management Plan (QMP)

A Quality Management Plan (QMP) documents how an organization structures its quality system and describes its quality policies and procedures, criteria for and areas of application, and roles, responsibilities, and authorities. It also describes an organization's policies and procedures for implementing and assessing the effectiveness of the quality system.

The QMP may be viewed as the 'umbrella' document under which individual projects are conducted. If another EPA grant is applied for and awarded, the project specific Quality Assurance Project Plan (QAPP) will fall under this QMP. Once the QMP is approved, it will be valid for a period of up to five years from its original release. After this period has expired, the plan will either be reissued without change, revised, or withdrawn from the EPA Quality System.

Within the QMP, the Quality Assurance Team defined will perform a yearly audit of the document and make changes as necessary following the required guidelines (ANSI/ASQC E4-1994, EPA QA/R-2, and current QMP). The QMP will be approved on a yearly basis, either with revisions or without, and submitted to EPA as an update. If major revisions occur (Section 10.2 2nd, QMP) said revisions will require an immediate update and submission to EPA.

Please see the "Updates and Revisions" page contained within the QMP for a more detailed explanation of the revisions that will be presented to EPA.

Please contact me with any questions or concerns regarding the Quality Management Plan. My telephone number is (479) 696-0227 or I can be reached via email at bwick@bentonvillear.com

THE CITY OF BENTONVILLE, ARKANSAS QUALITY MANAGEMENT PLAN

MAY 2016
REVISION 1 – MAY 2017

Submitted to:
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733
(214) 665-2259 Phone
(214) 665- 6490 Fax



CITY OF BENTONVILLE, ARKANSAS
117 WEST CENTRAL AVENUE
BENTONVILLE, ARKANSAS 72712

CITY OF BENTONVILLE
QUALITY MANAGEMENT PLAN

CONCURRENCES AND APPROVALS

In accordance with EPA Order 5360.1, the following is a Quality Management Plan for all work involving the collection, inventory, monitoring, assessment, and management of information, and the development of information products, data management tools, and environmental services by or under the control of the City of Bentonville, Arkansas, whenever such work is funded wholly or in part by the U.S. Environmental Protection Agency. This Quality Management Plan shall ensure that data collected for the characterization of environmental processes and conditions are of the appropriate type and quality for their intended use and that environmental technologies are designed, constructed, and operated according to defined expectations.

City of Bentonville, Arkansas Concurrence

Public Works Director / Q.A. Manager

Date

City of Bentonville Approval

City of Bentonville Mayor

Date

United States E.P.A. Approval

Region 6 Q.A. Manager

Date

CITY OF BENTONVILLE
QUALITY MANAGEMENT PLAN

UPDATES AND REVISIONS

2016

Creation and Acceptance of the Quality Management Plan for the City of Bentonville, Arkansas.

2017

May 2017

Annual Revision of the Quality Management Plan. Noted changes below:

UPDATES AND REVISIONS

Added page after "Concurrences and Approvals" to note changes/revisions

1.2 ABOUT THE CITY OF BENTONVILLE

Updated the population from 42,000 to 45,000 residents.

3.3 ASSURING MINIMUM TRAINING, SKILL-LEVEL AND
DEMONSTRATING COMPETENCY

Made adjustment to the hanging indention in subsection text.

10.2 ADVERSE CONDITION IDENTIFICATION, PREVENTION, &
CORRECTION

Deleted second paragraph and replaced with Major Revision definitions.

APPENDIX B – CONTACT LIST

Modified City Engineer contact information. Noted that Transportation Engineer will fill vacancy until position is hired.

CITY OF BENTONVILLE
QUALITY MANAGEMENT PLAN
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SECTION 1 - MANAGEMENT AND ORGANIZATION

1.1 PURPOSE

The purpose of this section is to document the overall policy, scope, applicability, and management responsibilities of the City of Bentonville Quality Management System.

1.2 ABOUT THE CITY OF BENTONVILLE

The City of Bentonville is a municipality located in the State of Arkansas. The City currently has a population of approximately 45,000 residents. The City of Bentonville operates under a Mayor-Council form of government in which the Mayor acts as the Chief Executive of the City and the City Council is the legislative and policy-making body of city government. City Council sets city policy by passing ordinances and resolutions. The City Council also determines the city budget and appoints and removes certain board and commission members. See the attached Organizational Chart – Appendix A.

1.3 CITY OF BENTONVILLE MISSION

The City of Bentonville follows a strategic plan called *City of Bentonville General Plan* that was adopted in 2007. This plan follows many goals as listed below:

Land Use: Foster a safe, convenient, attractive, compatible, and fiscally responsible land use pattern that includes a variety of housing, recreational, and commercial opportunities while respecting unique community assets.

Community Design: Maintain the small town environment that is Bentonville's hallmark while recognizing the unique characteristics of existing neighborhoods, continuing to develop the cultural amenities that draw residents / visitors to the City.

Physical Environment: Ensure that development decisions minimize degradation of natural resources, preserve existing tree canopies, and promote a clean, safe, and aesthetically pleasing environment for current and future citizens.

Public Facilities: Ensure that public services, facilities, and utilities support community life in a safe, effective, and efficient manner, while justly allocating the costs of providing these public goods.

