

1. Agenda

Documents:

[OCTOBER 24, 2017 CITY COUNCIL FULL AGENDA.PDF](#)

2. Short Agenda

Documents:

[OCTOBER 24, 2017 CITY COUNCIL SHORT AGENDA.PDF](#)



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, October 24, 2017 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, October 24, 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: October 10, 2017**

AGENDA

1. A proclamation designating October 2017 Community Planning Month in the City of Bentonville. **(Pages 6-8)**
2. Request that the City Council adopt a formal resolution to recognize, commend and congratulate Detective Corporal Steve Vera upon his October 2017 retirement. This resolution recognizes more than 33 years of law enforcement service, including more than 17 years of decorated service with the Bentonville Police Department. This resolution also wishes Steve Vera much health, happiness, and continued success in all of his future endeavors. See attached resolution. **(Pages 9-10)**
3. Planning:
- 3a. **Lot Split: Lots 16 & 17 Southside Subdivision, Hurricane WA, LLC, 228 Southeast 7th Street, DE, Downtown Edge.**

(Pages 13-16)

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating two new lots from one existing lot. The new lots will be known as Lot 16 (0.10 acres) & Lot 17 (0.10 acres) of Southside Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along SE 7th Street. A private cross access easement will be dedicated by a separate document and will provide rear access to both of the new lots. Direct access to SE 7th Street

shall not be permitted. Each new lot will have access to public utilities and a public street.

- 3b. **Lot Split: Lots 1 & 2 Bailey Subdivision, Taildragger, LLC, 801 & 803 North Walton Boulevard, C-2, General Commercial.**

(Pages 17-20)

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating two new lots from two existing parcels. The new lots will be known as Lot 1 (0.36 acres) & Lot 2 (0.40 acres) of Bailey Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along NW 9th Street. Cross access easements will be dedicated along the western property lines of each new lot to allow access to NW 8th and NW 9th Streets. Public utility easements are also being dedicated to serve the two new lots. Each of the new lots will have access to public utilities and a public street.

- 3c. **Lot Split: Lots 1, 2, & 3 Forrest Oaks Subdivision, Edward Eugene Garrett, 1600 & 1602 Northwest 3rd Street, R-1, Single Family Residential & R-E, Residential Estate.**

(Pages 21-24)

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating three new lots from two existing parcels. The new lots will be known as Lot 1 (3.47+/- acres), Lot 2 (2.51+/- acres) & Lot 3 (0.95+/- acres) of Forrest Oaks Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along NW 3rd Street. Public utility easements are also being dedicated to serve the three new lots. Each of the new lots will have access to public utilities and a public street.

- 3d. **Property Line Adjustment: Lots 42 & 43 Oakwood Heights Addition, Drew Mayer, 1906 Almand Drive, R-1, Single-Family Residential.**

(Pages 25-28)

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common lot of existing lots 31 & 32 of Oakwood Heights Addition. The new lots will be known as Lot 42 (0.48+/- acres) and Lot 43 (0.23+/- acres) of Oakwood Heights Addition. Per the Master Street Plan requirements, additional right-of-way will be dedicated along Almand Drive and Timber Trail Road. A public utility easement will also be dedicated with the plat to serve each of the new lots. Both of the new lots will have access to public utilities and a public street.

- 3e. **General Plan Amendment: Kuhlman Properties, LLC, Southwest Regional Airport Boulevard & Southwest Blue Jay Lane, From Commercial to High Density Residential.**

(Pages 29-32)

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Commercial (C). Policy LU-23 Housing Types within the General Plan suggests that the city should encourage the development of a mix of housing types to meet the needs of residents throughout their lives. As utilities and infrastructure are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed land use will help to reduce the impact on city infrastructure by the extension of public utilities and infrastructure that will be required with the development of this land, all helping to meet the intent of the policy.

- 3f. **General Plan Amendment: Martin Elzey, Southwest Featherston Road, Glenn Road, & Been Road, From Low Density Residential to Medium Density Residential.**

(Pages 33-36)

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Low Density Residential (LDR). Policy LU-23 Housing Types within the General Plan suggests that the city should encourage the development of a mix of housing types to meet the needs of residents throughout their lives. As utilities and infrastructure are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed land use will help to reduce the impact on city infrastructure by the extension of public utilities and infrastructure that will be required with the development of this land, all helping to meet the intent of the policy.

- 3g. **Lot Split: Lots 1 & 2 Fellowship-McMillon Subdivision, McMillon Family Revocable Trust, 1701 Northeast Tiger Boulevard, A-1, Agricultural.**

(Pages 37-43)

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating two new lots from five existing parcels. The new lots will be known as Lot 1 (41+/- acres) and Lot 2 (25+/- acres) of Fellowship-McMillon Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along a portion of NE Tiger Blvd. & McCollum Road. Public utility easements are also being dedicated to serve the two new lots. Each of the new lots will have access to public utilities and a public street. Note that a sewer easement agreement has been accepted by the sewer department to allow for future sewer service to the new Lot 2.

4. Appointment of Lauren Haynes to the Public Art Advisory Committee. Ms. Haynes is the Curator of Contemporary Art at Crystal Bridges Museum of American Art. This term will begin November 1, 2017 and expire November 1, 2020. **(Pages 44-46)**
5. City Council approval of a budget adjustment to recognize revenue awarded in the form of a donation from Walmart Stores Inc. in the amount of \$25,000.00 to leverage city funds for the purchase of 430 trees for the City of Bentonville's 5th Annual Tree Planting Blitz on October 13, 2017. **(Pages 47-50)**

6. Staff recommends City Council approval of Change Order No. 2 and Final Reconciliation of the Guaranteed Maximum Price Contract with Flintco, LLC for construction services associated with the new City Maintenance Facility recognizing a decrease of \$791,469.00 reducing the contract total from \$25,635,142.00 to \$24,843,673.00. **(Pages 51-56)**
7. Staff recommends adoption of the document titled "City of Bentonville Amendments to the 2012 Arkansas Fire Prevention Code Volume I". **(Pages 57-77)**
8. City council approval of an ordinance creating a Right-of-Way permit for the City of Bentonville Street Department. **(Pages 78-82)**
9. Staff is seeking City Council approval of an ordinance updating the City of Bentonville Schedule of Fees. **(Pages 83-126)**
10. Request for a waiver of competitive bidding to allow for the purchase of equipment and upfitting of two (2) new Tahoes purchased from Superior Auto Group in Siloam Springs. The funding for these vehicles, including equipment and upfitting, was approved by Council with a budget adjustment at the last council meeting (October 10, 2017). The total cost of the equipment and upfitting is estimated to be under \$20,000.00 (in total) and is also within the amount already approved by council for these purchases. However, Superior Auto Group previously provided equipment and upfitting for three other police vehicles in 2017. These purchases included the equipment and upfitting of two (2) 2017 budgeted Tahoes at the first of the year, at \$6,159.00 each (\$12,318.00 total) and one (1) previously approved command staff position vehicle in August, at \$5,169.00, for a grand total of \$17,487.00. This grand total, when combined with the cost of equipment and upfitting for the two newly purchased Tahoes, would exceed state competitive bidding requirements. This waiver of competitive bidding would allow the adherence to spending requirements and also allow Superior Auto Group to provide more of the necessary equipment than was previously anticipated. Having Superior Auto Group source these additional equipment items will streamline the process and also allow the equipment and upfitting costs to be included in the final purchase price of the vehicle. **(Pages 127-129)**
- 11a. City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Ecological Design Group for the Bella Vista Lake Master Plan. **(Pages 130-137)**
- 11b. City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Watershed Conservation Resource Center for the Master Plan of Bella Vista Lake Park. **(Pages 138-143)**
- 11c. City Council approval of a budget adjustment, in the amount of \$98,960.00, to recognize the revenue from a Walton Family Foundation grant to fund a site specific master plan for Bella Vista Lake Park. **(Pages 144-151)**
12. Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Amanda

McBee for the service of teaching instructional recreation and wellness classes for Parks and Recreation. **(Pages 152-156)**

13. Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Jami Bernards for the service of teaching instructional swim lessons for Parks and Recreation. **(Pages 157-160)**



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

Brian Bahr

Department

Community Development

Phone

271-3122

ACTION REQUIRED:

A proclamation designating October 2017 Community Planning Month in the City of Bentonville.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





MEMO

Community Planning Month Proclamation

TO: City Council
FROM: Brian Bahr, Interim Community & Economic Development Director
CC DATE: October 24, 2017
RE: Community Planning Month Proclamation and Artwork Unveiling

The American Planning Association and its members participate in Community Planning Month to raise the visibility of the important role of city planners and community planning across the United States. Community Planning Month is held annually in October. This year's theme is Innovation in Planning.

To celebrate Community Planning Month, the City of Bentonville partnered with Bentonville area schools to hold a youth art poster contest for junior high and high school age students.

The goal is to provide students the opportunity to visually express their ideas and experiences of innovation in planning in Bentonville, including the important role planning plays in addressing and adapting to challenges faced by communities in the 21st century.

Planning Commission selected the winning artwork, which was created by Anumi Wickramasinghe, an eighth grader who attends Fulbright Junior High School. Her art teacher is Jerris Palmer.

Anumi will be congratulated at the poster unveiling, held before City Council at 5:45 pm on Tuesday, October 24th. The poster will be displayed on the south side of the Community Development building for one year.

To round out the activities, staff is respectfully requesting the Mayor and City Council to proclaim October as Community Planning Month in the City of Bentonville. The proclamation is attached.

PROCLAMATION

- WHEREAS:** Change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and
- WHEREAS:** Community planning and plans can help manage this change in a way that provides better choices for how people work and live; and
- WHEREAS:** Community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and
- WHEREAS:** The full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and
- WHEREAS:** The month of October is designated as National Community Planning Month throughout the United States of America and its territories, and
- WHEREAS:** The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and
- WHEREAS:** The celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the City of Bentonville, Arkansas; and
- WHEREAS:** We recognize the many valuable contributions made by professional community and regional planners of the City of Bentonville, Arkansas and extend our heartfelt thanks for the continued commitment to public service by these professionals.

NOW, THEREFORE, I Bob McCaslin, Mayor of the City of Bentonville do hereby proclaim the month of October 2017 as "**Community Planning Month**" in the City of Bentonville, Arkansas in conjunction with the celebration of National Community Planning Month and I further urge all citizens of the community, all civic and fraternal groups, all news media, and other community organizations to join in this recognition of our community and regional planners.

Given this twenty-fourth day of October, 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	
	Ordinance	
x	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

Jon Simpson

Department

Police

Phone

271-3172

ACTION REQUIRED:

Request that the City Council adopt a formal resolution to recognize, commend and congratulate Detective Corporal Steve Vera upon his October 2017 retirement. This resolution recognizes more than 33 years of law enforcement service, including more than 17 years of decorated service with the Bentonville Police Department. This resolution also wishes Steve Vera much health, happiness, and continued success in all of his future endeavors. See attached resolution.

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





WAS BORN IN LOS ANGELES, CALIFORNIA AND GRADUATED FROM NORWALK HIGH SCHOOL IN NORWALK, CALIFORNIA IN JUNE 1974, AND WAS AWARDED AN ASSOCIATE OF ARTS DEGREE IN CRIMINAL JUSTICE FROM LOWER COLUMBIA COLLEGE IN LONGVIEW, WASHINGTON IN MARCH 1989; AND

WHEREAS, STEVE VERA, IN HIS FATHER'S TRADITION, BEGAN HIS 33 YEAR LAW ENFORCEMENT CAREER IN AUGUST 1984 WITH THE LONGVIEW POLICE DEPARTMENT, IN LONGVIEW, WASHINGTON, WHERE HE SERVED UNTIL FEBRUARY 1988, WITH FIVE YEARS AS A K-9 OFFICER, AND WAS RECOGNIZED WITH A MEDAL OF HONOR AWARD; AND

WHEREAS, STEVE VERA JOINED THE BERRYVILLE POLICE DEPARTMENT, IN BERRYVILLE, ARKANSAS WHERE HE SERVED AS A PATROLMAN FROM FEBRUARY 1988 UNTIL JANUARY 2000, AND RECEIVED THE HIGHEST LAW ENFORCEMENT CERTIFICATION OFFERED BY THE STATE OF ARKANSAS COMMISSION OF LAW ENFORCEMENT STANDARDS AND TRAINING, THE SENIOR CERTIFICATE; AND

WHEREAS, STEVE VERA JOINED THE BENTONVILLE POLICE DEPARTMENT AS A PATROLMAN ON JANUARY 17, 2000, AND WAS APPOINTED TO THE POSITION OF SCHOOL RESOURCE OFFICER FOR THE BENTONVILLE SCHOOL DISTRICT IN 2001, AND SERVED IN THIS CAPACITY AT BENTONVILLE HIGH SCHOOL UNTIL DECEMBER 2016, WHEN HE WAS ASSIGNED TO THE CRIMINAL INVESTIGATIONS DIVISION WHERE HE FAITHFULLY SERVED, WITH THE PRESENT RANK OF DETECTIVE CORPORAL, UNTIL HIS RETIREMENT; AND

WHEREAS, STEVE VERA, IN HIS CAPACITY AS A SCHOOL RESOURCE OFFICER, CREATED A POSITIVE AND SAFE ATMOSPHERE FOR THE STUDENTS OF BENTONVILLE HIGH SCHOOL, GAINED THE SUPPORT OF BOTH PARENTS AND SCHOOL ADMINISTRATION ALIKE; AND WAS A ROLE MODEL FOR OUR COMMUNITY, OUR YOUTH, AND OUR POLICE DEPARTMENT; AND

WHEREAS, STEVE VERA, AS A MEMBER OF THE BENTONVILLE POLICE DEPARTMENT, ALSO SERVED ON THE SWAT TEAM FROM 2003 TO 2009, AND ON THE CRISIS NEGOTIATIONS TEAM FROM 2012 UNTIL HIS RETIREMENT; AND

WHEREAS, STEVE VERA, IN HIS JOB DUTIES AS A POLICE OFFICER, A SCHOOL RESOURCE OFFICER, A CRISIS NEGOTIATOR, AND A DETECTIVE, RECEIVED COUNTLESS RECOGNITIONS, COORDINATED MULTIPLE YOUTH DEVELOPMENT PROGRAMS, DELIVERED YEARLY SCHOOL SAFETY PRESENTATIONS, RESOLVED NUMEROUS LIFE THREATENING SITUATIONS, AND WAS SOLELY CREDITED WITH THE CAPTURE OF A BANK ROBBERY SUSPECT; AND

WHEREAS, STEVE VERA, THROUGH HIS COUNTLESS DUTIES AND ACCOMPLISHMENTS, DELIVERED TO THE BENTONVILLE POLICE DEPARTMENT AND THE CITIZENS OF BENTONVILLE AN UNPARALLELED LEVEL OF PROFESSIONALISM AND SERVICE; AND

NOW THEREFORE, BE IT RESOLVED THAT BY THE ADOPTION OF THIS RESOLUTION, THE CITY COUNCIL OF BENTONVILLE, HEREBY COMMENDS AND CONGRATULATES DETECTIVE CORPORAL STEVE VERA FOR HIS 33 YEARS OF DEDICATED LAW ENFORCEMENT SERVICE, TO INCLUDE HIS 17 PLUS YEARS OF SERVICE TO THE BENTONVILLE POLICE DEPARTMENT AND THE CITIZENS OF BENTONVILLE, AND WISHES HIM HEALTH, HAPPINESS, AND CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

GIVEN THIS 24th day of October, 2017, in Bentonville, in the Great State of Arkansas, in the United States of America.

Bob McCaslin, Mayor

Linda Spence, City Clerk



City Council Agenda Items
For City Council Meeting of October 24, 2017
From the October 17, 2017 Planning Commission Meeting

Lot Split: Lots 16 & 17 Southside Subdivision, Hurricane WA, LLC, 228 Southeast 7th Street, DE, Downtown Edge.

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating two new lots from one existing lot. The new lots will be known as Lot 16 (0.10 acres) & Lot 17 (0.10 acres) of Southside Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along SE 7th Street. A private cross access easement will be dedicated by a separate document and will provide rear access to both of the new lots. Direct access to SE 7th Street shall not be permitted. Each new lot will have access to public utilities and a public street.

Lot Split: Lots 1 & 2 Bailey Subdivision, Taildragger, LLC, 801 & 803 North Walton Boulevard, C-2, General Commercial.

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Lot Split: Lots 1, 2, & 3 Forrest Oaks Subdivision, Edward Eugene Garrett, 1600 & 1602 Northwest 3rd Street, R-1, Single Family Residential & R-E, Residential Estate.

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating three new lots from two existing parcels. The new lots will be known as Lot 1 (3.47+/- acres), Lot 2 (2.51+/- acres) & Lot 3 (0.95+/- acres) of Forrest Oaks Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along NW 3rd Street. Public utility easements are also being dedicated to serve the three new lots. Each of the new lots will have access to public utilities and a public street.

Property Line Adjustment: Lots 42 & 43 Oakwood Heights Addition, Drew Mayer, 1906 Almand Drive, R-1, Single-Family Residential.

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common lot of existing lots 31 & 32 of Oakwood Heights Addition. The new lots will be known as Lot 42 (0.48+/- acres) and Lot 43 (0.23+/- acres) of Oakwood Heights Addition. Per the Master Street Plan requirements, additional right-of-way will be dedicated along Almand Drive and

Timber Trail Road. A public utility easement will also be dedicated with the plat to serve each of the new lots. Both of the new lots will have access to public utilities and a public street.

General Plan Amendment: Kuhlman Properties, LLC, Southwest Regional Airport Boulevard & Southwest Blue Jay Lane, From Commercial to High Density Residential.

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Commercial (C). Policy LU-23 Housing Types within the General Plan suggests that the city should encourage the development of a mix of housing types to meet the needs of residents throughout their lives. As utilities and infrastructure are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed land use will help to reduce the impact on city infrastructure by the extension of public utilities and infrastructure that will be required with the development of this land, all helping to meet the intent of the policy.

General Plan Amendment: Martin Elzey, Southwest Featherston Road, Glenn Road, & Been Road, From Low Density Residential to Medium Density Residential.

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Low Density Residential (LDR). Policy LU-23 Housing Types within the General Plan suggests that the city should encourage the development of a mix of housing types to meet the needs of residents throughout their lives. As utilities and infrastructure are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed land use will help to reduce the impact on city infrastructure by the extension of public utilities and infrastructure that will be required with the development of this land, all helping to meet the intent of the policy.

Lot Split: Lots 1 & 2 Fellowship-McMillon Subdivision, McMillon Family Revocable Trust, 1701 Northeast Tiger Boulevard, A-1, Agricultural.

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating two new lots from five existing parcels. The new lots will be known as Lot 1 (41+/- acres) and Lot 2 (25+/- acres) of Fellowship-McMillon Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along a portion of NE Tiger Blvd. & McCollum Road. Public utility easements are also being dedicated to serve the two new lots. Each of the new lots will have access to public utilities and a public street. Note that a sewer easement agreement has been accepted by the sewer department to allow for future sewer service to the new Lot 2.

LOT SPLIT STAFF REPORT



Lots 16 & 17 Southside Subdivision

228 SE 7th Street

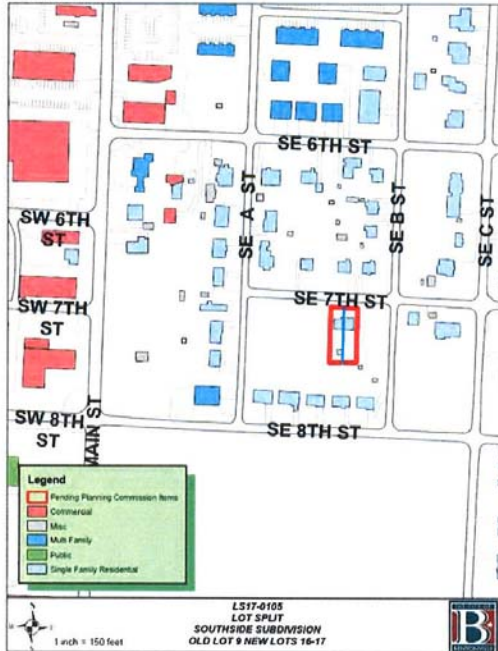
PC Date: 10/17/2017

Reviewer: Jon Stanley, Planner

Project Number	LS17-0105
Applicant / Current Owner	Hurricane WA, LLC 390 West 5 th Street Fayetteville, AR 72756
Site Area	0.20+/- acres
Current 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 located at 228 SE 7th Street and is currently occupied by a single-family home in an area designated as Downtown Mixed Use Residential on the Future Land Use Plan. This area of downtown is in the beginning stages of infill and redevelopment.

Project Details

The applicant has submitted a proposal for a lot split creating two new lots from one existing lot. The new lots will be known as Lot 16 (0.10 acres) & Lot 17 (0.10 acres) of Southside Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along SE 7th Street. A private cross access easement will be dedicated by a separate document and will provide rear access to both of the new lots. Direct access to SE 7th Street shall not be permitted. Each new lot will have access to public utilities and a public street.

Projected Traffic Impact

The proposed lot split 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 waiver requested.

Conclusion

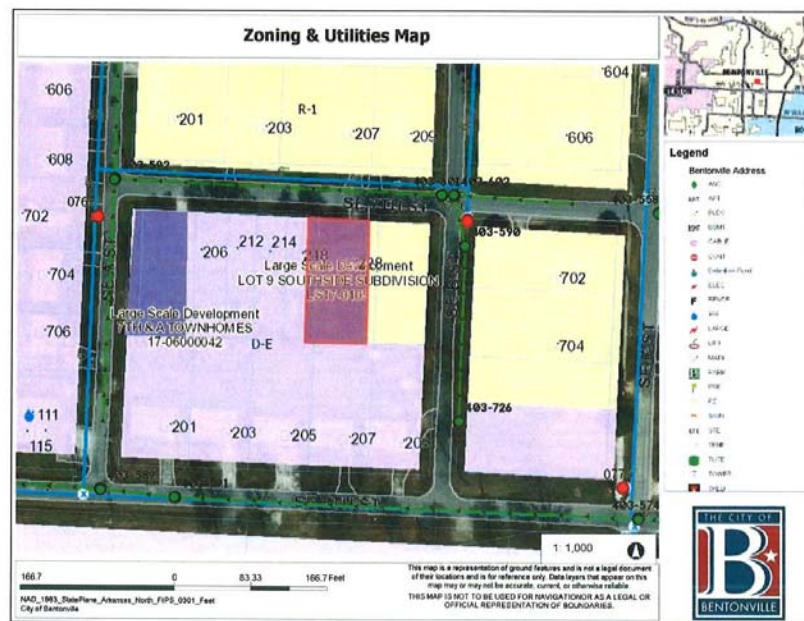
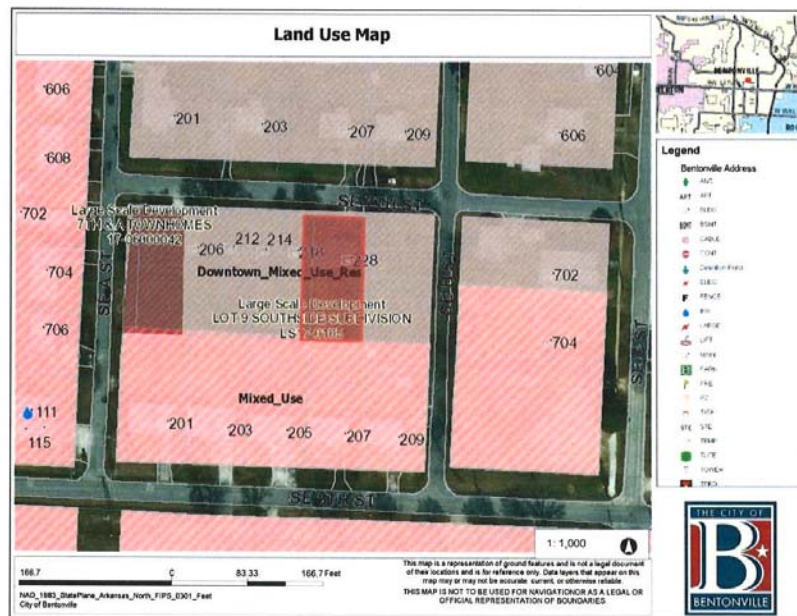
This lot split does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

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

NOTES

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



GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

Certificate of Ownership:

We the undersigned, hereby certify that the above described work is original and has not been previously published or submitted for publication, and we hereby dedicate it to the public domain.

Date of Execution _____

Signature _____
Name & Address _____
Source of Title D.R. _____
Page _____

Certificate of Survey and Accuracy

I, _____, hereby certify that
made by me and boundary markers and to be located at _____
location. Type and number of survey shown _____
Mainland Standards for Land Surveys have _____
Date of Execution: _____
Registered Land Surveyor _____
Signed: _____
Subscribed and sworn to before me _____

City/State of Approval: _____

Date of Execution: _____

Signed _____
Bismarck, North Dakota
Commissioner Chairman

Signed _____
Mayor, City of Bismarck

Signed _____
City Clerk, City of Bismarck

Signed _____
District Court Clerk, City of Bismarck

NOTE:
PARCEL NUMBER: 31-04224-000 & 01-04225-000.
SITE ADDRESS: 222 SE 7th STREET BENTONVILLE, AR
CURRENT ZONING: DOWNTOWN EDGE (DE).
THIS PROPERTY IS NOT AFFECTED BY THE 100 YEAR
FIRM #0000000000 DATED JUNE 5, 1992.

[illegible]

X	CALCULATED POINT	(E)	EXISTING WATER METER	- - -	EXISTING SIDEWALK LINE
	FOLLOW POIN PIN	DSD	EXISTING GAS METER	- - -	EXISTING RIGHT OF WAY
	FOUND IRON PIPE	B-W-M	EXISTING FIRE HYDRANT		BUILDING SETBACKS
	SET IRON PIPE & CAP	(G)	EXISTING STREET WARDOLE		CAST-IRON STREET
	POWER POLE				

[illegible]

1. LEGAL DESCRIPTION: PARCELS PAJCE1, 491-AJCE1-499.

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

[illegible]

LEGAL DESCRIPTION (Lot 17)

A part of U.S. 76, the Southwest Addition to the City of Riverside, Arkansas, is the part of said Addition recorded in the office of the Circuit Clerk and the County Recorder of Benton County, Arkansas, and being described as follows: Commencing at the SW Corner of said Lot 1, Thence S87°29'00"E 132.32-32.32 feet to the POINT OF BEGINNING, thence S33°42'00"E 134.42 feet, thence S89°58'12"E 33.50 feet, thence S61°44'00"E 133.42 feet, thence S87°29'00"E 132.32-32.32 feet to the POINT OF BEGINNING, Containing 4.5284 Acres, more or less, to 1/100 Acres, more or less, added to RESERVEED and Open for Sale of 1909.

PROJECT TITLE: LOT SP/17 SOUTHSIDE ADDITION OLD LOT 9

LOCATION: BENTONVILLE, ARKANSAS
SHEET TITLE: N08 SE 7TH LOT SP/17
DRAWN BY: JAS
FIRST SCALE: 1"=30'
DATE: SEPTEMBER 11TH, 2017
PROJECT FILE: 25-03256601-LOT SP/17

DATE: 09-14-2017 09:45:00
SHEET # 1

**JORGENSEN
+ASSOCIATES**
Civil Engineering • Surveying



104 W. Sunbridge Drive, Suite 5
Pawtucket, RI 02861
Office: 401.442.9527
Fax: 401.582.4807
www.jorgensen-us.com

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ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 16 & 17 SOUTHSIDE
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 16 & 17 Southside Subdivision, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on October 17, 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 16 & 17 Southside 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

LOT SPLIT STAFF REPORT



Lots 1 & 2 Bailey Subdivision

801 & 803 North Walton Blvd.

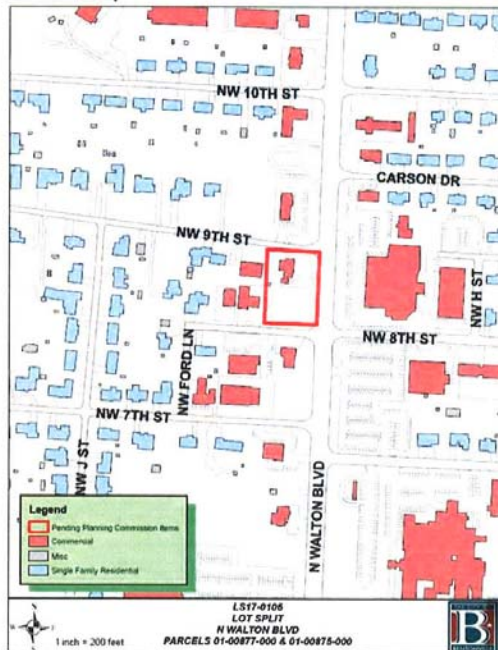
PC Date: 10/17/2017

Reviewer: Jon Stanley, Planner

Project Number	LS17-0106
Applicant / Current Owner	Taildrager, LLC 1209 NW 9 th Street Bentonville, AR 7212
Site Area	0.76+/- acres
Current Zoning	C-2, General Commercial
Future Land Use Map Designation	Commercial (C)

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

Location Map



Property Description

This property is located at 801 & 803 North Walton Boulevard and situated on the southwest corner of the intersection of North Walton Blvd and NW 9th Street. The northern portion of the property is occupied by a commercial business while the southern portion is undeveloped.

Project Details

The applicant has submitted a proposal for a lot split creating two new lots from two existing parcels. The new lots will be known as Lot 1 (0.36 acres) & Lot 2 (0.40 acres) of Bailey Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along NW 9th Street. Cross access easements will be dedicated along the western property lines of each new lot to allow access to NW 8th and NW 9th Streets. Public utility easements are also being dedicated to serve the two new lots. Each of the new lots will have access to public utilities and a public street.

Projected Traffic Impact

The proposed lot split will not adversely impact traffic in the area. The property has access to an adjacent Arterial Street that will provide adequate options for ingress/egress to both of the proposed lots.

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

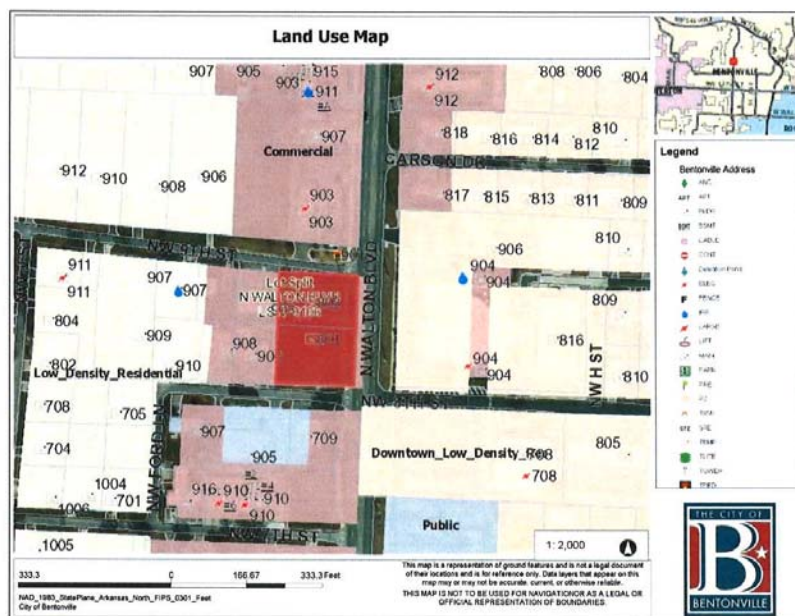
This lot split does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

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

NOTES

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



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 1 & 2 BAILEY
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 Bailey Subdivision, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on October 17, 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 Bailey 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

LOT SPLIT STAFF REPORT



Lots 1, 2 & 3 Forrest Oaks Subdivision

1600 & 1602 NW 3rd Street

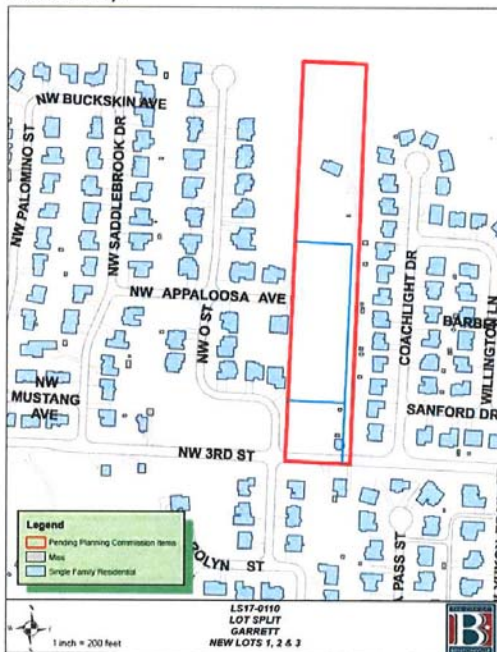
PC Date: 10/17/2017

Reviewer: Jon Stanley, Planner

Project Number	LS17-0110
Applicant / Current Owner	Edward Eugene Garrett 1602 NW 3 rd Street Bentonville, AR 7212
Site Area	6.93+/- acres
Current Zoning	R-1, Single Family Residential & R-E, Residential Estate
Future Land Use Map Designation	Residential Estates (RE)

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

Location Map



Property Description

This property is the location of two single-family homes located at 1600 & 1602 NW 3rd Street. A rezoning to R-E, Residential Estate & R-1, Single Family Residential was approved by the Planning Commission on October 3, 2017. Adjacent zonings include A-1, Agriculture to the north and R-1, Single Family Residential to the south, east, and west.

Project Details

The applicant has submitted a proposal for a lot split creating three new lots from two existing parcels. The new lots will be known as Lot 1 (3.47+/- acres), Lot 2 (2.51+/- acres) & Lot 3 (0.95+/- acres) of Forrest Oaks Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along NW 3rd Street. Public utility easements are also being dedicated to serve the three new lots. Each of the new lots will have access to public utilities and a public street.

Projected Traffic Impact

The proposed lot split 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

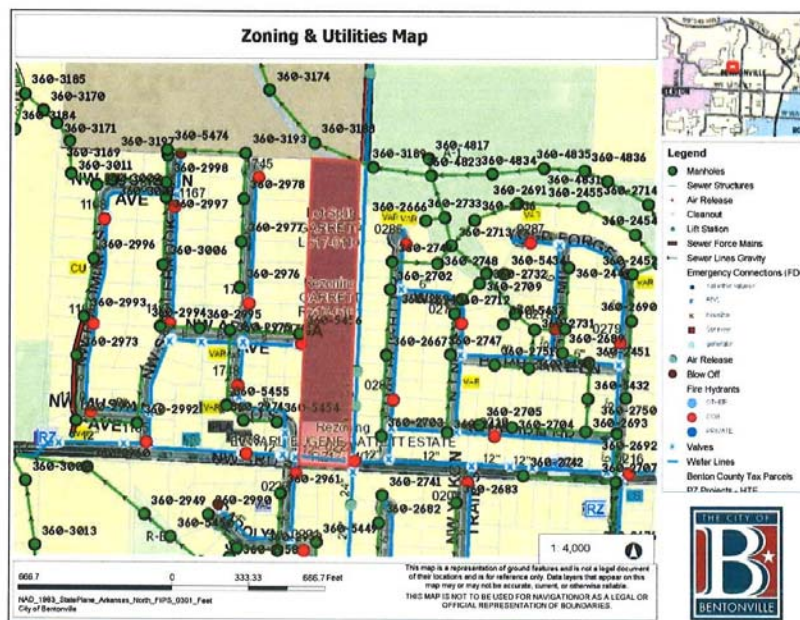
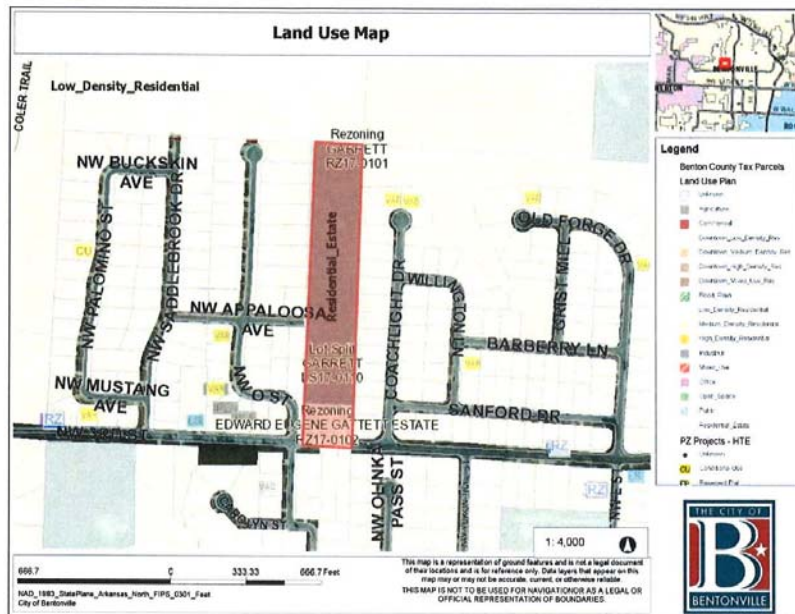
This lot split does meet the minimum requirements of the subdivision regulations.