Transportation: Provide and maintain a transportation system that includes multiple modes and emphasizes connectivity, safety, and cost effectiveness while supporting the preferred land use pattern.

Intergovernmental Coordination: Work cooperatively to protect the region's natural assets, support regional planning efforts, and improve the quality of life throughout the region.

Economy: Sustain the strong local economy that provides varied employment and trade opportunities built upon efficient and equitable use of Bentonville's cultural, natural, built, and human resources.

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1.4 QUALITY POLICY

The City of Bentonville regards quality assurance and quality control activities as essential to the integrity of work processes and services. Services and products provided by the City of Bentonville or its affiliated consultants and contractors, are expected to meet established standards, methods, and ordinances. Additionally data collected through projects managed by the City of Bentonville or its affiliated consultants and contractors are expected to meet the same standards in order for the data to be deemed acceptable for use by others and included in projects and data products.

The goal of this Quality Management Plan (QMP) is to assure that all work involving the collection, inventory, monitoring, assessment, and management of information, and the development of information products, data management tools, and environmental services are based on sound science. Quality control procedures, both at the City of Bentonville administration level and within individual departments and divisions, are described in the QMP to ensure that this goal is achieved, specifically through addressing the following:

- Objectives must be clearly defined for each project.
- City of Bentonville methodologies for data collection, management and analyses must be clearly defined to assure they conform to generally accepted standards and approaches within the relevant scientific discipline for each project prior to the beginning of each project.
- Peer review is an important element of the City of Bentonville's Quality Assurance (QA) process, and must be carried out prior to publication or public release of the results from EPA-funded projects.
- Methodologies, standards, and requirements defined for a project must ensure that the types of data collected and the procedures for collecting, managing, evaluating, and analyzing these data will provide scientifically accurate results for interpretation.
- City of Bentonville policies and procedures must ensure that grant funds are handled appropriately and according to all federal laws and regulations.

To achieve the objectives enumerated above, the City of Bentonville is committed to providing sufficient resources, including budget, staff, expertise, and time, for quality control procedures, thus ensuring a consistent approach to all EPA-funded projects involving the collection and assessment of environmental data.

1.5 AUTHORITY OF QUALITY ASSURANCE MANAGERS

The implementation of quality control procedures within the City of Bentonville requires that a number of individuals implement QA procedures to ensure that data at all levels – from data collection through the development of data products and analyses – meet the QMP. Appendix A provides specific details on the City of Bentonville departments and staff responsible for these processes.

This Quality Management Plan designates the City of Bentonville Public Works Director as the Quality Assurance Manager (QA Manager) to ensure that these procedures are utilized for all City of Bentonville projects. The Public Works Director supervises subordinate department and

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coordinates activities with all other departments and divisions. The Public Works Director reports directly to the Mayor, City Council and Citizens.

Each City of Bentonville EPA-funded project requires a Quality Assurance Team (QA Team) consisting of the QA Manager listed above, the Finance Director, the City Engineer, and the Project Manager. For example, the QA Team for the "Demonstration of Stream and Wetland Restoration at Little Sugar Creek in Bentonville, Arkansas" project would consist of the Public Works Director (QA Manager); the Finance Director, the City Engineer, and the Project Manager.

Implementation of quality assurance processes for work processes and assessments developed for a specific City of Bentonville project is the responsibility of the Project Manager of that project. Quality control processes utilized during the exchange of data between the City of Bentonville and its affiliated consultants and contractors are implemented by the Project Manager of each project. Additionally, ensuring that quality control procedures are implemented in the collection and management of data for a specific City of Bentonville project is the responsibility of the Project Manager of that project.

QA responsibilities at different levels are described below:

City of Bentonville Public Works Director (QA Manager)

- Oversees the preparation of the QMP.
- Assures the QMP is updated annually.
- Supervises and coordinates activities with the Quality Assurance Team.
- Updates the Directors, Mayor, City Council, and Citizens of project progress and changes.
- Conduct internal audits of all items pertaining to the project.

City of Bentonville Finance Director

- Coordinates the development, management, and planning of the annual budget and work program for each EPA-funded project within the relevant department or division.
- Monitors the purchasing, internal accounting and work order system for each EPA-funded project within the relevant department or division.
- Audits and approves procurement card purchase requests and reconciliations for accuracy and compliance with policy.
- Oversees budget for EPA-funded projects.
- Reviews and monitors financing documents to ensure each project expenditure is funded with the appropriate resource.
- Reviews payroll time sheets to minimize errors and ensure compliance with city policy and FLSA regulations.
- Provides financial guidance to the staff to ensure that each employee operates smoothly and efficiently, within budgetary limitations, and in compliance with city policy.
- Prepares contracts and lease schedules relating to grants for the city's external auditors.
- Works with the city's external auditors to ensure compliance with the federal Single Audit requirements.

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City of Bentonville City Engineer

- Provides guidance to Project Managers on complying with the QMP and, where necessary, preparing Quality Assurance Project Plans (QAPPs).
- Provides QA review of project design and/or project data as required.
- Provides guidance to Project Managers on procurement and budget compliance and management.
- Assists Project Managers with contract information, project billing review and project reimbursement review.
- Makes recommendations for process improvement, cost savings and internal controls. Provides assistance as needed in developing processes and enhancing controls, facilitating training and developing policies and procedures.
- Provides guidance to Project Managers on compliance with city, state and federal laws, ordinances and regulations.