Standard Conditions of Approval

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

NOTES

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



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 1, 2, & 3 FORREST
OAKS 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, & 3 Forrest Oaks Subdivision, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on October 17, 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, & 3 Forrest Oaks 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

PROPERTY LINE ADJUSTMENT STAFF REPORT



Lots 42 & 43 Oakwood Heights Addition

1906 Almand Drive

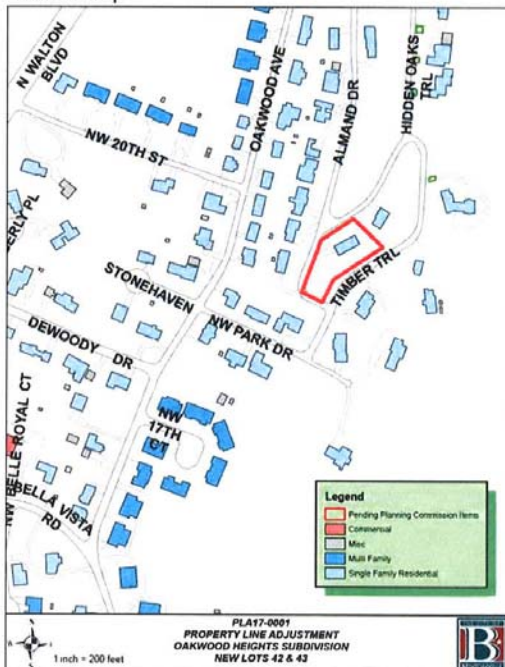
PC Date: 10/17/2017

Reviewer: Jon Stanley, Planner

Project Number	PLA17-0001
Applicant / Current Owner	Drew Mayer 1906 Almand Drive Bentonville, AR 72712
Site Area	0.71+/- acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Low Density Residential (LDR)

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

Location Map



Property Description

The property is an occupied single-family residence located at 1906 Almand Drive in an established single-family residential neighborhood.

Project Details

The applicant has submitted a property line adjustment that will adjust the common lot of existing lots 31 & 32 of Oakwood Heights Addition. The new lots will be known as Lot 42 (0.48+/- acres) and Lot 43 (0.23+/- acres) of Oakwood Heights Addition. Per the Master Street Plan requirements, additional right-of-way will be dedicated along Almand Drive and Timber Trail Road. A public utility easement will also be dedicated with the plat to serve each of the new lots. Both of the new 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

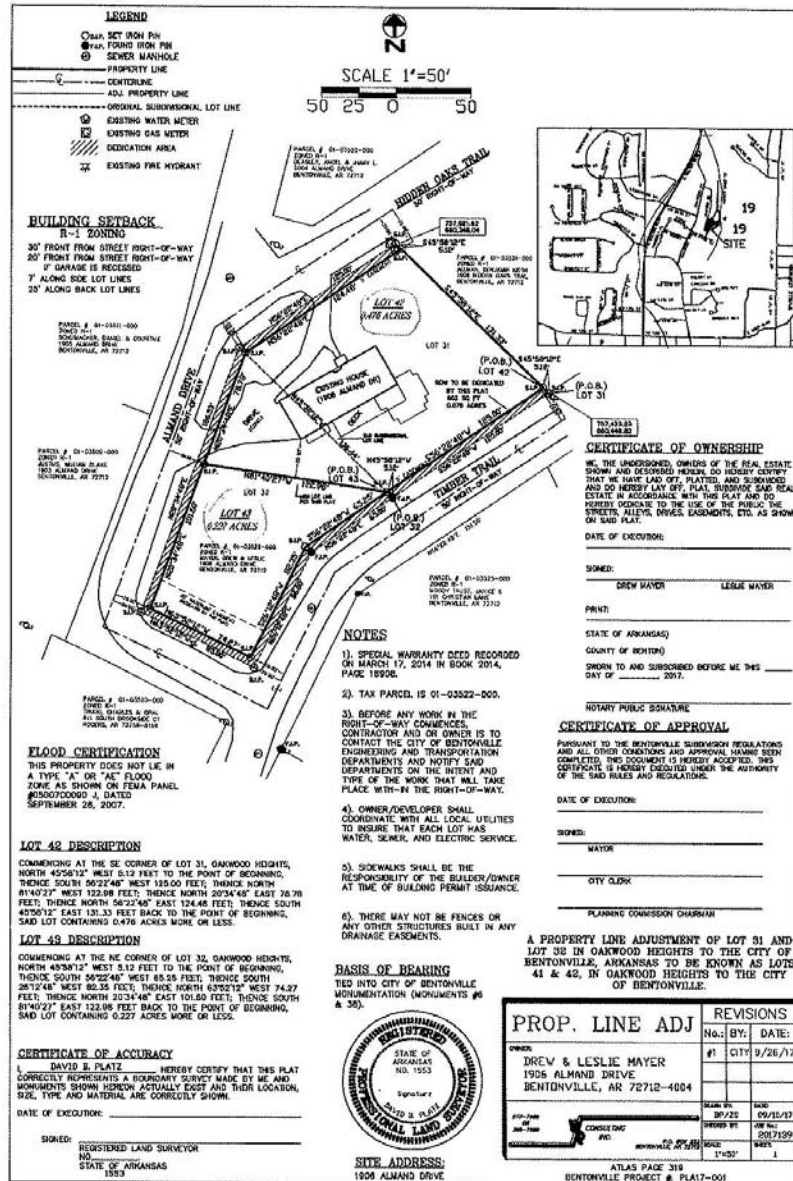
1. Provide digital copy of the plat.
2. Address all technical review comments before requesting a building permit.

Conclusion

In conclusion, this property line adjustment does meet the minimum requirements of the subdivision regulations.

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
42 & 43 OAKWOOD HEIGHTS ADDITION TO THE CITY OF BENTONVILLE,
ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lots 42 & 43 Oakwood Heights Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on October 17, 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 of Lots 42 & 43 Oakwood Heights 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

GENERAL PLAN AMENDMENT STAFF REPORT



Kuhlman Properties, LLC

SW Regional Airport Blvd. & SW Blue Jay Ln.

PC Date: 10/17/2017

Reviewer: Jon Stanley, Planner

Project Number	GPA17-0100
Applicant/ Current Owner	Kuhlman Properties, LLC (Patrick Kuhlman) 11896 Lakenheath Dr, Bentonville, AR 72712
Site Area	6.33+/- acres
Current Zoning	A-1, Agricultural
Current Future Land Use Map Designation	Commercial (C)
Requested Future Land Use Map Designation	High Density Residential (HDR)

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

Location Map



Property Description

This property is the location of an unoccupied 6.33+/- acre parcel that is currently being used for agricultural practices situated due east of SW Blue Jay Lane. The property is currently zoned A-1, Agricultural.

Projected Traffic Impact

The proposed land use designation has the potential to adversely impact traffic in the area. Any proposed development will require further analysis by city staff and project engineers.

Utility Infrastructure

Per the city's GIS, water and sewer are available.

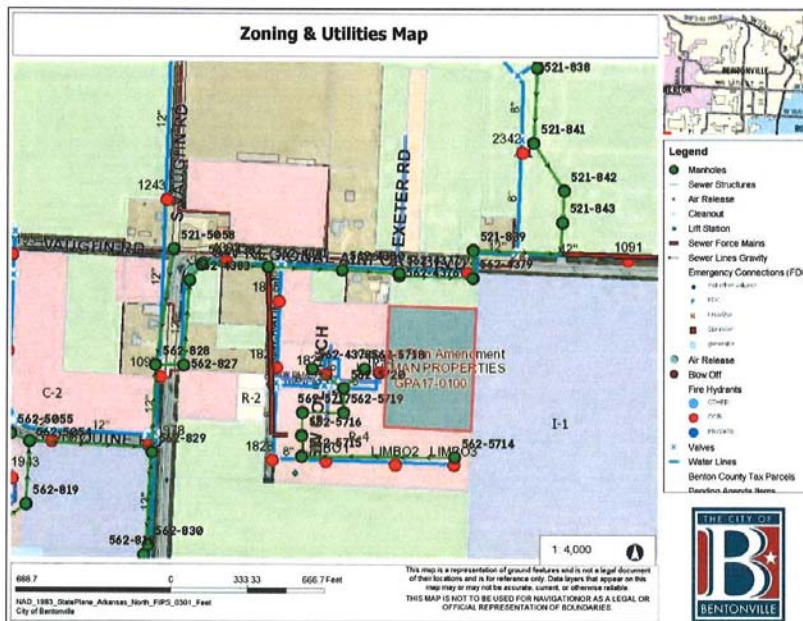
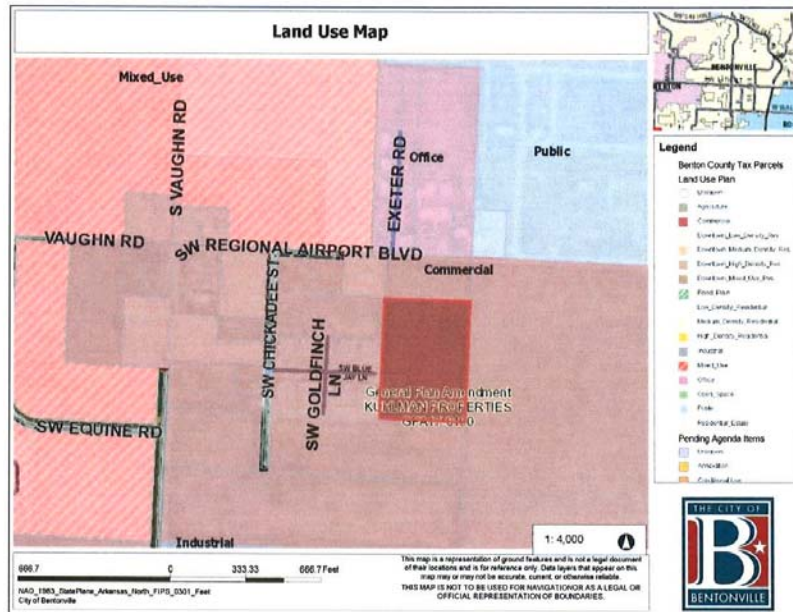
Relationship to the General Plan

The Future Land Use Plan depicts this property as Commercial (C). Policy LU-23 Housing Types within the General Plan suggests that the city should encourage the development of a mix of housing types to meet the needs of residents throughout their lives. As utilities and infrastructure are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed land use will help to reduce the impact on city infrastructure by the extension of public utilities and infrastructure that will be required with the development of this land, all helping to meet the intent of the policy.

Analysis

In conclusion, the requested Future Land Use Map designation of High Density Residential (HDR) will offer a variety of housing types and opportunities in this area of the city. The proposed land use designation will promote future growth in the area and create opportunities for additional residential, commercial, mixed-use and industrial development that will ultimately provide goods and services to residences in and near this area. Error! Reference source not found.

GENERAL PLAN AMENDMENT STAFF REPORT



- 1> The property is under contract and the buyer owns the adjoining parcel # 01-11449-000 known as Skyridge Estates Apartments. They plan to expand the apartment complex using this parcel. Given the location of this parcel and surrounding use, this expansion would complement the area well. The buyer wishes to retain the front northern portion of the property as commercial for an office and/or restaurant space at a future date which would further complement the area. This would be an area equal to the entire width of the property from east to west and 200 feet of the property north to south beginning with the northern most part of the property line.
- 2> Commercial in this area is a stretch at the current time given the distance from the majority of other commercial and changing a portion of this property to HDR is the best use for this property given the adjacent land use already in place and the fact that this will be an expansion of the established HDR already in place. In addition, keeping the front portion of the property as commercial, does allow for commercial development once timing is right to better serve residents in this area.
- 3> Expanding on #2, this area is more prime for multifamily than commercial. There is not a high demand for commercial in this area at the current time
- 4> No, this would enhance the area with additional multifamily to expand on what is already there. Also, keeping the front portion commercial allows for room to fill that need in the future.
- 5> There are not alternates given the buyers intended use based on what is already in place.
- 6> Expansion of the adjoining Skyridge Estates Apartments.
- 7> There are no alternates in this case given the sale and pending use.

RESOLUTION NO. _____

**AN 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 COMMERCIAL
TO HIGH DENSITY RESIDENTIAL.**

WHEREAS, Kuhlman Properties, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of Commercial to High Density Residential on the City of Bentonville Future Land Use Map, which property is described as follows:

THE SOUTH 530 FEET OF THE FOLLOWING PROPERTY: PART OF THE NW/4 OF THE NE/4 OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID 40 ACRE, RUN THENCE WEST 378 FEET, THENCE SOUTH 730 FEET, THENCE EAST 378 FEET, THENCE NORTH 730 FEET TO THE PLACE OF BEGINNING. SUBJECT TO HIGHWAY NO 12 ON THE NORTH SIDE THEREOF; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held October 17, 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 land use classification of Commercial to High 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

GENERAL PLAN AMENDMENT STAFF REPORT



Elzey

SW Featherston Rd., Glenn Rd. & Been Rd.

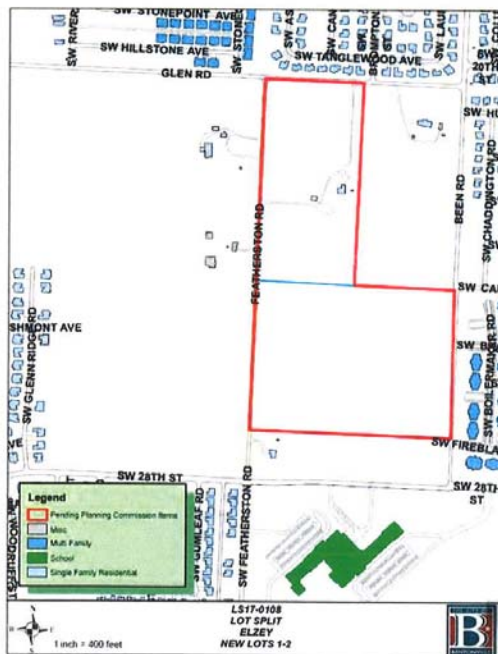
PC Date: 10/17/2017

Reviewer: Jon Stanley, Planner

Project Number	GPA17-01001
Applicant/ Current Owner	Martin Elzey 9601 Glen Rd. Bentonville, AR 72712
Site Area	50+/- acres
Current Zoning	Benton County (Undergoing Annexation)
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 an unoccupied 50+/- acre parcel that is currently being used for agricultural practices situated between Feather Rd. and Been Rd. and due south of Glenn Rd. The property is located in the county but is currently undergoing the annexation process.

Projected Traffic Impact

The proposed land use designation will not adversely impact traffic in the area. The three adjacent collector streets will provide ample opportunities for ingress/egress to any potential development.

Utility Infrastructure

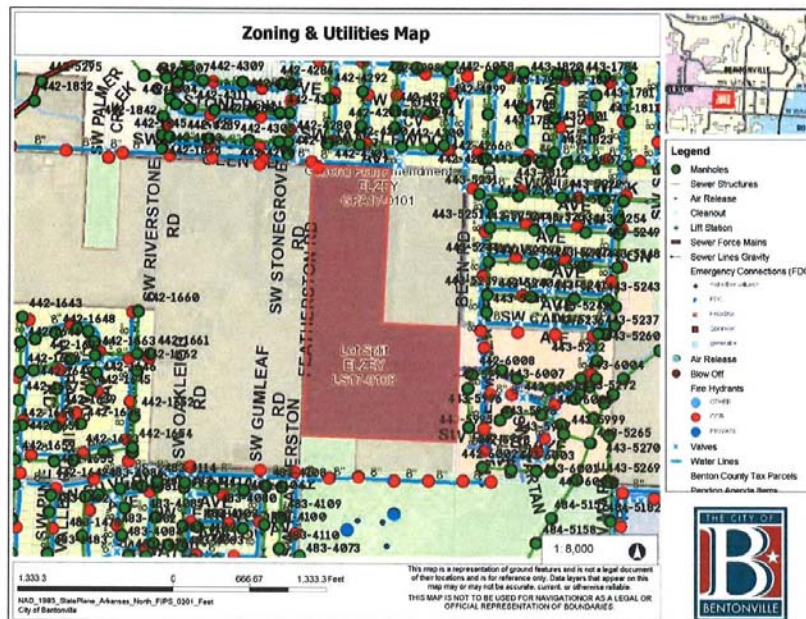
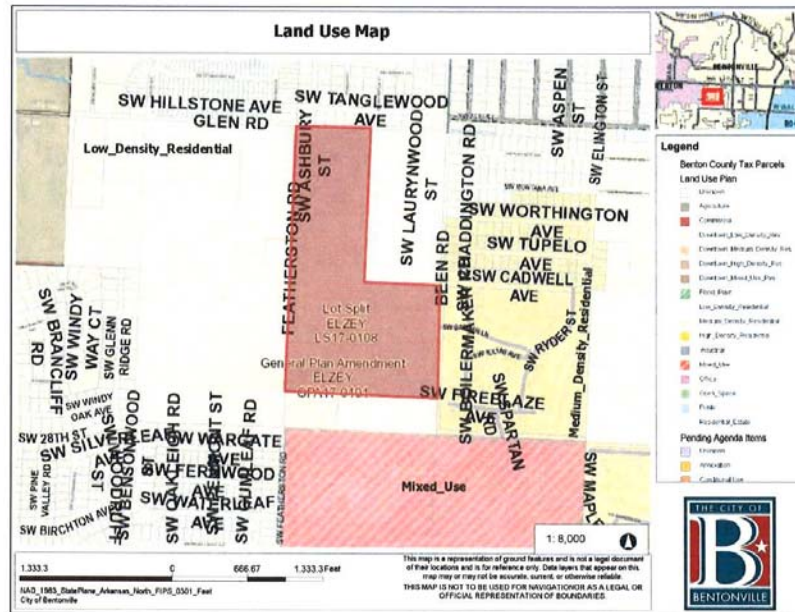
Per the city's GIS, water and sewer are available.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Low Density Residential (LDR). Policy LU-23 Housing Types within the General Plan suggests that the city should encourage the development of a mix of housing types to meet the needs of residents throughout their lives. As utilities and infrastructure are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed land use will help to reduce the impact on city infrastructure by the extension of public utilities and infrastructure that will be required with the development of this land, all helping to meet the intent of the policy.