City of Bentonville Project Manager

- Prepares or oversees the preparation of the QAPP for EPA-funded projects which includes a description of the methodologies to be used and indicates project milestones that will require a QA review.
- Disseminates all documents pertaining to the specific project.
- Oversees data collection, assessments, analyses and interpretation of the project results.
- Prepares procurement documents and City Council agenda requests for contract approvals.
- Prepares or oversees the preparation of construction documents and specifications for EPA-funded projects.
- Manages project construction and conducts field checks for compliance with codes and regulations.
- Manages budget for EPA-funded projects.
- Submits products to peer review as appropriate and coordinates responses to reviewers' comments.
- Oversees the quality assurance processes utilized in data collection, entry, and management by the City of Bentonville.
- Oversees the quality assurance processes utilized in data collection, entry, and management by engineers and other program staff.
- Implements quality control procedures in the exchange of data between the City of Bentonville and its affiliated consultants and contractors.
- Monitors construction values, project contingency values, consultant contract values and land acquisition costs to develop a comprehensive project budget and cash flow for EPA-funded projects.
- Maintains all contract files, reviews and approves all contract payments and change orders for compliance with contract documents.

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1.6 TECHNICAL ACTIVITIES AND PROGRAMS SUPPORTED

The QMP described in this document is utilized for EPA-funded projects involving the collection, inventory, monitoring, assessment, and management of information, and the development of information products, data management tools, and environmental services. The QA Manager and/or City Engineer shall periodically review any project schedule changes that may affect Quality Assurance (QA) review with Project Managers. When a project milestone is reached that requires a QA review, the Project Manager for that project has the responsibility of discussing the review with the QA Manager and/or City Engineer. Any substantive findings of the QA review shall be resolved by consultation between the Project Manager, City Engineer and the QA Manager before work on the project proceeds.

1.7 MANAGEMENT COMMITMENT

The Quality Assurance program for EPA-funded projects shall be supported by the City of Bentonville QA Manager and the Mayor. Sufficient resources shall be budgeted within the project to ensure that the QA Manager, City Engineer and individual Project Managers are able to fulfill their responsibilities under this plan. Project Managers will assure that the quality system is understood and implemented by developing QAPPs, providing them to staff working on the projects, and overseeing implementation of the plans.

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SECTION 2 - QUALITY SYSTEM

2.1 PURPOSE

The purpose of this section is to document how the City of Bentonville manages its quality system. This section defines the primary responsibilities for managing and implementing each component of the system.

2.2 CITY OF BENTONVILLE QUALITY SYSTEM DESCRIPTION

The City of Bentonville QA System consists of:

- Advice and guidance by the QA Manager and/or City Engineer to staff preparing an application for EPA funding.
- Designation of the Project Manager by the QA Manager and/or City Engineer prior to submission of a grant proposal to the EPA.
- Preparation of a QAPP for an EPA-funded project by the designated Project Manager, and independent review of the plan by the QA Manager and/or QA Team.
- Evaluation of the data needed, sources for that data, software, expertise, staff, and any training needs for the project by the Project Manager.
- Periodic review by the Project Manager of project tasks including the collection, inventory, monitoring, assessment, evaluation, analyses and management of information.
- Periodic review by the Project Manager of the development of information products, data management tools, and environmental services, as well as the release of information generated by the EPA-funded project.
- Periodic review of the overall quality management system by the QA Manager and QA Team.
- Assurance by the QA Manager that the City of Bentonville QMP is updated and submitted to the EPA QA Manager annually.

2.3 QUALITY SYSTEM COMPONENTS

Components of the City of Bentonville quality system include:

Quality System Documentation: The Quality System documentation includes the QMP and the project QAPPs. A QAPP is to be prepared for each applicable project by the designated Project Manager, and reviewed by the QA Manager and/or QA Team. QAPPs shall include a detailed description of the methodologies to be used in the project as well as schedules that provide specific project milestones requiring QA review.

Annual Reviews and Planning: The QA Manager ensures that the City of Bentonville QMP is updated and submitted to the EPA QA Manager annually. Every fifth year, the QA Manager is to submit the QMP, consisting of a signature page, letter to the EPA QA Manager and a printed copy of the current QMP per the EPA Region 6 QA policy.

For annual reviews, if the review yields no changes to the QMP, the QA Manager will submit a signature sheet accompanied by a letter to the EPA QA Manager.

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Management Assessments: Assessments include a periodic review, typically by the Project Manager and City Engineer, to ensure that standard methodologies and QA processes are utilized by City of Bentonville staff and its affiliated consultants and contractors.

Training: All staff undergoes general compliance training to familiarize them with the City of Bentonville's procedures. The City Administration reviews all funding proposals to ensure, among other things, that the individuals proposing projects have the necessary academic and professional background for the nature of the work. Support staff must have the appropriate training and background to enable them to participate in funded projects. Project Managers and the City Engineer periodically identify the training needs of staff to ensure familiarity with pertinent methodologies and ensure that quality control procedures are utilized. Additional training specific to the project is provided or arranged as required. The Human Resource Department maintains records of job-related and generalized training. The Project Manager shall maintain records of training pertaining to the specific project.