Analysis

In conclusion, the requested Future Land Use Map designation of Medium Density Residential (MDR) is consistent with the General Plan. It will offer a variety of housing types and opportunities in this area of the city and it is compatible with the surrounding development.





CEI Engineering Associates, Inc.

ENGINEERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ PLANNERS

3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844
www.ceieng.com

September 11, 2017

City of Bentonville
Beau Thompson / Planning Dept.
305 SW A St.
Bentonville, AR 72712

RE: Elzey Voluntary General Plan Amendment

Dear Planning Commission:

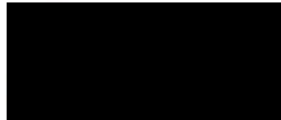
Please accept this letter as a formal request by Martin Elzey, owner of parcel 18-08661-003, to amend the future land use map for his 50-acre property located at 9601 Glen Road in Bentonville, AR. This request is to change the use from low density residential to medium density residential.

The applicant has owned this land for many years and in that time the surrounding uses have changed. Once all agricultural lands, residential developments have been established around the subject property. Existing zonings in the area consist of R-1, R-2, and R-3 properties and the recently completed school at the intersection of Featherson Road and SW 28th Street, just to the south of this property.

The requested land use map amendment will fit well with the character of the area offering a transition between higher and lower density residential areas. The proposed amendment will be well suited to the area based on proximity of the school and will not adversely affect the surrounding properties or the subject tract.

The applicant has marketed the property for sale as a residential development and has a potential buyer for the majority of the land. If the land use plan amendment is approved, the applicant intends to file for annexation and rezoning to facilitate the sale of the property for development.

Respectfully submitted,
CEI Engineering Associates, Inc.



Nate Bachelor, PE
Project Manager

Providing Consolidated Land Development Services

CALIFORNIA ■ TEXAS ■ ARKANSAS ■ MINNESOTA ■ PENNSYLVANIA

RESOLUTION NO. _____

**AN 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, Martin Elzey duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use 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 E1/2 OF THE SE1/4 OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 31 WEST DESCRIBED AS BEGINNING 660 FEET WEST OF THE NE CORNER OF SAID TRACT, RUN THENCE WEST 660 FEET TO THE NW CORNER OF SAID TRACT, THENCE SOUTH 2310 FEET TO A POINT, THENCE EAST 1320 FEET TO THE EAST LINE OF SAID TRACT, THENCE NORTH 990 FEET TO A POINT, THENCE WEST 660 FEET TO A POINT, THENCE NORTH 1320 FEET TO THE NORTH LINE OF SAID TRACT, AND TO THE POINT OF BEGINNING; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held October 17, 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 land use 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:

ATTEST:

Bob McCaslin, Mayor

City Clerk

LOT SPLIT STAFF REPORT



Lots 1 & 2 Fellowship-McMillon Subdivision

1701 NE Tiger Boulevard

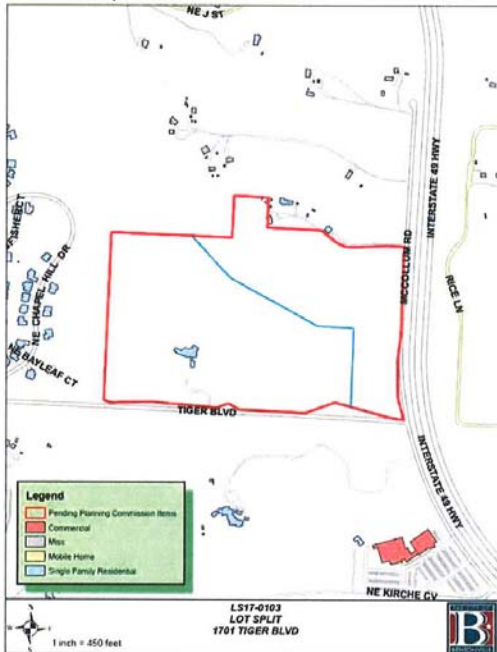
PC Date: 10/17/2017

Reviewer: Jon Stanley, Planner

Project Number	LS17-0103
Applicant / Current Owner	McMillon Family Revocable Trust 1701 Tiger Boulevard Bentonville, AR 7212
Site Area	66+/- acres
Current Zoning	A-1, Agricultural
Future Land Use Map Designation	Low Density Residential & Commercial

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

Location Map



Property Description

This property is the location of a single-family home located at 1701 NE Tiger Boulevard. The property is zoned A-1 Agricultural. Adjacent zonings include Benton County to the north, A-1, Agriculture to the south, R-1, Single Family Residential to the west and I-49 to the east.

Project Details

The applicant has submitted a proposal for a lot split creating two new lots from five existing parcels. The new lots will be known as Lot 1 (41+/- acres) and Lot 2 (25+/- acres) of Fellowship-McMillon Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along a portion of NE Tiger Blvd. & McCollum Road. Public utility easements are also being dedicated to serve the two new lots. Each of the new lots will have access to public utilities and a public street. Note that a sewer easement agreement has been accepted by the sewer department to allow for future sewer service to the new Lot 2.

Projected Traffic Impact

The proposed lot split 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

1 Waiver request:

- Waiver to Article 1100, Design Standards, Section 1100.5.Streets, Right-of-Way Dedication. The applicant is requesting a waiver to r/w dedication for the portion of New Lot 1 adjacent to NE Tiger Blvd. The portion of r/w along Tiger Blvd adjacent to New Lot 2 will be dedicated by this plat.

Conclusion

This lot split does not meet the minimum requirements of the subdivision regulations due to the waiver request.

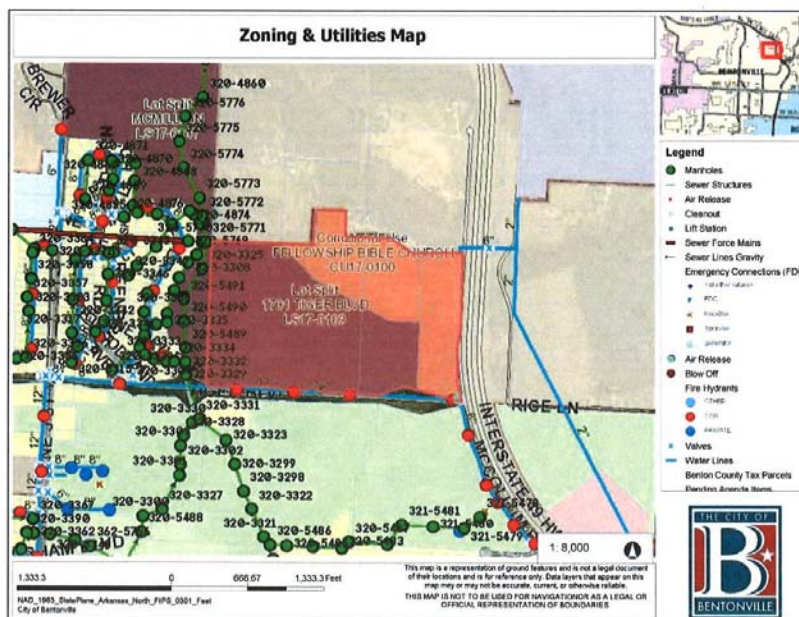
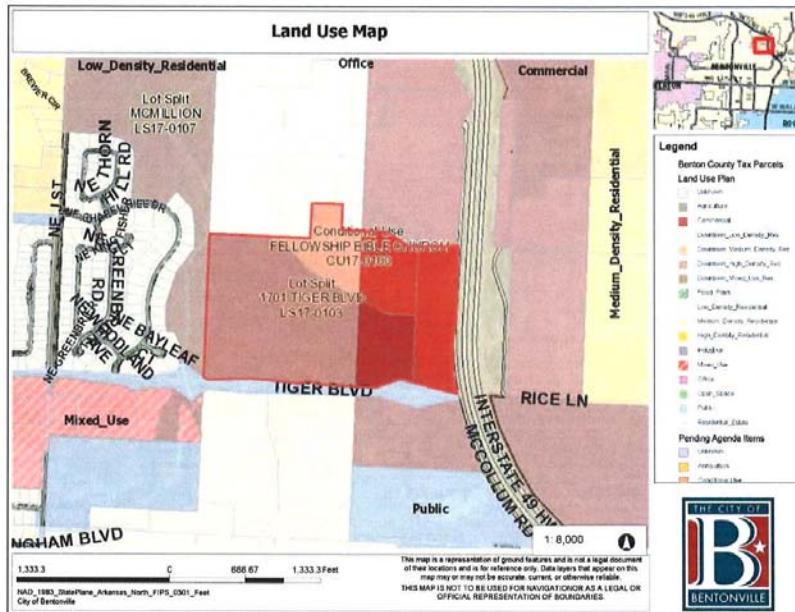
Standard Conditions of Approval

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

NOTES

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

LOT SPLIT STAFF REPORT



ENGINEERING SERVICES INC.

1207 S. Old Missouri Rd. • P.O. Box 282 • Springdale, Arkansas 72765-0282

Ph: 479-751-8733 • Fax: 479-751-8746

October 10, 2017

Mr. Jon Stanley, Planner
City of Bentonville
305 SW A Street
Bentonville, AR 72712
Via E-Mail: JStanley@bentonvillear.com

RE: Fellowship-McMillon Subdivision Lot Split
Bentonville, AR

Dear Mr. Stanley:

We would like to request a Waiver of the Subdivision Code for the dedication of additional master street plan Right-Of-Way along Tiger Blvd. for the New Lot 1 only of the Fellowship-McMillon Subdivision Lot Split. There is existing Right-of-way along this New Lot for Tiger Blvd as shown on the Lot Split.

Please let me know if you have any questions.

Sincerely,



Jason Appel, P.E.
Secretary/Treasurer



Brian J. Moore, P.E.
President

Tim J. Mays, P.E.
Vice President

Jason Appel, P.E.
Secretary/Treasurer

Jerry W. Martin
Chairman of the Board

Consulting Engineers and Surveyors

www.engineeringservices.com

September 28, 2017

Mr. Beau Thompson, AICP
City of Bentonville, Water Utilities
3200 SW Municipal Dr
Bentonville, AR 72712

RE: Sanitary Sewer Easement
Lot Split – McMillon-Fellowship
Bentonville, AR

Mr. Thompson:

Please let this letter serve as formal notice of our agreement, as Trustees of the SHELLEY MCMILLON TRUST, the DOUG MCMILLON TRUST, and the MCMILLON FAMILY REVOCABLE TRUST, to provide a twenty foot wide easement to the City of Bentonville, Arkansas for construction and maintenance of a sanitary sewer main across our properties in order to provide sewer service for the Fellowship Bible Church development. The exact location of the proposed sewer main and associated easement have not yet been determined. However, it is anticipated the easement will cross Benton County Parcel Numbers 01-00248-015 and 01-00248-055. Once the design for the sewer main is completed and the location of the easement is identified, we will execute the necessary documents to create the sewer main easement.


Doug McMillon, Trustee


Shelly McMillon, Trustee

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 1 & 2 FELLOWSHIP-MCMILLON 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 Fellowship-McMillon Subdivision, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on October 17, 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 Fellowship-McMillon 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



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

Shelli Kerr

Department

Planning Services

Phone

271-6822

ACTION REQUIRED:

Appointment of Lauren Haynes to the Public Art Advisory Committee. Ms. Haynes is the Curator of Contemporary Art at Crystal Bridges Museum of American Art. This term will begin November 1, 2017 and expire November 1, 2020.

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: City Council Members and City Clerk
From: Bob McCaslin, Mayor
CC Date: October 24, 2017
Re: Appointment of Lauren Haynes to the Bentonville Public Arts Advisory Committee

I recommend Lauren Haynes, curator of contemporary art at Crystal Bridges Museum of American Art, for appointment to the City of Bentonville's Public Art Advisory Committee. Representation on the committee from Crystal Bridges Museum of American Art will be an asset to the committee and its mission.

This appointment creates a new member position, bringing the total number of members to six. The Public Art Policy requires a minimum of three members and does not establish a maximum. The increasing amount of projects being brought to the committee and growing interest in public art warrants a larger committee that can evenly distribute work necessary to implement these projects.

Bob McCaslin, Mayor



APPLICATION FORM

For appointment to City of Bentonville Boards & Commissions

Please Print or Type all Answers

APPLICANT INFORMATION

Name

If married, spouse's name:

Home Address

City Zip Code

Home/Cell Phone

Business Phone

Email Address

Occupation

Employer

Length of Residency in Bentonville

*Must be a Bentonville resident to serve on a Bentonville Board or Commission.

FOR OFFICE USE ONLY

Board / Commission Appointed to:

Date of Appointment:

Term Expires:

Terminate:

Replaced:

REFERENCES

Name

Phone

Email

Name

Phone

Email

Please select all commissions / boards for which you would like to be considered:

- | | |
|---|---|
| ☐ Advertising & Promotion Commission | ☐ Library Advisory Board |
| ☐ Airport Advisory Board | ☐ Ozark Regional Transit Authority (Bentonville representative) |
| ☐ Bentonville Facility Board | ☐ Parks & Recreation Advisory Board |
| ☐ Board of Adjustment | ☐ Planning Commission |
| ☐ Bentonville Housing Authority | ☒ Public Art Advisory Committee |
| ☐ Criminal Nuisance Abatement Board | ☐ Tree & Landscape Advisory Committee |

1. What are your qualifications for serving on this commission or board, including education and expertise in the subject matter?

I have been a curator working in the contemporary art field for over a decade. I studied art history in college and at my previous job, The Studio Museum in Harlem, I was part of the core team developing a public art initiative for the museum. I have a lot of experience with working with living artists on commissions and site specific projects.

2. Why would you like to be considered for appointment to this commission or board?

I would like to be a part of the Public Art Advisory Committee because I think my experiences and my field of expertise could help the PAAC as it moves into it's next stage of growth. I think there are important overlaps between what's happening at Crystal Bridges and what's happening with public art in Bentonville and I would like to be a part of it. I think I could make a difference.

RETURN THIS APPLICATION TO: Submit by E-mail to Janice Hopkins, jhopkins@bentonvillear.com or deliver to the Mayor's Office, 117 West Central, Bentonville, AR 72712. If you have any questions, call 271-3112.

If you are not appointed, your application will be kept for one year and will automatically be resubmitted during that time. After a year if you want to be considered for a position, you will need to reapply.



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

Shelli Kerr

Department

Planning Services

Phone

271-5997

ACTION REQUIRED:

City Council approval of a budget adjustment to recognize revenue awarded in the form of a donation from Walmart Stores Inc. in the amount of \$25,000.00 to leverage city funds for the purchase of 430 trees for the City of Bentonville's 5th Annual Tree Planting Blitz on October 13, 2017.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount \$0

☐ One time amount

☒ Continuing O and M

Previously Budgeted	\$	35,000
Funds Expended to Date		
Remaining Budget		35,000
Budget Adjustment		25,000
Remaining After Adjustment	\$	60,000

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





Date of Request: October 16, 2017

Justification:

FOR ACTING USE ONLY

Council Action: Approved Disapproved Other _____

Date: _____ Date entered: _____ By: _____

Revised 5/1/07



MEMO



To: Mayor Bob McCaslin, City Council
From: Shelli Kerr, Interim Community & Economic Development Director
CC Date: October 24, 2017
Re: Budget adjustment to recognize Walmart donation for 2017 Tree Planting Blitz

City Council approval of budget adjustment to recognize revenue awarded in the form of a donation from Walmart Stores, Inc. in the amount of \$25,000 to leverage city funds for the purchase of trees for the City of Bentonville's 5th Annual Tree Planting Blitz on October 13, 2017.

The Tree Planting Blitz, now in its fifth year, involves donations and volunteers to make an immediate impact on the environment and aesthetics of Bentonville by planting a large number of trees on public property. The 2017 project is the purchase and planting of 430 trees in 10 varieties.

Thank you for your consideration. Please contact me if you have questions or want to discuss in more detail at (479) 271-3126 or skerr@bentonvillear.com.

From: Troy Galloway
Sent: Friday, July 28, 2017 11:01 AM
To: 'Michael Lindsey'
Cc: Jon Stanley; Shelli Kerr; Brian Bahr
Subject: RE: Tree Day Support

Michael – Likewise, appreciate you and the manner in which Wal-Mart continues to support our community!
Thanks much. TG

Troy D. Galloway, AICP
Community and Economic Development Director
305 SW "A" Street
Bentonville, AR 72712
Office, 479-271-3122
Fax, 479-271-5906
www.bentonvillear.com

-----Original Message-----

From: Michael Lindsey [mailto:
Sent: Friday, July 28, 2017 10:13 AM
To: Troy Galloway
Subject: Tree Day Support

Troy,

Walmart Public Affairs will support the city's Tree Day event at the level of \$25,000 again this year. Thank you for everything you do for the city and its residents and businesses.

I hope to have a check by the end of August.