Systematic Planning of Projects: The Quality Assurance Project Plan (QAPP) required for EPA-funded projects includes a work plan which outlines the planning, milestones, and expected outcomes of the project that is consistent with the Guidance on Systematic Planning using the Data Quality Objectives Process (QA/G-4), February 2006 document provided by EPA.

Project-Specific Quality Documentation: The QAPPs are prepared by Project Managers for their designated projects, and each provides a description of the methods and QA procedures that will be used for each project.

Project and Data Assessments: Project Managers and the City Engineer periodically evaluate projects and data derived from the projects to ensure reliability and quality before inclusion in the City of Bentonville records. Additionally, quality control procedures are utilized prior to publication or public release of data.

2.4 QUALITY SYSTEM TOOLS

The City of Bentonville quality system tools consist of:

Quality Management Plan: The QMP provides an overall system for implementing quality assurance policies. QMP shall meet conformance with EPA QA/R-2, March 2001.

Quality System Audits: The QA Manager will monitor and review all EPA-funded projects. Additionally, the Project Manager and the City Engineer perform periodic reviews to ensure that standard methodologies and QA processes are utilized by City of Bentonville staff and its affiliated consultants and contractors.

Training Plans: The City of Bentonville maintains and utilizes established policies, procedures, specifications, ordinances, and adopted codes that regulate how city employees operate within the City of Bentonville's overall organization. The QAPP should clearly identify the Policies and Procedures and Standard Operating Procedures to be used in the EPA-funded project. All staff training provides a means of assuring familiarity with the EPA approach to Quality Assurance management and assures compliance with City of Bentonville policies.

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Quality Assurance Project Plans (QAPPs): QAPPs are prepared by Project Managers for their designated projects, and each provides a description of the methods and QA procedures that will be used in project work. QAPP shall meet conformance with EPA QA/R-5, March 2001.

Data Verification and Validation: These are specific for each project and provide the means of ensuring that data assessment, evaluation and analyses will enable scientifically valid interpretations of data. All data methodologies are subject to review by the QA Manager and/or the QA Team.

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SECTION 3 - PERSONNEL QUALIFICATIONS AND TRAINING

3.1 PURPOSE

The purpose of this section is to document the procedures for assuring that all personnel performing work for the City of Bentonville have the necessary skills to effectively accomplish their work.

3.2 STATEMENT OF POLICY

The City of Bentonville endeavors to ensure that its staff and affiliated consultants and contractors have the knowledge and skills required to fulfill their job responsibilities, including the collection, inventory, monitoring, assessment, evaluation, analyses and management of information and the development of information products, data management tools, and environmental services. In addition, some staff will be required to have specialized knowledge on the use of custom software applications, distribution modeling, and various other analyses. Further, familiarity with the City of Bentonville policies, methodologies, and any special requirements associated with EPA-funded projects is also required of staff and associated consultants and contractor.

3.3 ASSURING MINIMUM TRAINING, SKILL-LEVEL AND DEMONSTRATING COMPETENCY

The Project Manager shall prepare and submit to the appropriate City of Bentonville Administration Staff a QAPP for the project that, among other things, identifies all critical staff needs. Critical staff are those individuals directly involved in the collection, inventory, monitoring, assessment, evaluation, analyses and management of information and the development of information products, data management tools, and environmental services. All awarded grants will include a statement of competency in grant work plans and in QAPPs per EPA issued FEM Competency Policy, 2012. This directive requires organizations funded by EPA and generating environmental measurement data to submit documentation of their competency before performing environmental work, and is relevant for grants of more than \$200,000. The Project Manager will work with the EPA Project Officer to include language in work plan that addresses competency.

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SECTION 4 - PROCUREMENT OF ITEMS AND SERVICES

4.1 PURPOSE

The purpose of this section is to document the procedures for purchased items and services that directly affect the quality of environmental programs.

4.2 PROCUREMENT PROCEDURE

The City of Bentonville Finance Director oversees all purchases incurred through EPA-funded grants. This department is responsible for monitoring all financial activity to ensure compliance with applicable federal, state and awarding agency guidelines. Because project regulations are varied and complex, the City of Bentonville Finance Director, City Engineer and Project Manager will communicate on a regular basis regarding policies, procedures and related guidelines. The City of Bentonville requires that the Project Manager (or his/her designee) obtain a Purchase Order (P.O.) prior to purchasing any item through the City of Bentonville account.

4.3 REVIEW OF RESPONSES TO SOLICITATION

Specifications for all relevant purchases shall be prepared by the Project Manager as part of the QAPP. As such, all purchase of items and all procurement of services are subject to the review of the QA Manager and/or City Engineer to ensure that said items and services satisfy all technical and quality requirements for the project. Should purchases, other than those explicitly identified in the QAPP be proposed, review of purchase specifications should be made by the Project Manager prior to initiating the purchase.

4.4 QUALITY ASSURANCE FOR PROCURED ITEMS AND SERVICES

Once an item or service is procured, it shall be the responsibility of the Project Manager to examine the deliverables to verify that the item or service is of acceptable quality.

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SECTION 5 - QUALITY DOCUMENTATION AND RECORDS

5.1 PURPOSE

The purpose of this section is to document appropriate controls for quality-related documents and records that are determined to be important to the mission of the City of Bentonville.

5.2 IDENTIFICATION OF DOCUMENTS REQUIRING CONTROL

The Project Manager, as part of the preparation of the QAPP, shall identify quality-related documents and records that require control. The QA Manager and/or City Engineer, as part of the QAPP review, may further expand the list of documents requiring control. All documents requiring control shall be listed in the QAPP and be subject to EPA review.

5.3 CONFORMANCE REVIEW AND APPROVAL

Documents and records prepared as part of quality system requirements and listed in an approved QAPP as requiring control shall be subject to a systematic procedure to ensure their conformance with all technical requirements. The QAPP shall indicate the names of individuals authorized to issue, authenticate, revise and approve such documents. Any changes in the list of individuals so authorized shall be communicated to EPA.

5.4 DOCUMENT MAINTENANCE

Duplicate copies shall be made of all quality-related documents that are required as part of a project. The Project Manager shall maintain such documents in a project file for a period of not less than three years following the completion of the project. The Project Manager will also maintain the official grant records for the project. Completion of the project shall mean the end of the grant contract. If required by EPA, copies of the quality-related documents shall be submitted to EPA as part of the final project report and other project closeout documentation.

5.5 ENSURING LEGAL COMPLIANCE

The Project Manager, in consultation with the QA Manager, the City Engineer and the Staff Attorney, shall be responsible for ensuring that the non-financial, substantive aspects of EPA-funded work are, and remain in, compliance with applicable statutory, regulatory and EPA requirements for documents and records.

5.6 DATA SHARING AND CONFIDENTIALITY PROCEDURES

The QAPP shall reference the relevant data sharing agreement(s) between City of Bentonville and any affiliated consultants or contractors that provide environmental data for use in the project. In addition, the QAPP shall describe any confidentiality procedures to be used when the project involves the assessment, aggregation, management, and analysis of sensitive data, and should specify the types of documentation to be maintained in association with data sensitivity, if appropriate.

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SECTION 6 - COMPUTER HARDWARE AND SOFTWARE

6.1 PURPOSE

The purpose of this section is to document how the City of Bentonville ensures that computer hardware and software satisfy the City of Bentonville's requirements.

6.2 COMPUTER HARDWARE, SOFTWARE, AND DATA ACQUISITION

The City of Bentonville Information Technology (IT) Department provides oversight for the acquisition of computer hardware and software applications. Project Managers proposing the acquisition of computer hardware or software as specified and budgeted for the project will process their request through the IT Systems Manager. The Project Manager will be responsible for:

- Assessing and documenting any impacts of hardware and software changes.
- Evaluating and approving updated, expanded, or revised computer hardware and software to support data review and reporting activities.
- Ensuring that data and information managed and/or produced with computers will meet applicable project requirements.

6.3 TECHNICAL AND QUALITY REQUIREMENTS

The technical and quality requirements for computer hardware and software to be purchased for the project are prepared by the Project Manager and reviewed by the IT Systems Manager. The use of computer hardware and software for the project is not subject to further involvement by the IT Systems Manager unless requested by the Project Manager.

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SECTION 7 - QUALITY PLANNING

7.1 PURPOSE

The purpose of this section is to document how individual data operations are planned within the City of Bentonville to ensure that data or information collected are of the needed and expected quality for the desired use.

7.2 PROJECT MANAGER INVOLVEMENT

The role of the QA Manager and/or City Engineer is limited to informing individuals preparing applications for EPA funding of the quality assurance requirements and advising Project Managers during the preparation of QAPPs of the need to incorporate systematic quality planning processes. Whenever the results of a project have the potential of directly impacting other decision-making processes, the QA Manager and/or City Engineer shall advise the Project Manager to seek the input of the affected parties during the preparation of the QAPP to ensure that the results are presented in a meaningful manner and meet the needs of the subsequent decision-makers. The QA Manager and/or City Engineer shall review the plan of work and periodic progress toward the completion of the funded project.

7.3 DETERMINING PROJECT GOALS AND OBJECTIVES

The proposal prepared for a project must identify the goals and objectives of that project. Due to the diversity of potential topics that may be proposed, no specific guidance is given to staff preparing proposals. However, all proposals are expected to include a clear statement of their purpose and, where applicable, the expected use of the information that is to be developed.

7.4 PROJECT SCHEDULING

General project schedules are to be provided as part of the proposal for project funding. More specific project schedules are to be developed as part of the QAPP for EPA-funded projects. Specific project schedules are to identify all applicable regulatory thresholds, contractual deliverables, the timing of resource needs (including staff, materials, equipment, and supplies), and any quality assurance intervals for QA Manager and/or City Engineer review.

7.5 DATA QUALITY NEEDS

The type and quantity of data needed, sources of data, means of obtaining data, methods for analyzing data, determination of how the data will be used to support project objectives, and the performance criteria to be used for measuring quality are to be identified by the Project Manager in the QAPP, and are subject to the review by the QA Manager and/or City Engineer.

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SECTION 8 - IMPLEMENTATION OF WORK PROCESSES

8.1 PURPOSE

The purpose of this section is to document how work processes are implemented within the City of Bentonville to ensure that data or information collected are of the needed and expected quality for their desired use.