Thanks,
Michael Lindsey




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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

Mike Bender

Department

Public Works Dir

Phone

271-6873

ACTION REQUIRED:

Staff recommends City Council approval of Change Order No. 2 and Final Reconciliation of the Guaranteed Maximum Price Contract with Flintco, LLC for construction services associated with the new City Maintenance Facility recognizing a decrease of \$791,469.00 reducing the contract total from \$25,635,142.00 to \$24,843,673.00.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$	25,635,142
Funds Expended to Date		24,843,673
Remaining Budget		791,469
Budget Adjustment		-
Remaining After Adjustment	\$	791,469

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: City Council, Mayor McCaslin

From: Mike Bender

CC:

Date: October 16, 2017

Re: Change Order No. 2 and Final Reconciliation - Flintco, LLC Contract for Construction of City Maintenance Facility

Staff recommends City Council approval of Change Order No. 2 and Final Reconciliation of the Guaranteed Maximum Price Contract with Flintco, LLC for construction services associated with the new City Maintenance Facility recognizing a decrease of \$791,469.00 reducing the contract total from \$25,635,142.00 to \$24,843,673.00.

The facility will have an open house on October 30, 2017 from 3:00 PM to 6:00 PM.

Thank you for your consideration of this request.

AIA Document G701™ – 2001

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 002	OWNER: ☐
Flintco - SPD - Bentonville Maintenance Facility	DATE: October 2, 2017	ARCHITECT: ☐
3200 SW Municipal Drive, Bentonville, AR 72712		CONTRACTOR: ☐
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER:	FIELD: ☐
Flintco, LLC	CONTRACT DATE: February 02, 2015	OTHER: ☐
184 E. Fantinel Blvd	CONTRACT FOR: General Construction	
Springdale, AR 72762		

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)
Savings returned to the owner. See attached back up.

The original Guaranteed Maximum Price was	\$	25,635,142.00
The net change by previously authorized Change Orders	\$	0.00
The Guaranteed Maximum Price prior to this Change Order was	\$	25,635,142.00
The Guaranteed Maximum Price will be decreased by this Change Order in the amount of	\$	791,469.00
The new Guaranteed Maximum Price including this Change Order will be	\$	24,843,673.00

The Contract Time will be increased by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

<u>Hight Jackson Associates PA</u>	<u>Flintco, LLC</u>	<u>City of Bentonville, Arkansas</u>
ARCHITECT (Firm name)	CONTRACTOR (Firm name)	OWNER (Firm name)
<u>5201 Village Pkwy Suite 300</u>	<u>184 E. Fantinel Blvd</u>	<u>117 West Central Ave</u>
<u>Rogers, AR 72758</u>	<u>Springdale, AR 72762</u>	<u>Bentonville, AR 72712</u>
<u>[Redacted]</u>	<u>[Redacted]</u>	ADDRESS
<u>Brian Jackson</u>	<u>[Signature]</u>	BY (Signature)
(Typed name)	(Typed name)	<u>Mike Bender</u>
<u>10/3/17</u>	<u>10-3-17</u>	(Typed name)
DATE	DATE	DATE

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User Notes:

(389ADA20)

Owner Contingency Log

Project Name: Bentonville Public Works
Project No.: 14705



Updated: 10/2/17

Item	Arch. Doc	Description	Date Submitted	Status	Outstanding	Total Amount
1	ASI-003	Change location of northeast fire hydrant per ASI-003.	5/4/2016	Approved		\$2,900
2	ASI-009	Additional piping to FDC at building H per ASI-009	5/4/2016	Approved		\$7,424
3	ASI-008	Grading revisions along west side of property, water/sewer line	5/11/2016	Approved		\$5,045
4	ASI-014	Miscellaneous door revisions in Admin and Building F	6/27/2016	Approved		\$5,699
5	ASI-015	Generator. Deduct for Flintco to purchase Generac, add 100 amp power	6/27/2016	Approved		\$33,981
6	ASI-016	Add hose bibs at building H	6/27/2016	Approved		\$3,178
7	ASI-017	Furnish transaction window at auction house G	7/19/2016	Approved		\$5,670
8	ASI-018	Storm drain/paving at 28th & SWMD. Add retaining walls/handrills at bays	7/26/2016	Approved		\$42,583
9	ASI-019	Locker revisions, add countertop in C130	8/23/2016	Approved		\$1,319
10	ASI-020	Millwork revisions and appliance coordination	8/23/2016	Approved		\$2,411
11	RFI-058	Add downspout boots at four locations at building H	8/23/2016	Approved		\$2,717
12		Change from hydroseed to sod along SWMD drive	9/22/2016	Approved		\$3,656
13	ASI-024	Site Lighting Revisions	10/10/2016	Approved		\$2,727
14	ASI-025	Add landscaping at Admin Building and grade revisions at connectors A/D, C/F	10/25/2016	Approved		\$2,121
15		Add faux wood blinds at south elevation	10/27/2016	Approved		\$2,843
16	ASI-028	Add light fixtures at flag poles	11/30/2016	Approved		\$7,053
17		Add cabinets in F107 and ice maker box in E	1/25/2017	Approved		\$5,623
18		Furnish and install new storage racks in H per IBT quote dated 1/16/17.	1/25/2017	Approved		\$5,367
19		Add cabinets in conference room A214	1/25/2017	Approved		\$2,845
20	ASI-029	Add restroom F113 and add three windows at reception A103 per ASD-A6 dated 1/13/17	1/26/2017	Approved		\$20,194
21	ASD-C10	Add CMP office hood at outlet structure	2/7/2017	Approved		\$20,453
22	RFI-094	Add four type S fixtures on exterior east elevation of Building F	2/7/2017	Not Approved		\$0
23		Add plywood at E, F and connectors	2/27/2017	Approved		\$2,288
24		Add blocking at TV locations	2/27/2017	Approved		\$3,792
25		Seal concrete floors/walls at Sand/salt building K	3/20/2017	Approved		\$11,220
26		Texture/paint plywood walls at TMC room	3/20/2017	Approved		\$1,651
27		Revisions to light pole storage area and extend east parking lot	4/18/2017	Approved		\$135,250
28	ASI-031	West Entrance revisions	4/24/2017	Approved		\$18,033
29		Install owner furnished TV's and mounting brackets	4/24/2017	Approved		\$5,981
30		Deduct retractable cover at bins	10/25/2016	Approved		\$183,894
31		Add sod per email dated 4/19/17	4/19/2017	Approved		\$10,740
\$0						(245,611.00)
Owner Contingency Amount:						\$355,635.00
Approved Contingency Items:						(324,531.00)
Current Contingency Amount:						\$109,824.00
Pending Items:						\$0.00
Revised Contingency Amount:						\$109,824.00

Bentonville Public Works

Owner Contingency Log

Project Name: Bentonville Public Works
Project No.: 14705



Updated: 10/2/17

Item	Arch Doc	Description	Date Submitted	Status	Outstanding	Total C.O. Amount
31						
32		Add two sliding windows at the open office in H	5/8/2017	Approved	\$0	\$0
33		Add handrails at loading dock per fire marshal		Not Approved		(\$4,285)
34		Masonry savings from Walker to Hodkin		Approved	\$0	\$0
35		Deduct F Street sidewalks	4/14/2017	Approved	\$0	\$38,564
36		Relocate existing light pole on F Street out of Carroll Elec easement	4/14/2017	Approved	\$0	\$15,000
37		Add one light at sign shop F-107	4/14/2017	Approved	\$0	(\$4,172)
38		Change power requirements for eye wash stations at bays (H.S.A to pay BIEI)	5/25/2017	Approved	\$0	(\$565)
39		Rework cabinets at B kitchen	5/8/2017	Not approved	\$0	\$0
40		Beam detector for G per fire marshal	5/25/2017	Approved	\$0	(\$1,369)
41		Add door between B107 and B133	5/25/2017	Approved	\$0	(\$3,859)
42		Add sidewalk from east millings parking lot to pavement	6/1/2017	Approved	\$0	(\$1,024)
43		Add lay in ceiling in Scada Rm 133	6/1/2017	Approved	\$0	(\$3,759)
44		Additional knox boxes & battery back ups per fire marshal	7/7/2017	Approved	\$0	(\$1,251)
45		Furniture at Lobby	7/7/2017	Approved	\$0	(\$7,578)
46		Allowance savings from fuel station	7/7/2017	Approved	\$0	(\$27,822)
47		Savings from Alternate for building expansion & LED fixtures	7/7/2017	Approved	\$0	\$220,332
48		Allowance savings from low voltage	7/7/2017	Approved	\$0	\$2,819
49		Allowance savings from additional undercut	7/7/2017	Approved	\$0	\$48,842
50		Bronze building plaque & aluminum "B" sign costs over allowance	7/7/2017	Approved	\$0	\$2,149
51		Allowance savings from aluminum letters	7/7/2017	Approved	\$0	(\$3,058)
52		Relocate camera at Area H transformer storage to exterior	7/7/2017	Approved	\$0	\$49
53		Add carpet in SCADA and area B corridors	8/7/2017	Approved	\$0	(\$1,557)
54		Furnish/install concrete bases for pole storage racks	8/7/2017	Not Approved	\$0	\$0
55	AS1-033	Lighting and switching revisions at breakrooms/planrooms	8/8/2017	Approved	\$0	(\$14,375)
56	AS1-032	Warehouse - Dock bumpers and railing at ramp	8/17/2017	Approved	\$0	(\$7,126)
57		Miscellaneous Door & Hardware revisions	8/17/2017	Approved	\$0	(\$9,879)
58		Savings from millwork, painting and fire protection contingencies	10/2/2017	Approved	\$0	(\$9,841)
Sub-Total					\$0	\$52,877
					\$0	\$33,297.00
					Owner Contingency Amount	\$355,635.00
					Approved Contingency Items	\$33,297.00
					Current Contingency Amount:	\$388,932.00
					Pending Items:	\$0.00
					Revised Contingency Amount:	\$388,932.00

Bentonville Public Works

CMContingency Log

Project Nar Bentonville Public Works
Project No. 14705



Updated: 9/15/17

Item Arch. Doc	Description	Date Submitted	Status	Outstanding	Total Amount
1	Additional sod and seeding for final inspection				(\$3,964)
2	Scheifers - downspouts at canopies				(\$23,909)
3	Alliance charges for seamer, extras				(\$6,178)
4	Repair epoxy floor at C115				(\$2,738)
5	Fig Tree - miscellaneous railing fixes				(\$7,343)
6	Mountain - extras for FCO				(\$2,313)
7	Progressive - misc at H				(\$1,450)
8					\$0
9					\$0
10					\$0
11					\$0
12					\$0
13					\$0
14					\$0
15					\$0
16					\$0
17					\$0
18					\$0
				\$0	(47,894.90)
Bentonville Public Works					
				Owner Contingency Amount:	\$450,432.00
				Approved Contingency Items:	(\$47,894.90)
				Current Contingency Amount:	\$402,537.10
				Pending Items:	\$0.00
				Revised Contingency Amount	\$402,537.10



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

Bryan Wick

Department

Engineering

Phone

696-0227

ACTION REQUIRED:

Staff recommends adoption of the document titled "City of Bentonville Amendments to the 2012 Arkansas Fire Prevention Code Volume I".

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





Inter-office Memorandum

To: City Council, Mayor McCaslin
From: Assistant Fire Marshal Jake Feemster
CC: Fire Chief Brent Boydston, Fire Marshal Rod Hughes, Camille Thompson
Date: 9/8/2017
Re: Local Bentonville amendments to the 2012 Arkansas Fire Prevention Code

Staff recommends adoption of the document titled "City of Bentonville Amendments to the 2012 Arkansas Fire Prevention Code Volume I".

Purpose:

- To make local requirements more easily interpreted by aligning current City of Bentonville requirements with the layout of the current Arkansas Fire Prevention Code (AFPC)
- To establish a permit structure that will aide in the monitoring of special hazards in the community that pose elevated risks to the public and emergency responders
- To create a basis for cost recovery of city staff used for services during construction projects and monitoring special hazards

History:

- The Arkansas Fire Prevention Code omits the majority of the permit section outlined in the International Fire Code to allow municipalities to adopt permits that are appropriate to the risks in their individual communities provided that no requirement be less restrictive than the state code.
- No city amendments were changed in 2014 when Bentonville adopted the 2012 AFPC
- Currently, multiple ordinances exist that are difficult for design professionals, contractors and the public to find access to.
- With the exception of the permit section of this document, all other requirements are already being enforced based on other provisions of the code or local ordinances.

Method:

- The 2012 International Fire Code was used as a guide to create the City of Bentonville amendments that address the greatest risks to life in property in our community.
- All previous fire department requirements were placed in the applicable sections of the fire code.

Thank you for your consideration of this request.

From: [Jake Feemster](#)
To: [Bryan Wick](#)
Subject: Fwd: City of Bentonville amendments to the 2012 AFPC
Date: Monday, September 18, 2017 1:03:49 PM
Attachments: [image001.jpg](#)

W. Jake Feemster
Asst. Fire Marshal
Bentonville Fire Dept.
479-271-5947
jafeemster@bentonvillear.com

Sent from my iPhone

Begin forwarded message:

From: Lindsey Williams [REDACTED]
Date: September 15, 2017 at 10:00:03 AM CDT
To: Jake Feemster <jafeemster@bentonvillear.com>, Brent Boydston <BBoydston@bentonvillear.com>, Rod Hughes <rhughes@bentonvillear.com>, "CThompson@bentonvillear.com" <CThompson@bentonvillear.com>
Cc: Debbie Trimble [REDACTED]
Subject: RE: City of Bentonville amendments to the 2012 AFPC

Jake,

The City of Bentonville amendments (relating to provisions in the 2012 Arkansas Fire Prevention Code) that you recently submitted have been reviewed. Based on the review, it appears that all of the local amendments are as stringent as the corresponding provisions in the 2012 Arkansas Fire Prevention code and many are more stringent. I am comfortable concluding that the City of Bentonville is in compliance with Section 101.2.2, Arkansas Fire Prevention Code, Volume I, 2012 Edition. I appreciate your due diligence with this matter. I also appreciate the Bentonville Fire Department's support of the Arkansas Fire Prevention Code and I value the relationship that has developed between the Bentonville Fire Department and the State Fire Marshal's Office. I have included Chief Boydston, Fire Marshal Hughes, and City Attorney Camille Thompson on this response. You are welcome to share this email with Mayor McCaslin and the City Council as you move forward with local adoption of the amendments. Please do not hesitate to contact me if I can be of further assistance.

Lindsey

Major Lindsey Williams

Commander, Regulatory and
Building Operations Division
State Fire Marshal
1 State Police Plaza Drive

Little Rock, AR 72209
Office: 501-618-8624



From: Jake Feemster [<mailto:jafeemster@bentonvillear.com>]
Sent: Friday, September 08, 2017 3:19 PM
To: Lindsey Williams
Subject: FW: City of Bentonville amendments to the 2012 AFPC

From: Jake Feemster
Sent: Friday, September 08, 2017 3:06 PM
To: [REDACTED]
Cc: [REDACTED]; Camille Thompson <CThompson@bentonvillear.com>; Brent Boydston <BBoydston@bentonvillear.com>; Rod Hughes <rhughes@bentonvillear.com>
Subject: City of Bentonville amendments to the 2012 AFPC

Major Williams,

I am emailing you this afternoon to ask for your review of the amendments to the fire code that the City of Bentonville is proposing. I have attached the amendment document and the Memo being sent to the City Council and Mayor. If you deem us to be equally or more restrictive than the state code, will you please provide verification to the individuals that are copied on this email? In addition to Ms. Trimble, I have copied Fire Chief Brent Boydston, Fire Marshal Rod Hughes, and City Attorney Camille Thompson.

Respectfully,

W. Jake Feemster, CFM

Captain / Asst. Fire Marshal

Bentonville Fire Department

Office: 479.271.5947

Main: 479.271.3151

Fax: 479.271.5980

EXHIBIT A
City of Bentonville Amendments
to the 2012 Arkansas Fire Prevention Code Volume I

Sections listed in this document shall replace or amend sections with the same number in the
2012 Arkansas Fire Prevention Code Volume I

105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.7.16.

[A] 105.1.1 Permits required. Any property owner or authorized agent who intends to conduct an operation or business, or install or modify systems and equipment which is regulated by this code, or to cause any such work to be done, shall first make application to the fire code official and obtain the required permit.

[A] 105.1.2 Types of permits. There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for either:
 - 1.1. A prescribed period.
 - 1.2. Until renewed or revoked.
2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7.

[A] 105.1.3 Multiple permits for the same location.

When more than one permit is required for the same location, the fire code official is authorized to consolidate such permits into a single permit provided that each provision is listed in the permit.

[A] 105.2 Application. Application for a permit required by this code shall be made to the fire code official in such form and detail as prescribed by the fire code official. Applications for permits shall be accompanied by such plans as prescribed by the fire code official.

[A] 105.2.1 Refusal to issue permit. If the application for a permit describes a use that does not conform to the requirements of this code and other pertinent laws and ordinances, the fire code official shall not issue a permit, but shall return the application to the applicant with the refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons for refusal.

[A] 105.2.2 Inspection authorized. Before a new operational permit is approved, the fire code official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required.

[A] 105.2.3 Time limitation of application. An application for a permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the fire code

official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[A] 105.2.4 Action on application. The fire code official shall examine or cause to be examined applications for permits and amendments there to within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the fire code official shall reject such application in writing, stating the reasons therefor. If the fire code official is satisfied that the proposed work or operation conforms to the requirements of this code and laws and ordinances applicable thereto, the fire code official shall issue a permit therefor as soon as practicable.

[A] 105.3 Conditions of a permit. A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of this code where a permit is required by Section 105.6 or 105.7. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

[A] 105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed or revoked, or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

[A] 105.3.2 Extensions. A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The fire code official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 180 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

[A] 105.3.3 Occupancy prohibited before approval. The building or structure shall not be occupied prior to the fire code official issuing a permit and conducting associated inspections indicating the applicable provisions of this code have been met.