8.2 ENSURING WORK PERFORMANCE

The Project Manager will ensure that project work is performed according to the approved QAPP, and any other related planning and technical documents. The role of the QA Manager and/or City Engineer is that of oversight. As such, the QA Manager and/or City Engineer provides a substantive review of the QAPP and periodic technical review of the assessment, aggregations, and analytical procedures utilized for the project.

8.3 STANDARD OPERATING PROCEDURES

The City of Bentonville maintains and utilizes established policies, procedures, specifications, ordinances, and adopted codes that regulate how city employees operate within the City of Bentonville's overall organization. The QAPP should clearly identify the Policies and Procedures and Standard Operating Procedures to be used in the EPA-funded project.

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SECTION 9 - QUALITY ASSESSMENT AND RESPONSE

9.1 PURPOSE

The purpose of this section is to document how the City of Bentonville determines the suitability and effectiveness of the implemented quality system and the quality performance of the environmental programs to which the quality system applies.

9.2 ANNUAL ASSESSMENT

No less than annually, an informal review of this QMP shall be performed, and the QMP revised if necessary and resubmitted to the EPA for review and reauthorization. The responsibility for ensuring the timely annual review of the QMP shall be that of the QA Manager. Comments shall be solicited from the Project Managers and/or City Engineer. The QA Manager will compile comments and make recommendations for changes to the QMP to the City Engineer or Project Manager. Please see Section 2.3, "Quality System Components", specifically "Annual Reviews and Planning" for information pertaining to submissions.

This document shall be valid for a period of up to five years from the official date of publication. After five years, it shall either be reissued without change, revised, or withdrawn from the EPA Quality System.

9.3 CORRECTIVE ACTION

Should problems arise regarding the implementation of the QMP, or should there be changes to City of Bentonville staffing relative to the administration of the QMP, a review of the QMP will be undertaken, even if such review will occur at times other than that designated for the annual review. In such cases, comments will be solicited from persons that have direct experience with the QMP process and can provide the City of Bentonville Mayor and/or QA Manager with knowledgeable input regarding necessary changes. In the event of differences of opinion regarding aspects of the QMP, the Mayor shall ultimately determine what, if any, changes are necessary and appropriate to the QMP. Until such time as EPA has approved a modified QMP, the prior, approved QMP shall remain in effect.

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SECTION 10 - QUALITY IMPROVEMENT

10.1 PURPOSE

The purpose of this section is to document how the City of Bentonville modifies and improves its quality system.

10.2 ADVERSE CONDITION IDENTIFICATION, PREVENTION, & CORRECTION

Quality system improvement is intended to be an on-going process. Project Managers as well as City of Bentonville staff working on projects may note changes, as needed, that can either prevent situations that would result in poor quality data, or improve the standard operating procedures, administrative processes, and quality assurance system. Recommendations for changes in quality systems that impact the QMP or related quality assurance/quality control systems shall be made to the QA Manager or City Engineer. All recommendations will be taken under advisement and will be discussed during the annual assessment of the QMP.

Noted below are major updates that will require the QMP to undergo an immediate revision. Items not mentioned below will be considered minor and will be addressed at the annual review:

- Expiration of the five-year Quality Management Plan,
- Major changes in mission and responsibilities, such as changes in the delegation status of a program.
- Re-organization of existing functions that affect programs covered by the Quality Management Plan.
- Assessment findings requiring corrective actions and response

10.3 PROCESS IMPROVEMENT COMMUNICATION

All users of data that are assessed, aggregated, and analyzed for EPA-funded projects shall be identified as part of a QAPP. Project Managers shall have the obligation of treating such users as "customers," and ascertaining the types of data, form of presentation and the likely use of information by such customers. Customer feedback shall be encouraged and, where appropriate, mechanisms for soliciting such input shall be identified in the QAPP.

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APPENDIX B - CONTACT LIST

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Dallas, TX 75202-2733
(214) 665-7187
mcdonald.sondra@epa.gov

RESOLUTION NO. _____

**A RESOLUTION ADOPTING AN UPDATED QUALITY
MANAGEMENT PLAN FOR EPA FUNDED PROJECTS
FOR THE CITY OF BENTONVILLE, ARKANSAS.**

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

Section 1: That the Quality Management Plan as attached hereto as Exhibit A should
be and the same is hereby approved and adopted.

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

PASSED and APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

May 23, 2017

Submitted by:

Dennis Birge

Department

Transportation

Phone

271-6840

ACTION REQUIRED:

Staff recommends City Council approval of a resolution authorizing the Mayor and Clerk to enter into an amended agreement with the Arkansas Highway and Transportation Department for the design and construction of a Single Point Urban Interchange at the Hwy 71B (Walton Blvd) and I-49 Interchange, for an increase of \$15,000.00. Amendment increases commitment amount to \$1.515 million.

COST TO CITY:

Cost of this Request: \$15,000

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

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

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memorandum



To: City Council, Mayor McCaslin
From: Dennis Birge, Transportation Engineer
Date: Monday, May 15, 2017
Re: Amendment #1 to 71B/I-49 Interchange Agreement with AHTD

Staff recommends City Council approve Amendment #1 to the 71B/I-49 Interchange Agreement with AHTD for an increase of \$15,000.00 for the addition of 6' sidewalk construction.

On December 8, 2015, the City entered into an agreement with AHTD to commit \$1.5 million for modifying the design of the Interstate 49 / Highway 71B interchange to include a Single Point Urban Interchange in place of the original design that included a Diverging Diamond Interchange. Additionally, the City Of Bentonville will assume ownership of existing Highway 71B (Southeast Walton Boulevard) between Highway 12 (South Walton Boulevard) and Interstate 49. Transfer of ownership will occur upon completion of Job BB0903.

This amendment request increases the Agreement by \$15,000.00 for added cost associated with the additional foot of sidewalk width.

Thank you for your consideration of this request.



January 26, 2017

Mr. Trinity Smith, Division Head
Roadway Design
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, AR 72203-2261

Re: AHTD Job #BB0903
Sidewalk Width Upgrade Request

Dear Mr. Smith.

Per the email sent by David Baker of the AHTD on January 26, 2017, please let this letter serve as the City Of Bentonville's request to upgrade the planned sidewalks from 5 foot to 6 foot wide with 2 foot green space. We understand that this cost differential for the upgrade will be at the City's expense, indicated by Mr. Baker to be \$15,000. The City Of Bentonville agrees to bear the additional cost.

If you have any additional questions or comments, please feel free to contact me at 479-271-5966.

Respectfully,

Bob McCaslin, Mayor
City Of Bentonville

Cc: Travis Matlock, Engineering Director
Mike Bender, Public Works Director

117 W. CENTRAL AVE. • BENTONVILLE, AR 72712 • (479) 271-3112
• www.bentonvillear.com •

RECEIVED MAY 11 2017

ARKANSAS STATE HIGHWAY COMMISSION



DICK TRAMMEL
CHAIRMAN
ROGERS

THOMAS B. SCHUECK
VICE CHAIRMAN
LITTLE ROCK

ROBERT S. MOORE, JR.
ARKANSAS CITY

P.O. Box 2261
LITTLE ROCK, ARKANSAS 72203-2261
PHONE (501) 569-2000 • VOICE/TTY 711 • FAX (501) 569-2400
WWW.ARKANSASHIGHWAYS.COM • WWW.IDRIVEARKANSAS.COM

DALTON A. FARMER, JR.
JONESBORO

PHILIP TALDO
SPRINGDALE

SCOTT E. BENNETT, P.E.
DIRECTOR OF
HIGHWAYS AND TRANSPORTATION

May 8, 2017

The Honorable Bob McCaslin
Mayor of Bentonville
117 West Central Avenue
Bentonville, Arkansas 72712

Re: Job BB0903
F.A.P. IM-NHPP-540-1(78)85
Hwy. 71B Intchng. Impvts. (S)
Benton County

Dear ^{Bob} Mayor McCaslin:

Reference is made to your letter to our Roadway Design Engineer Trinity Smith requesting that the referenced project be designed to include six-foot-wide sidewalks in lieu of the Department's standard five-foot-wide sidewalks along Highway 71B (Walton Boulevard).

This request is hereby approved and the Department agrees to incorporate the six-foot-wide sidewalks into the design of Job BB0903 within the Bentonville city limits and reduce the green space from three feet to two feet. This is based on the understanding that the City is responsible for the added costs associated with the additional foot of sidewalk width, currently estimated at \$15,000. The Department has estimated that six-foot-wide sidewalks with two feet of green space eliminates the additional costs that would have otherwise been incurred due to additional right of way or utility relocations resulting from widening the footprint of the project.

This letter, when signed by you and returned to the Department, will constitute a supplement to the original Agreement of Understanding between the City of Bentonville, the City of Rogers, and the Department. In combination with the \$1.5 million already committed to this project, the City of Bentonville's total commitment is now \$1.515 million.

The Honorable Bob McCaslin
May 8, 2017

Page Two

Thank you for your interest in Arkansas' transportation system. If additional information is needed, please advise.

Sincerely,



Scott E. Bennett, P.E.
Director of Highways
and Transportation

APPROVED:

Bob McCaslin
Mayor of Bentonville

c: Deputy Director and Chief Operating Officer
Deputy Director and Chief Engineer
Assistant Chief Engineers
Program Management
Roadway Design
Transportation Planning and Policy
District 9
Job BB0903 'C' File
The Honorable Greg Hines, Mayor of Rogers

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AMENDMENT TO THE
CONTRACT WITH THE ARKANSAS HIGHWAY AND
TRANSPORTATION DEPARTMENT RELATED TO THE
HIGHWAY 71B INTERCHANGE.

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an
amendment to the contract with the Arkansas Highway and Transportation Department related to
the Highway 71B Single Point Urban Interchange as set forth in the agreement attached hereto as
Exhibit A.

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

PASSED and APPROVED this ____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, May 23, 2017 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, May 23, 2017 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: May 9, 2017**

AGENDA

1. Proclamation presented to recognize "National EMS Week" in Bentonville, Arkansas.
2. An ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. (DEB FARM ADVENTURES)
3. Planning:
- 3a. **Rezoning: First Baptist Church of Bentonville; Southwest 2nd Street & Southwest 'B' Street; Rezoning from R-1, Single Family Residential & D-E, Downtown Edge to D-E, Downtown Edge.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Mixed Use Residential (DMUR) and Downtown Medium Density Residential.