[A] 105.3.4 Conditional permits. Where permits are required and upon the request of a permit applicant, the fire code official is authorized to issue a conditional permit to occupy the premises or portion thereof before the entire work or operations on the premises is completed, provided that such portion or portions will be occupied safely prior to full completion or installation of equipment and operations without endangering life or public welfare. The fire code official shall notify the permit applicant in writing of

any limitations or restrictions necessary to keep the permit area safe. The holder of a conditional permit shall proceed only to the point for which approval has been given, at the permit holder's own risk and without assurance that approval for the occupancy or the utilization of the entire premises, equipment or operations will be granted.

[A] 105.3.5 Posting the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

[A] 105.3.6 Compliance with code. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the fire code official, as evidenced by the issuance of a new or amended permit.

[A] 105.3.7 Information on the permit. The fire code official shall issue all permits required by this code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the fire code official. Issued permits shall bear the signature of the fire code official or other approved legal authorization.

[A] 105.3.8 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinances of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents, operational documents and other data shall not prevent the fire code official from requiring correction of errors in the documents or other data.

[A] 105.4 Construction documents. Construction documents shall be in accordance with this section.

[A] 105.4.1 Submittals. Construction documents and supporting data shall be submitted electronically following the procedures outlined on the City of Bentonville's website. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.

Exception: The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

[A] 105.4.1.1 Examination of documents. The fire code official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the work indicated and described is in accordance with the requirements of this code.

[A] 105.4.2 Information on construction documents. Construction documents shall be drawn to scale upon suitable material. Electronic media documents are allowed to be submitted when approved by the fire code official. Construction documents shall be of sufficient clarity to indicate the location, nature

and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the fire code official.

[A] 105.4.2.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the construction documents, and shall be approved prior to the start of installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

[A] 105.4.3 Applicant responsibility. It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and the shop drawings are complete and in compliance with the applicable codes and standards.

[A] 105.4.4 Approved documents. Construction documents approved by the fire code official are approved with the intent that such construction documents comply in all respects with this code. Review and approval by the fire code official shall not relieve the applicant of the responsibility of compliance with this code.

[A] 105.4.4.1 Phased approval. The fire code official is authorized to issue a permit for the construction of part of a structure, system or operation before the construction documents for the whole structure, system or operation have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for parts of a structure, system or operation shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure, system or operation will be granted.

[A] 105.4.5 Corrected documents. Where field conditions necessitate any substantial change from the approved construction documents, the fire code official shall have the authority to require the corrected construction documents to be submitted for approval.

[A] 105.4.6 Retention of construction documents. One set of construction documents shall be retained by the fire code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

[A] 105.5 Revocation. The fire code official is authorized to revoke a permit issued under the provisions of this code when it is found by inspection or otherwise that there has been a false statement or misrepresentation as to the material facts in the application or construction documents on which the permit or approval was based including, but not limited to, any one of the following:

1. The permit is used for a location or establishment other than that for which it was issued.
2. The permit is used for a condition or activity other than that listed in the permit.
3. Conditions and limitations set forth in the permit have been violated.
4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
5. The permit is used by a different person or firm than the name for which it was issued.
6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
7. The permit was issued in error or in violation of an ordinance, regulation or this code.

[A] 105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.7.

[A] 105.6.1 Explosives. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 56.

Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

[A] 105.6.2 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

Exception: Recreational fires.

[A] 105.6.3 Open flames and candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.

[A] 105.6.4 Places of assembly. An operational permit is required to operate a place of assembly in buildings that are not ordinarily classified as used during special events.

[A] 105.6.5 Temporary membrane structures and tents. An operational permit is required to operate an air supported temporary membrane structure or a tent having an area in excess of 400 square feet (37 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides, which comply with all of the following:
 - 2.1. Individual tents having a maximum size of 700 square feet.
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet shall not exceed 700 square feet total.
 - 2.3. A minimum clearance of 12 feet to structures and other tents shall be provided.

[A] 105.6.6 Special Events. An operational permit is required for special events that have a significant impact on emergency operations.

[A] 105.6.7 Special Amusement Building. An operational permit is required for all special amusement buildings where egress may be hindered due to obstacles or loss of orientation.

[A] 105.7 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.2.

[A] 105.7.1 Automatic fire-extinguishing systems. A construction permit is required for installation of or modification to an automatic fire-extinguishing system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

[A] 105.7.2 Fire alarm and detection systems and related equipment. A construction permit is required for installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

[A] 105.8 The State of Arkansas Permits. This article has been moved from article 105.1 of the state fire code to 105.8.1 of this code.

[A] 105.8.1 Fireworks licenses or public display permits. Permits shall be obtained as required below. Such permits will be issued when the requirements of the State Fire Marshal's office have been met; and they may be suspended or revoked if the requirements are violated. Application for "State Permits," required as follows, shall be made in writing, on required forms to the State Fire Marshal, Arkansas State Police, 1 State Police Plaza Drive, Little Rock, AR 72209- 2971. The State Fire Marshal's Office telephone number is 501-618-8624 until further notice.

1. Fees. No fee is required for a state fireworks license or public display permit except as prescribed for licenses relating to fireworks and except as hereafter otherwise provided by law and these rules.
2. State permits. A permit or license shall be obtained from the State Fire Marshal for:
 - (a) Dealing in fireworks as set out in state fireworks laws;
 - (b) Public fireworks display permit for indoor and outdoor displays; and
 - (c) Installation of aboveground storage tanks for combustible liquids, flammable liquids, and hazardous chemicals.Exception:
 1. Tanks that are part of emergency generator systems.
 2. Temporary tanks (period of use not to exceed 6 months).

[A] 109.5 Reinspection fees. Reinspection fees shall be paid in accordance with 109.5.1 and 109.5.2

[A] 109.5.1 Reinspection fees for existing buildings and businesses. When violations of this code are issued, the building or business owner shall be assessed a reinspection fee if the violation exists after the first reinspection. All fees shall be paid within 30 calendar days of notice, to comply with this code.

[A] 109.5.2 Reinspection fees for construction permits. Any inspection of work that does not comply with this code shall be assessed a reinspection fee. All fees shall comply with 113.2.

[A] 113.2 Schedule of permit fees. A fee for each permit shall be paid before final approval is obtained, in accordance with the schedule as established by The City of Bentonville.

[A] 113.6 Plan review resubmittal fee. A plan review resubmittal fee shall be assessed to the permit applicant if plans are required to be resubmitted by the fire code official due to non-compliance of this code.

Exception: The fire code official is authorized to request a revision in accordance with 113.7 if violations are minor and can be corrected with amendments to the original plan set.

[A] 113.7 Plan review revision fee. A plan review revision fee shall be assessed to the permit applicant if plans are revised after the fire code official has reviewed the original plans.

Section 202 General Definitions

KEY BOX. A secure device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency. The approved Key Box in the City of Bentonville shall be Knox-Box TM.

Occupancy Classifications

[B] Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade. Rooms normally occupied by preschool, kindergarten or first-grade students shall be located on a level of exit discharge. Rooms normally occupied by second-grade students shall not be located more than one level above the level of exit discharge unless provided with a dedicated and independent means of egress.

Accessory to places of worship. Religious educational rooms and religious auditoriums, which are accessory to places of religious worship in accordance with Section 508.3.1 of the Arkansas Fire Prevention Code, Volume II and have occupant loads of less than 100, shall be classified as Group A-3 occupancies.

Group E, day care facilities. This group includes buildings and structures or portions thereof occupied by more than five children older than 2 1/2 years of age who receive educational, supervision or personal care services for less than 24 hours per day.

Within places of worship. Rooms and spaces within places of worship providing such care during religious functions shall be classified as part of the primary occupancy.

Six to sixteen children (DHS Licensed Home) A facility having between six and sixteen children receiving such care shall be classified as a Group E Daycare.

Five or fewer children. A facility having five or fewer children receiving such care shall be classified as part of the primary occupancy.

Five or fewer children in a dwelling unit. (DHS Registered Home) A facility such as the above within a single family-dwelling unit and having five or fewer children receiving such care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

307.1.1 Prohibited open burning. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

Exception:

Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the fire code official.

307.4.1 Bonfires. A bonfire shall not be conducted within 100 feet of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 100 feet (15 240 mm) of a structure shall be eliminated prior to ignition.

307.4.2 Recreational fires. Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition. Recreational fires shall not exceed 3 feet in diameter or 2 feet in height.

307.4.5 Controlled burning. Controlled burning, for the purpose of clearing land shall be allowed at the discretion of fire department officials with the issuance of a burn permit, subject to the following guidelines:

- (1) Wind cannot exceed ten miles per hour.
- (2) Burn piles or bonfires shall not be located within 100 feet of any structure or highway.
- (3) Material must be extinguished completely by dark, or a representative of the landowner must be on site all night to fire watch.
- (4) Fire must be controllable by the person on-site with water or heavy equipment.
- (5) Surrounding properties must be considered. Permits will not be issued for properties in high hazard areas or high population areas, such as apartment complexes, hospitals, schools, etc.

307.4.5 Prohibited burning of yard debris. The burning of yard debris shall be prohibited at all times.
Exception: Property that is zoned agricultural or residential estate and properly permitted.

Section 319

Use and sale of fireworks and other explosives.

319.1 Unlawful selling or discharge. It shall be unlawful for any person to sell or engage in shooting firecrackers, torpedoes, sky lanterns and skyrockets or to discharge any other explosives in the city.

Exception:

1. Businesses engaged in the wholesale or retail sale of fireworks as specifically located within those areas annexed to the city after July 4, 1983. Said use shall be restricted to the manner and location wherein said sale was occurring on that date.
2. Consumer fireworks, except for bottle rockets, skyrockets, sky lanterns and any firework that is mounted to and flies on a stick, may be discharged on private property on the dates of July 3 and 4 of each year, between the hours of 12:00 noon and 12:00 midnight. However, as set forth in 319.3 of this section, the fire chief shall have the authority to prohibit the use of fireworks on such dates based on fire conditions.
3. Organized fireworks displays may be conducted pursuant to a permit issued by the fire official in accordance with the state fire prevention code.
4. The use of explosive materials may be conducted pursuant to a permit issued by the fire official in accordance with the state fire prevention code. Application for permits shall be made in writing at least ten days in advance.

319.2 Unlawful possession of fireworks and explosives. No person shall bring into a park, or have in their possession, or set off or otherwise cause to explode in a park, any firecrackers, torpedoes, rockets or other fireworks or explosives, or discharge them or throw them into any park area from land or a

highway adjacent there to. This section shall not apply to fireworks displays lawfully authorized by the fire official pursuant to this Code.

319.3 Authority to prohibit consumer use and display. The display and/or consumer use of fireworks may be prohibited by the fire chief at any time based on fire conditions.

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed at a height between 48" and 66" above ground level in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.

509.3 Exterior means of electrical disconnect. The means of service disconnection, either manual or a shunt trip with a locking device properly labeled on the supply breaker, for each metered tenant or metering location shall be installed at a readily accessible location outside the building or structure and within a line of sight of the source device.

509.3.1 Labeling. The service equipment shall be labeled with the correct address using an engraved phenolic label.

509.3.2 Disconnect arrangement. Where a building or structure has multiple tenants, either residential or commercial, the meters and service disconnects shall be grouped together in one location on the same exterior wall.

Exception: On commercial buildings where the Bentonville Fire Department and the Bentonville Electric Utility Department agree that the development would be better served by separating the service locations.

509.3.3 Generator disconnects. An emergency generator must have a separate external disconnect, either manual or a shunt trip with a locking device properly labeled on the supply breaker, grouped with all other external disconnects.

509.3.4 Fire pump disconnects. A fire pump must have a separate external disconnect, either manual or a shunt trip with a locking device properly labeled on the supply breaker, per NFPA 20.

604.5.2.1 Power test record. Records shall be maintained on the premises for a minimum of three years and submitted to the fire code official in accordance with 901.6.2. The record shall include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

609.3.3.3 Records. Records for inspections shall state the individual and company performing the inspection, a description of the inspection and when the inspection took place. Records for cleanings shall state the individual and company performing the cleaning and when the cleaning took place. Such records shall be completed after each inspection or cleaning, maintained on the premises for a minimum of three years and be copied to the fire code official in accordance with 901.6.2.

901.2 Construction documents. The fire code official shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to system installation. All submittals should follow the procedures outlined by the City Of Bentonville. Approved submittal procedures shall be located on the City Of Bentonville website.

901.6.2 Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be submitted upon completion to the Bentonville Fire Department Building Reports *Compliance Center* TM.

907.1.4 Exterior alarm notification. All new fire alarm systems shall be equipped with an exterior visual notification device that is activated upon general fire alarm. This device shall be located near the main entrance of the structure at a height not less than 10 feet above the adjacent parking surface. This requirement shall not be used as a substitute for any other exterior notification requirements.

Exceptions:

1. When the main entrance is not visible from a public way, the AHJ shall approve an alternate location.
2. When the height of a structure prohibits the device from being mounted at 10 feet or above, the device shall be mounted at the highest point of the exterior wall.

907.2 Where required—new buildings and structures. An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code. When a fire alarm is installed in a new building, a manual fire alarm box shall be provided at all marked exits from stories and marked exits leading to a public way.

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies where the occupant load due to the assembly occupancy is 300 or more. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the International Building Code shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

907.2.2 Group B. A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 500 or more.
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge.
3. The fire area contains an ambulatory care facility.

907.2.3 Group E, Group E daycares and Group I-4 daycares. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in

Group E occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. The provisions of Section 903.2.3.1 shall apply in rooms normally occupied by preschool or kindergarten students when used for sleeping.

Exception:

1. A manual fire alarm system is not required in Group E occupancies with an occupant load of 30 or less.

907.2.4 Group F. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group F occupancies where both of the following conditions exist:

1. The Group F occupancy is two or more stories in height; and
2. The Group F occupancy has a combined occupant load of 500 or more above or below the lowest level of exit discharge.

907.2.7 Group M. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exists:

1. The combined Group M occupant load of all floors is 500 or more persons.
2. The Group M occupant load is more than 100 persons above or below the lowest level of exit discharge.

907.2.8 Group R-1. Fire alarm systems with automatic smoke detection shall be installed in Group R-1 occupancies as required in Sections 907.2.8.1 through 907.2.8.2.

907.2.8.1 Manual fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.

907.2.8.2 Automatic smoke detection system. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed throughout all sleeping units and interior corridors serving sleeping units.

907.2.8.3 Removed

907.2.9 Group R-2. Fire alarm systems with automatic smoke detection shall be installed in Group R-2 occupancies as required in Sections 907.2.9.1 and 907.2.9.3.

907.2.9.1 Manual fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies.

907.2.9.2 Automatic smoke detection system. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 when smoke detectors are activated in two or more dwelling or sleeping units and shall be installed throughout all dwelling and sleeping units and interior corridors serving dwelling or sleeping units.

907.2.9.3 Group R-2 college and university buildings. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 college and university buildings in the following locations:

1. Common spaces outside of dwelling units and sleeping units.
2. Laundry rooms, mechanical equipment rooms, and storage rooms.
3. All interior corridors serving sleeping units or dwelling units.

Required smoke alarms in dwelling units and sleeping units in Group R-2 college and university buildings shall be interconnected with the fire alarm system in accordance with NFPA 72.

907.6.5.3 Fire alarm communication technologies. Two different approved technologies must be used for communication between fire alarm systems and central station monitoring companies.

Exception: The AHJ shall have the authority to approve a single form of communication on non-required fire alarm systems.

908.7 Carbon monoxide alarms. Group I, R or Group E daycare occupancies located in a building containing a fuel-burning appliance or in a building which has an attached garage shall be equipped with single-station carbon monoxide alarms. The carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. An open parking garage, as defined in Chapter 2 of the International Building Code, or an enclosed parking garage ventilated in accordance with Section 404 of the International Mechanical Code shall not be considered an attached garage.

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be on the addressed side and remote from the structure unless approved by the AHJ.

Chapter 37

Special Amusement Buildings

Section 3701 General

3701.1 Scope These regulations shall apply to temporary special amusement buildings, haunted houses, ghost walks or similar operations where combustible decorative material and/or confusing layouts, sounds and/or visual effects are present. Any event that is conducted completely outdoors, under open air, is not part of the scope of this document.

3701.2 Regulations not covered. Regulations not specifically contained herein pertaining to special amusement buildings, haunted houses, ghost walks or similar operations shall be in accordance with nationally recognized standards and the provisions of the currently adopted Arkansas Fire Prevention Code Volume II.

3701.3 Permits. Permits shall be required as set forth in Sections 105.6.

Section 3702 Definitions

3702.1 Definitions

Temporary Special Amusement Building/Haunted House: A temporary or permanent building, structure of portion thereof, which contains a system that transports passengers or provides a walk way along, around or over a course in any direction as a form of amusement arranged so that the egress path is not readily apparent due to visual or audio distraction or an internally confounded egress path, or is not readily available because of the mode of conveyance through the building or structure. A temporary attraction shall not be in operation more than 15 days in a calendar year.

Decorative Materials: Shall include materials such as decorations, curtains, draperies, streamers, fabrics, saw dust, wood shavings, cotton batting, backdrops, straw, hay, films, combustible props, vines, leaves, stalks, trees, moss, plastic, carpeting, rugs, wood materials less than ¼ inch nominal thickness and any other items with the like purpose. Including surface coverings applied over interior finish materials for acoustical or decorative purposes.

Ghost Walk: Inside and outside portions where egress to a public way is similar to the haunted house and may include obscured or limited.

Section 3703 General Requirements

3703.1 Emergency Planning

3703.1.1 Emergency services information. A current emergency contact list shall be provided to the fire department and Bentonville dispatch center with all stake holders involved in the event. An accurate floor plan shall also be provided including: total square footage of attraction, emergency vehicle access plan, emergency access points, egress points (with dimensions), normal directional travel legend, location of electrical control panels, lighting and effects control switchgear, all fire/safety related equipment (fire extinguishers, emergency/exit lights, first aid kits, smoke/heat detection, etc.), and any specialty effect which may pose specific challenge during emergency operations.

3703.1.2 Staff briefing. A safety briefing including a fire drill shall be conducted on a nightly basis for all staff members involved in the event.