****This item was previously approved by council on 5-9-17. The ordinance was mistakenly altered to reflect D-C zone based on a contradicting staff report. This is an ordinance amendment to the correct zoning of DE, Downtown Edge.***

- 3b. **Lot Split: Lot 10, Block 4, Deming's Addition, Polly E. Harris, 405 Northwest 'A' Street, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create one new lot from the northern portion of one existing lot. The new lot will be known as Lot 10 (0.24 acres) Block 4 of Deming's Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along North Main Street. The new lot will have access to public utilities and a public street.

- 3c. **Property Line Adjustment: Lots 34, 35, & 36 Dickson's Addition, Cottage Home XNA, LLC , West Central Avenue, Southwest 'F' Street, Southwest 2nd Street, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common lot line between five existing lots and will create three new single-family residential lots that will be known as Lot 34, Lot 35 and Lot 36 of Dickson's Addition. Each new lot is approximately 0.54 acres. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along West Central Avenue, Southwest "F" Street, and Southwest 2nd Street. Each new lot will have access to public utilities and a public street.

- 3d. **Lot Split: Lots 1 & 2 Opal Subdivision, Highland, LLC, Southwest Opal Road/Southwest Barron Road & Southwest Regional Airport Boulevard, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing parcel. The new lots will be known as Lot 1 (28.06 acres) and Lot 2 (97.16 acres) of Opal Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along SW Opal Road and SW Barron Road. A 20' wide utility easement is also being dedicated with the plat along SW Opal Road.

- 3e. **Rezoning: Kenneth Ehret, North Main Street & Northeast Monroe Street, From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation.

- 3f. **Resolution: Bear State Bank, Southwest 2nd Street and Northwest Elm Tree Road, Low Density Residential or Medium Density Residential.**

The Planning Commission voted 6-1, recommending approval.

Policy LU-23, Housing Types, within the General Plan suggest that the city should encourage the development of a mix of housing types to meet the needs of its residents throughout their lives. The proposed medium density residential development will help to create additional density and reduce the impact on the city's infrastructure by utilizing existing public utilities and traffic networks.

- 3g. **Lot Split: Lots 25, 26, 27, 28, & 29, Block 6, W.A. Burks Addition, Kenneth Ehret, North Main Street & Northeast Monroe Street, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a lot split request that will create five new lots from four existing lots. The new lots will be known as Lots 25, 26, 27, 28 & 29, Block 6 of W.A. Burk's Addition. Each new lot is approximately 0.14 acres. Per the requirements of the current Master Street Plan, the plat shows the dedication of right-of-way along North Main Street. Each lot will have access to a public alley along the side or rear lot lines. All lots will have access to public utilities and a public street.

- 3h. **Property Line Adjustment: Lot 16, Crystal Bridges Addition & Lots 3 & 4, Martz Addition, Crystal Bridges Museum of American Art , 600 Museum Way & 1107 Northeast 'J' Street, A-1, Agricultural.**

The Planning Commission voted 6-1, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common lot line between existing Lot 9 of Crystal Bridges Addition and existing Lot 2 of Martz Addition and will create new Lot 16 of Crystal Bridges Addition and Lots 3 & 4 of Martz Addition. Per the requirements of the current Master Street Plan, right-of-way is being dedicated along NE 'J' Street. The plat also shows the dedication of a 20' wide utility easement along NE 'J' Street. All lots will have access to public utilities and a public street.

4. Reappointment of David Short for a second three year term on the Tree and Landscape Advisory Committee. The term will expire on May 23, 2020.
5. Approval of the installation of a permanent piece of artwork, titled "The Monarch and Dandelions" by artist Amanda Wilshire, on public property located at Orchards Park. The purchase and installation of the artwork is funded by the Bentonville Advertising & Promotions Commission. The Public Art Advisory Committee recommended approval on May 9, 2017.

6. Parks and Recreation Staff seeks City Council's approval of a bid award to Challenger Teamwear in an amount not to exceed \$43,000.00 for the purchase of uniforms for the 2017-2018 season. Challenger Teamwear was chosen through the RFP selection process.
7. Recommend City Council approve increase in Electric Department fleet by one vehicle in order to transfer the surplus vactor truck from the Sewer Department.
8. Staff recommends that the Mayor and City Council approve the reconciliation change order for the Bentonville Sidewalk Improvements 2016. The final project cost is \$12,633.12 less than the currently contracted amount of \$210,782.00. The final contract amount is \$198,148.88.
9. City Council approval of a resolution adopting the updated Quality Management Plan to be used for EPA funded projects. This update is required by EPA and if any changes are made, a new Quality Management Plan has to be submitted. This Quality Management Plan will be in effect for five years from the original release, requiring yearly audits and submissions. After this period has expired, the plan will either be reissued without change, revised, or withdrawn from the EPA Quality System.
10. Staff recommends City Council approval of a resolution authorizing the Mayor and Clerk to enter into an amended agreement with the Arkansas Highway and Transportation Department for the design and construction of a Single Point Urban Interchange at the Hwy 71B (Walton Blvd) and I-49 Interchange, for an increase of \$15,000.00. Amendment increases commitment amount to \$1.515 million.