Briefing shall include at a minimum:

1. Location of all exits/egress components
2. Emergency procedures and "walk through" of fire alarm, communication systems, lighting controls, special effects, fire department access, and emergency evacuation rally points.
3. Keeping emergency access ways clear for Fire, EMS, and Law Enforcement

3703.1.3 Fire Watch. The fire code official shall have the right to require placement of an equipped Bentonville firefighter on fire watch at the establishment and shall pay the City in advance for the expense of the firefighter at the standard overtime rate set by the City of Bentonville. The firefighter shall participate in each nightly safety briefing along with staff.

3703.2 Operational Requirements All buildings and/or facilities regulated by this Chapter shall comply with the following:

1. Occupancy limit within the building shall not exceed 49 (Including Staff) and shall be posted at the ticket sales counter and above main entry into the attraction.
2. No Smoking and No Open Flame signs shall be posted in ticket sales area, all waiting areas and any other areas of the attraction required by the code official.
3. Groups shall be limited to 8 customers with a lead escort and follow escort provided for every group, escorts shall be equipped with emergency flashlights on person with a communication method supplied also.

4. All staff personnel shall carry flash lights on their person at all times the attraction is operational.
5. All staff shall be required to participate annually in a fire extinguisher training course to include a hands-on use segment.
6. An approved method shall be provided to shut down special effects (smoke machines, noise effects, lighting effects, etc.) and return "house lighting" to illuminate maze including all egress components in event of emergency.
7. An approved P.A. system shall be provided to notify occupants and staff in the event of an emergency.
8. A safety briefing shall be conducted prior to the start of each nights activity
9. Fire extinguisher locations shall be marked with reflective tape at top and bottom of canister or with a surrounding box of reflective tape and be clearly visible.
10. Walls and dividers shall be of a sheetrock or similar fire resistive construction, (no combustibles, cardboard, paper covered, wood paneling, foam board, etc.)
11. All decorative materials (decorations, drapes, backdrops, props, etc) shall either be inherently flame retardant and smoke production limited; labeled as such or shall be treated with a registered flame retardant material per manufacturers recommendations and proof shall be provided.
12. If a material is treated by user, a container and receipt will serve as proof.
(Note: A flame test may be required by the fire code official at the user's expense)
13. "Dry Harvest type" decorations shall not be allowed inside the structure.
(Straw/hay bales, cornstalks, dry branches, etc.)
14. If "Black Plastic" is used in the attraction, it must be fire resistive type and proof of type will be required to be kept with the material.
15. All tunnel type structures within the attraction shall be submitted for review prior to construction and shall be of approved materials only.
16. Extension cords shall not be allowed, except for UL listed power strips with over current protection. They shall be plugged directly into an outlet and not plugged into one another.
17. Any cords which are in "foot traffic" areas must be eliminated or protected with an approved "bridge" type device and secured to minimize trip hazard.
18. Portable heaters are prohibited
19. Smoke effect machines and other heat producing devices shall be "caged" to maintain manufactures recommended clearances.
20. Good housekeeping practices shall be maintained throughout the exhibit and accessory areas

Chapter 50

5003.1 Scope. The storage, use and handling of all hazardous materials shall be in accordance with this section and as approved by the fire code official and the city planning department.

Appendix C

C105.1 Hydrant Spacing. Fire hydrants shall be installed so that no distance shall be greater than 500 feet apart within residential areas and 300 feet apart in commercial, multi-family residential and mixed developments or as directed by the fire department during plan review. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire

problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.

Exception: When any distance listed in Table C105.1 is less than distances listed in C105.1, Table C105.1 establishes the maximum hydrant spacing. Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distances listed in Table C105.1.

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING CITY OF BENTONVILLE
AMENDMENTS TO THE 2012 ARKANSAS FIRE
PREVENTION CODE FOR THE CITY OF BENTONVILLE,
ARKANSAS.**

WHEREAS, The City of Bentonville Fire Department has determined it necessary to review and update Ordinance 2014-31 which adopted the 2012 Arkansas Fire Prevention Code;

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

Section 1: That the attached local amendments to the Arkansas State Fire Prevention Code, 3 copies of which are on file with the City Clerk and which have been advertised and made available for public review and inspection prior to passage, are hereby adopted by reference as though they were copied herein fully.

Section 2: That all ordinances or parts of ordinances in conflict herewith should be and the same are hereby repealed.

Section 3: This ordinance shall be in full force and effect from and after the 1st day of January, 2018.

PASSED and APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

Bryan Wick

Department

Engineering

Phone

696-0227

ACTION REQUIRED:

City council approval of an ordinance creating a Right-of-Way permit for the City of Bentonville Street 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



Memorandum



To: Mayor and City Council
From: Bryan Wick, Project Manager, on behalf of the Street Department
Date: Monday, October 16, 2017
Re: New Permit for Street Department

Approval of an ordinance creating a new permit for the City of Bentonville Street Department. Below is an explanation of the permit proposed:

Right of Way Permit. The purpose of the permit is to ensure that work conducted within the City of Bentonville Right-of-Way is performed safely and in conformance with established standards. The goal is to protect users of the Right-of-Way and to protect City of Bentonville Infrastructure. This permit will be required whenever an Individual, Contractor or Utility Company needs to perform work within the City of Bentonville Right-of-Way, such as, but not limited to improvements to alleys, driveways, sidewalks, storm sewer, streets and directional boring. This permit shall carry fees of the most current amount approved by City Council. Additional fees will be charged on top of this permit according to established ordinances, city codes, federal, state and local laws.

An amount for the above referenced permit will be set with the Schedule of Fees update.

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



EXHIBIT A – RIGHT OF WAY/WORK ZONE PERMIT

Establishment of Work Zones and Construction in Public Right-of-Way. At all times and periods during which any work upon, in, under or above or about any street, alley, curb, gutter, sidewalk, or any public right-of-way within the City of Bentonville, the person or persons performing the work shall display a right of way permit visible from the road and establish a work zone in accordance with the requirements of the current Municipal on Uniform Traffic Control Devices (MUTCD) code. The work zone shall include all necessary and proper barriers and other safeguards, including personnel as necessary.

General authority of the City Department designated by the Mayor. The City Engineer is hereby designated by the Mayor to enforce the provisions of this article. The City Engineer or his/her designated representative may issue a stop order and suspend work pursuant to this article when necessary to ensure the safety of the public. Stop orders, Notices and instructions may be given to the contractor or his agent or to any person in charge of the work on the ground.

Requirements of Work Zone Plans. The City Engineer, as designated by the Mayor, shall have the power to make reasonable regulations. The City Engineer may require that work be done only at certain hours during the day or night, that materials or equipment used in such work and dirt and materials removed from an excavation be located other than adjacent to the work area. In addition, the City Engineer may require that any excavation be covered with materials of sufficient strength and construction to permit vehicular traffic to pass over such excavation at peak traffic hours, where such requirements are necessary in the interest of safety and to avoid traffic congestion.

Work zone plans shall be developed by the applicant and shall be in compliance with the current Manual on Uniform Traffic Control Devices for Streets and Highways.

Fees. The Right of Way Permit Application fee, as set by City Council, shall be paid in the form of a cashier's check made out to the City of Bentonville. The fee shall be paid at the City of Bentonville's Street Department office along with a completed right of way work permit application. A performance guarantee in the form of a performance bond, cashier's check, or letter of credit, shall be submitted to the City of Bentonville for 150% of the estimated cost to restore the public infrastructure to pre work conditions. Additional fees will be charged on top of this permit according to established ordinances, city codes, federal, state and local laws.

Inspections. Permittee shall call in inspections as needed. Any work performed without an inspection is subject to removal. Re-inspections will be billed at the current rate. In order for a permit to be closed, a final inspection is required.

Action by City to correct deficiencies. In the event a stop order is issued, the person holding the permit and engaging in the work shall immediately cease work and restore the work area to its proper condition as called for in the traffic control plan and permit upon demand by the City. In the event such is not done within twenty-four (24) hours from receipt of notice to do so, the City shall be authorized to and may, at its election, take charge of the work and restore the premises to the condition called for in the traffic control plan and permit. Expenses shall include, but not limited to, cost of labor, materials, overhead, and reasonable rental of any equipment used by the City in restoring the site, and for such purposes. The City shall be reimbursed through the performance guarantee.

Work Zone Plan. The applicant will need to provide a work zone layout and/or Traffic control plan for approval by the City, with the right of way permit application.

ORDINANCE NO._____

**AN ORDINANCE ESTABLISHING A RIGHT OF WAY
PERMIT FOR THE CITY OF BENTONVILLE STREET
DEPARTMENT.**

WHEREAS, The City of Bentonville has determined it necessary to review the current fees and permits for the Street Department;

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

Section 1: That the attached Right of Way permit requirements, 3 copies of which are on file with the City Clerk and which have been advertised and made available for public review and inspection prior to passage, are hereby adopted by reference as though they were copied herein fully.

Section 2: That all ordinances or parts of ordinances in conflict herewith should be and the same are hereby repealed.

Section 3: This ordinance shall be in full force and effect from and after the 1st day of January, 2018.

PASSED and APPROVED this _____ day of _____, 2017.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

Bryan Wick

Department

Engineering

Phone

696-0227

ACTION REQUIRED:

Staff is seeking City Council approval of an ordinance updating the City of Bentonville Schedule of Fees.

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, October 16, 2017
Re: Approval of an updated Fee Schedule for the City of Bentonville

Staff is seeking approval of an ordinance updating the City of Bentonville Schedule of Fees. This schedule does not contain all departments, just those that wanted to undergo updates this year. The last major update to the fee schedule occurred in 2005 with ordinance number 2005-116. Since then, material, equipment, and employee cost have increased. Due to this increase, the City of Bentonville has reviewed, updated and submitted a fee schedule to City Council for review and approval.

Staff recommends the Fee Schedule as written.

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

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: BUILDING INSPECTION

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
All Building Permit Fees, exception of Pool, Fence, Demo, Sign, Moving	Change	EA	Varies	EA	Varies	See Exhibit B "Schedule of Permit Fees" attached to this Document
Commercial Tenant In-Fill	Change	EA	\$100.00	\$100,000 or less	\$200.00	100,000 or less
Commercial Tenant In-Fill	Change	EA	Varies	\$100,001 or more	Varies	Revert to Schedule of Permit Fees
Mobile Home- Plumbing	Change	EA	\$25.00	EA	\$30.00	
Mobile Home- Electric	Change	EA	\$25.00	EA	\$30.00	
Mobile Home- Mechanical	Change	EA	\$25.00	EA	\$30.00	
Mobile Home- Final Inspection	Change	EA	\$25.00	EA	\$30.00	
Development Guide Books	Eliminate	EA	\$10.00			
Electric- Commercial/Multi-Family Minimum /Base	Change	Base	\$30.00	Base	\$50.00	
Electric- Commercial/Multi-Family- per Amp	Change	/Amp	\$0.10	/Amp	\$0.20	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: BUILDING INSPECTION

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Electric- Commercial/Multi-Family- per Motor	Change	/Motor	\$2.00	/Motor	\$2.50	
Electric- Commercial/Multi-Family- per Opening	Change	/Opening	\$0.30	/Opening	\$0.50	
Electric- Commercial/Multi-Family- per Panel/Sub Panel	Change	/Panel /Sub Panel	\$20.00	/Panel /Sub Panel	\$30.00	
Electric- Residential Minimum / Base	Change	Base	\$25.00	Base	\$30.00	
Electric- Residential- per Motor	Change	/Motor	\$1.50	/Motor	\$2.00	
Electric- Residential- per Opening	Change	/Opening	\$0.25	/Opening	\$0.30	
Electric- Residential- per Panel/Sub Panel	Change	/Panel /Sub Panel	\$10.00	/Panel /Sub Panel	\$15.00	
Lawn Mowing	Change	/Job	Varies	/Job	Varies	Lawn Mowing is now a Contracted Service. Depends on Job.
Mechanical- Commercial- Replace/Upgrade	No Change	Flat Fee	\$50.00	Flat Fee	\$50.00	
Mechanical- Commercial - Ea. Up to 4 units	No Change	/Unit	\$50.00	/Unit	\$50.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: BUILDING INSPECTION

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Mechanical- Commercial- Ea. add'l unit over 4	Change	/Unit	\$10.00	/Unit	\$15.00	
Mechanical- Residential- Replace/Upgrade	No Change	Flat Fee	\$30.00	Flat Fee	\$30.00	
Mechanical- Residential- First unit	Change	/Unit	\$30.00	/Unit	\$40.00	
Mechanical- Residential- Ea. Add'l unit	Change	/Unit	\$10.00	/Unit	\$15.00	
Plumbing- Commercial - Add'l up to \$40,000	Change	EA	Base + .1% of project	EA	\$50.00	
Plumbing- Commercial- Add'l above \$40,000	No Change	EA	.025% of amt > \$40K	EA	.025% of amt > \$40K	
Plumbing- Commercial Minimum/Base	Change	Base	\$35.00	Base	\$50.00	
Plumbing- Multi Family- Per unit over 4	Change	/Unit	\$10.00	/Unit	\$15.00	
Plumbing- Multi-Family- Per unit up to 4	Change	/Unit	\$15.00	/Unit	\$20.00	
Plumbing- Multi-Family-Base	Change	Base	\$30.00	Base	\$40.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: BUILDING INSPECTION

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Plumbing- Residential Minimum/Base	Change	Base	\$25.00	Base	\$40.00	
Plumbing- Residential SFD/Duplex-Base	Change	Base	\$30.00	Base	\$40.00	
Plumbing- Residential SFD/Duplex- Ea. Add'l Baths	Change	/Bath	\$5.00	/Bath	\$7.00	
Pool Permit- First \$1000 of valuation	Change	First \$1000	\$15.00	First \$1000	\$25.00	
Pool Permit- Ea. Add'l \$1000 or fraction thereof	No Change	/ \$1000	\$5.00	/ \$1000	\$5.00	
Property Maintenance Books	Eliminate	E/A	\$10.00			
Reinspection Fee	Change	HR	\$25.00	HR	\$50.00	Minimum of 1 hour
Sign Permit- Base	Change	Base	\$10.00	Base	\$25.00	
Sign Permit- Add'l per sq. ft.	Change	/SF	\$0.50	/SF	\$0.75	
Fence Permit	Change	Flat Fee	\$25.00	Flat Fee	\$30.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: BUILDING INSPECTION

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Moving Permit Base Fee	No Change	Flat Fee	\$200.00	Flat Fee	\$200.00	\$200 permit fee
Moving Permit per Mile Fee	No Change	/ Mile	\$200.00	/ Mile	\$200.00	\$200 / Mile; assessed by the nearest 10th of a mile
Moving Permit Staff Fee	No Change	/ Person	\$150.00	/ Person	\$150.00	\$150 / person
Demo- Residential	No Change	Flat Fee	\$50.00	Flat Fee	\$50.00	
Demo- Commercial	No Change	Flat Fee	\$100.00	Flat Fee	\$100.00	
Completion/Change of Contractor	No Change	Per	\$250.00	Per	\$250.00	
Resubmittal Plan Review Fees- Commercial	Change	EA	\$0.00	EA	1/2 Permit Fee	Reference Municipal Code 11.04.03
Revision Plan Review Fees- Commercial	Change	EA	\$0.00	EA	\$50.00	Reference Municipal Code 11.04.03
Work w/o Permit	No Change	EA	Double Permit Fee	EA	Double Permit Fee	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: ELECTRIC

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Poly-Phase Meter Test	No Change	EA	\$50.00	EA	\$50.00	
Single Phase Meter Test	Change	EA	\$30.00	EA	\$50.00	
Re-Inspection	New			HR	\$100.00	1 Hour Minimum
Call Out - Customer Issue	New			HR	\$100.00	1 Hour Minimum

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: ENGINEERING

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Grading Permit (0-4.99 Acres)	Change	EA	\$50.00	EA	\$100.00	Admin cost + review
Grading Permit (5-10 Acres)	Change	EA	\$100.00	EA	\$150.00	Admin cost + review
Grading Permit (More than 10 Acres)	No Change	EA	\$200.00		\$200.00	Admin cost + review
Retaining Wall Permit	Change	EA	\$25.00	EA	\$100.00	Admin cost + review
Re-Inspection Fee	New			HR	\$100.00	Fee for re-inspecting
Floodplain Development Permit	Change	EA	\$0.00	EA	\$100.00	Admin cost + review

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: FIRE

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Construction Permit - New Construction-fire sprinkler system 105.7.1	NEW			SF	.05 per square ft.	50,000 sq ft. maximum
Construction Permit - Remodel or Tenant in-fill-fire sprinkler system 105.7.1	NEW			EA	\$58.00	
Construction Permit - Sprinkler modification with no building modifications 105.7.1	NEW			EA	\$58.00	
Construction Permit - Kitchen hood and duct suppression 105.7.1	NEW			EA	\$145 + \$72(x)	\$145 for 1 hood 72.50 for each additional
Construction Permit - New Construction Fire Alarm 105.7.2	NEW			SF	.04 per square ft.	50,000 sq ft. maximum
Construction Permit - Tenant in-fill or Remodel Fire Alarm 105.7.2	NEW			EA	\$58.00	
Construction Permit - Fire Alarm modification with no building modifications 105.7.2	NEW			EA	\$58.00	
Construction Permit - Misc. Fire protection - Protection systems required by 105.7.1 and 105.7.2 not specifically covered in this fee schedule	NEW			EA	\$58.00	
Operational Permit - Blasting and explosives 105.6.1	NEW			EA	\$58.00	
Operational Permit - Commercial open burning 105.6.2	NEW			EA	\$58.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: FIRE

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Operational Permit - Temporary reclassification of buildings for assembly use 105.6.4	NEW			EA	\$58.00	
Operational Permit - Temporary membrane structure and tent 106.6.5	NEW			EA	\$58.00	
Operational Permit - Special Events 105.6.6	NEW			EA	\$58.00	
Operational Permit - Special Amusement 105.6.7	NEW			EA	\$58.00	
Operational Permit - Open flame use 105.6.3	NEW			EA	\$58.00	
Plan Review resubmittal fee 113.6	NEW			EA	1/2 of original permit price	
Plan Review revision fee 113.7	NEW			HR	\$58.00	1 Hour Minimum
Reinspection fee 109.5	NEW			HR	\$58.00	1 Hour Minimum

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: LIBRARY

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Annual Fee - Non Resident	Change	EA	\$15.00	EA	\$15.00	
Lost or damaged/non-usable materials	No Change	EA	Cost + fine+ \$5.00	EA	Cost + fine+ \$5.00	
Overdues: all library materials per day	No Change	/DAY	\$.10/day; \$2.00 Max	/DAY	\$.10/day; \$2.00 Max	\$2.00/item maximum; Ordinance No. 2012-30
Multi-part replacement (CD, DVD, etc.)	No Change	EA	\$5.00	EA	\$5.00	
Computer disks - Purchase of supplies	No Change	EA	Varies	EA	Varies	Cost-recovery fee - misc supplies/materials
Damaged (usable) library materials	No Change	EA	\$5.00	EA	\$5.00	
Interlibrary loans	No Change	EA	\$2.00	EA	\$2.00	
Library card - Replacement	No Change	EA	\$1.00	EA	\$1.00	
Photocopy/black and white	No Change	/PAGE	\$0.15	/PAGE	\$0.15	
Photocopy/color	No Change	/PAGE	\$0.30	/PAGE	\$0.30	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: LIBRARY

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Overdues: special library materials per day	No Change	/DAY /ITEM	\$1/day/item; \$10 Max	/DAY /ITEM	\$1/day/item; \$10 Max	\$10.00/item maximum
Technology Fee	No Change	/EVENT	\$10.00	/EVENT	\$10.00	
Long Overdue/Administration Fee: Collection Agency	No Change	EA	\$10.00	EA	\$10.00	Cost-recovery fee
Administration Fee: Damage to property/facility	No Change	EA	Varies	EA	Varies	Cost-recovery fee - repairs to property, facility, cleaning, etc...
Administration Fee: Staff support	New			/HR	\$30.00	Cost-recovery fee - staff support

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: PLANNING

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Large Scale Development	Change	EA	\$275.00			Replaced with more specific Large Scale Development fees
Large Scale Development < 5000 SF	Change			EA	\$400.00	For development less than 5,000 SF
Large Scale Development => 5000 SF	Change			EA	\$800.00	For developments equal to or greater than 5,000 SF
Large Scale Development Residential of 25 units or less	Change			EA	\$400.00	
Large Scale Development Residential of 26 units or more	Change			EA	\$800.00	
Maps	Eliminate	EA	\$15.00			
Preliminary Plat	Change	FEE + /LOT	\$425 + \$1 per lot			Replaced with more specific Preliminary Plat fees
Preliminary Plat Non-Residential	Change			EA	\$800.00	
Preliminary Plat Residential of 29 units or less	Change			EA	\$400.00	
Preliminary Residential of 30 units or more	Change			EA	\$800.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: PLANNING

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Rezoning	Change	EA	\$275.00	EA	\$350.00	
Custom Maps	No Change	/HR	\$5.00	/HR	\$5.00	
Board of Adjustment/Appeal	Change	EA	\$125.00	EA	\$150.00	
Board of Adjustment/Variance	Change	EA	\$125.00	EA	\$150.00	
Conditional Use	Change	EA	\$125.00	EA	\$150.00	
Final Plat	Change	FEE + /LOT	\$200 +\$1 per lot			Replaced with more specific Final Plat fees
Final Plat Non-Residential	Change			EA	\$800.00	
Final Plat Residential of 29 units or less	Change			EA	\$400.00	
Final Plat Residential of 30 units or more	Change			EA	\$800.00	
Lot Split/ Property Line Adjustment	No Change	EA	\$125.00	EA	\$125.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: PLANNING

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Ordinance/Subdivision Manual	Eliminate	EA	\$30.00			
Vacation - Alley/Easements	Change	EA	\$50.00	EA	\$125.00	
Outdoor Vending Permit	No Change	EA	\$125.00	EA	\$125.00	
Incidental Subdivision	Change	EA	\$125.00	EA	\$150.00	
Planned Unit Development/Planned Residential Development	Change	EA	\$275.00	EA	\$350.00	
Residential Child Care Conditional Use Permit	No Change	EA	\$125.00	EA	\$125.00	
Waiver	New			EA	\$125.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: POLICE

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
VIN Verification Checks	Eliminate	EA	\$25.00			
Accident Reports	Change	EA	\$5.00	EA	\$10.00	Available Online
Accident Reports in State per page	No Change	/PAGE	\$0.06	/PAGE	\$0.06	
Crime Reports	Change	EA	\$5.00	/PAGE	\$0.06	
Crime Reports in State per page	No Change	/PAGE	\$0.06	/PAGE	\$0.06	
Shelter Fee	Change	EA	\$5.00	/DAY	\$15.00	Changed Name from "Dog Adoption" to "Shelter Fee". There are no adoptions performed.
Fingerprinting	No Change	/PERSON	\$10.00	/PERSON	\$10.00	
Warrant Service Fees	Change		\$25.00		District Court	Refer to District Court Fee Schedule

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: PUBLIC WORKS

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Grave Opening (Holidays)	Change	EA	\$650.00	EA	\$900.00	
Grave Opening (Sun-Mon 12:00pm)	Change	EA	\$550.00	EA	\$900.00	
Grave Opening/Closing (M-F)	Change	EA	\$350.00	EA	\$650.00	
Grave Opening/Closing (Sat)	Change	EA	\$450.00	EA	\$800.00	
Cemetery Space in New North Section	No Change	/PLOT	\$300.00	/PLOT	\$300.00	
Cremation Niche	No Change	EA	\$100.00	EA	\$100.00	
Cremation Opening/Closing	Change	EA	\$100.00	EA	\$150.00	
Field Usage	No Change	EA	\$50.00	EA	\$50.00	
Mausoleum - Floor Level	No Change	EA	\$1,600.00	EA	\$1,600.00	
Mausoleum - Middle Level	No Change	EA	\$1,400.00	EA	\$1,400.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: PUBLIC WORKS

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Mausoleum - Ceiling Level	No Change	EA	\$1,200.00	EA	\$1,200.00	
Stone Setting Fee	New			HR	\$75.00	1 Hour Minimum

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: SEWER

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Air compressor	No Change	/HR	\$50.00	/HR	\$50.00	1 Hour Minimum
Sewer Backhoe Hourly Charge	No Change	/HR	\$75.00	/HR	\$75.00	1 Hour Minimum
Sewer Camera Inspection - Existing lines	No Change	/HR	\$125.00	/HR	\$125.00	1 Hour Minimum
Sewer Hydro-Jet Cleaning Truck	No Change	/HR	\$100.00	/HR	\$100.00	1 Hour Minimum
Sewer Taps	Change	EA	\$125.00	EA	\$150.00	
Sewer Vacuum Test	Eliminate	/HR	\$50.00			
Re-Inspection Fee	Change	HR	Varies	/HR	\$100.00	1 Hour Minimum

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: STREET

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Right of Way Permit	New			EA	\$75.00	
Boring or Jacking Permit	No Change	EA	Varies; \$750 Min.	EA	Varies; \$750 Min.	\$750 Minimum
Curb Replacement	No Change	LF	\$15.00	LF	\$15.00	\$100 Minimum
Sidewalk Replacement	Change	SY	\$28.00	SY	\$45.00	\$100 Minimum
Street Replacement	No Change	SY	\$72.00	SY	\$72.00	
Signage- Double Post w. Stop Sign & St Names	Change	EA	\$125.00	EA	\$225.00	
Signage- Double Post with Street Names	Change	EA	\$100.00	EA	\$200.00	
Signage- Single Post with Stop Sign	Change	EA	\$60.00	EA	\$125.00	
After Hours Fee	Change	HR	\$30.00	HR	\$50.00	
Re-Inspection Fee	New			HR	\$100.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: UTILITY BILLING

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Disconnect for Non-pay	No Change	EA	\$15.00	EA	\$15.00	
Meter Deposit - Large Power	Change	EA	\$500.00	EA	\$8,750.00	Approx 40% ave bill
Meter Deposit - Medium	New	EA		EA	\$2,900.00	Average bill for class
Meter Deposit - Residential	Change	EA	\$100.00	EA	\$200.00	Average bill for class
Meter Deposit - Small Commercial	Change	EA	\$200.00	EA	\$800.00	Average bill for class
Non-pay Deposits	No Change	EA	\$15.00	EA	\$15.00	
Reconnect for Non-pay	No Change	EA	\$15.00	EA	\$15.00	
Trash Bags	Eliminate	/ROLL	\$8.00			No longer sell trash bags
Service Fee	No Change	EA	\$15.00	EA	\$15.00	
After Hours Fee	No Change	EA	\$15.00	EA	\$15.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: UTILITY BILLING

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Garage Sale Permit	Eliminate	EA	\$5.00			
Returned Check Fee	No Change	EA	\$20.00	EA	\$20.00	
Same Day Fee	No Change	EA	\$15.00	EA	\$15.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: WASTEWATER

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Re-Inspection	New			HR	\$100.00	1 Hour Minimum
Bagged compost	Change	/BAG	\$3.00	/BAG	\$4.00	
Screened Compost	Change	CY	\$16.00	CY	\$20.00	
Screened Compost (BULK, >8cu yds)	Change	CY	\$14.00	CY	\$20.00	
Unscreened Compost	Change	CY	\$12.00	CY	\$15.00	Free to Bentonville Residents, when available
Unscreened Compost (BULK)	Change	CY	\$10.00	CY	\$15.00	
Raw Wood Mulch	Change	CY	\$8.00	CY	FREE to Residents	Free to Bentonville Residents, when available
Raw Wood Mulch (BULK)	New			10 CY or More	\$20.00	Free to Bentonville Residents, when available
Composted Wood Hulls	Change	CY	\$6.00	CY	\$8.00	Free to Bentonville Residents, when available
Composted Wood Hulls (BULK)	New			10 CY or More	\$20.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: WASTEWATER

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
cubic yd. wood mulch compost	Eliminate	CY	\$6.00			
cubic yd. wood mulch compost (bulk)	Eliminate	CY	\$4.00			
Greenwaste Dump truck GVW < 16,000 lbs.	Eliminate	EA	\$25.00			
Greenwaste Dump truck GVW 17 K-33K	Eliminate	EA	\$45.00			
Greenwaste Dumptruck GVW >34K	Eliminate	EA	\$65.00			
Greenwaste hauler - Full size truck	Eliminate	EA	\$8.00			
Greenwaste hauler - Light truck	Eliminate	EA	\$6.00			
Greenwaste hauler - Super Duty truck	Eliminate	EA	\$10.00			
Greenwaste trailer up to 6 feet	Eliminate	EA	\$6.00			
Greenwaste trailer over 10 ft up to 12 ft	Eliminate	EA	\$12.00			

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: WASTEWATER

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Greenwaste trailer over 12 ft up to 14 ft	Eliminate	EA	\$14.00			
Greenwaste trailer over 14 ft up to 16 ft	Eliminate	EA	\$16.00			
Greenwaste trailer over 16 ft	Eliminate	EA	\$20.00			
Greenwaste trailer over 6 ft up to 8 ft	Eliminate	EA	\$8.00			
Greenwaste trailer over 8 ft up to 10 ft	Eliminate	EA	\$10.00			
Pallets	Eliminate	EA	\$1.00			
Significant Industrial User (SIU) Permit (triennial permit)	Change	EA	\$0.00	EA	\$1,065.00	
FOG, Septic and WAS Haulers permits (biannual permit)	Change	EA	\$100.00	EA	\$220.00	
Manifest Books	No Change	EA	\$13.50	EA	\$13.50	
Industrial /FSE Sampling	New			EA	\$164.00	Offset cost of Administrative, Sampling and Lab Testing

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: WATER

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Backhoe Hourly Charge	No Change	/HR	\$75.00	/HR	\$75.00	
Survey Locate Fee	Change	/HR	\$25.00	HR	\$50.00	1 Hour Minimum
Water Meter Test Fee	No Change	E/A	\$50.00	E/A	\$50.00	
Water Tap - 1" Service	Change	E/A	\$1,100.00	E/A	\$1,200.00	
Water Tap - 2" Service	Change	E/A	\$3,000.00	E/A	\$3,300.00	
Water Tap - 5/8" Service	Change	E/A	\$1,000.00	E/A	\$1,100.00	
Water Tap - Double 5/8 Service	Change	E/A	\$1,200.00	E/A	\$1,400.00	
Backflow Permit - Domestic	No Change	E/A	\$25.00	E/A	\$25.00	
Backflow Permit- Commercial	No Change	E/A	\$50.00	E/A	\$50.00	
Fire Hydrant Flow Tests	Change	E/A	\$50.00	E/A	\$100.00	

EXHIBIT A - SCHEDULE OF FEES
DEPARTMENT: WATER

ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
		UNIT	FEE	UNIT	FEE	
Water Tap- 1" only	No Change	EA	\$50.00	EA	\$50.00	
Water Tap- Single 5/8 to Double	Change	EA	\$350.00	EA	\$600.00	
Road Bores	No Change	LF	\$20.00	LF	\$20.00	
Water Tap - 12" Tap Only	No Change	EA	\$600.00	EA	\$600.00	
Water Tap - 4" Tap Only	No Change	EA	\$175.00	EA	\$175.00	
Water Tap - 6" Tap Only	No Change	EA	\$350.00	EA	\$350.00	
Water Tap - 8" Tap Only	No Change	EA	\$500.00	EA	\$500.00	
Water/Sewer Specifications	No Change	EA	\$30.00	EA	\$30.00	Only for printing and binding. Free to download on website
Re-Inspection Fees	No Change	HR	Varies	/HR	\$100.00	1 Hour Minimum

EXHIBIT B - SCHEDULE OF PERMIT FEES
DEPARTMENT: BUILDING INSPECTION

FROM	TO	CURRENT FEE	PROPOSED FEE
\$1.00	\$1,000.00	No fee, unless inspection required, in which case a \$15 fee for each inspection shall be charged.	\$30.00 Minimum
\$1,001.00	\$50,000.00	\$15 for the first \$1000 plus \$5 for each additional thousand or fraction thereof, to and including \$50,000.00	\$30 for the first \$1000 plus \$6.00 for each additional thousand or fraction thereof, to and including \$50,000.00
\$50,001.00	\$100,000.00	\$260 for the first \$50,000 plus \$4 for each additional thousand or fraction thereof, to and including \$100,000.00.	\$280 for the first \$50,000 plus \$5.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001.00	\$500,000.00	\$460 for the first \$100,000 plus \$3 for each additional thousand or fraction thereof, to and including \$500,000.00	\$480 for the first \$100,000 plus \$4.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,001.00		\$1660.00 for the first \$500,000 plus \$2.00 for each additional thousand or fraction thereof.	\$1760.00 for the first \$500,000 plus \$3.00 for each additional thousand or fraction thereof.



EXHIBIT C – NEW FEES AND DESCRIPTIONS

Administration Fee Staff Support. This is a cost-recovery fee for staff time to provide services during non-operational hours, at outreach events, for professional training or other work performed outside the normal scope of library services. An example scenario is use of the Library's meeting rooms during "off hours." Approval of professional staff services and implementation of said fee is at the discretion of the library director and shall carry a fee of the most current amount established by City Council.

Call Out – Customer Issue. Fee applied to any afterhour's call-out that is due to any customer issue past/beyond the meter base (i.e. tripped breaker, ect.) and will carry a fee of the most current amount established by City Council.

Compost Wood Hulls. BULK purchasing of more than 10 Cubic Yards and shall carry a fee of the most current amount established by City Council.

Industrial/FSE Sampling. Ordinance # 2012-65. A fee of \$164 dollars or the most current amount establish by the City of Bentonville Council. This will pay for sampling and testing of one time sampling event for an industry or a Food Service Establishment.

Raw Wood Mulch. BULK purchasing of more than 10 Cubic Yards and shall carry a fee of the most current amount established by City Council.

Re-Inspection Fee. All additional inspections made necessary due to failure to comply with applicable code requirements shall be hereby designated as "Re-Inspections" and shall carry a re-inspection fee of the most current amount established by City Council.

Stone Setting Fee. This fee covers the cost of locating and marking out head stones at the Bentonville Cemetery and will carry a fee of the most current amount established by City Council.

EXHIBIT D – NEW FEE FOR UTILITY BILLING

Ordinance 2005-116 Changes

Section 8: That the Bentonville Municipal Code, section 10.32.01A “Deposits and Transfer Fees” should be and the same hereby amended to read as follows:

- A. No electric, water or sewer connections shall be made and no trash pickup service shall be started by the City until the following deposits have been made with the City:

Residential Deposit:

Service	Level 0	Level 1	Level 2
Electric, Water, Sewer & Trash	\$0	\$200	\$400
Electric	\$0	\$100	\$200
Water, Sewer, Trash	\$0	\$100	\$200
Trash Only	\$0	\$20	\$40
Irrigation	\$0	\$50	\$100

Level 0:

Using City of Bentonville utility records- the customer currently has service with the City of Bentonville or had service that ended within the last twelve months and meets the requirements for their security deposit to be refunded, no current past due balances and has not had a balance turned over to a collection agency in the last seven years.

Using credit and identity verification service records, scoring model determines the customer’s deposit should be waived.

Level 1 (standard deposit):

Using City of Bentonville utility records- the customer has not had service with the City of Bentonville or if the customer has had service with the City of Bentonville and that service history does not meet the requirements to have their security deposit waived nor has history requiring a higher deposit (level 2).

Using credit and identity verification service records, scoring model determines the customer’s deposit level should not be waived.

Level 2:

Using City of Bentonville utility records- the customer has had service with the City of Bentonville and they have had one or more accounts turned over to a collection agency or written off due to bankruptcy within the last seven years or currently have an outstanding utility bill more than fifteen days past due.

Using credit and identity verification service records, scoring model determines the customer’s deposit should be higher than the standard deposit.

Customer refuses to provide the information necessary to process a credit scoring model request.

Commercial Deposit:

Service	Level 0	Level 1	Level 2
Electric, Water, Sewer & Trash	\$0	\$800	\$1,600
Electric	\$0	\$400	\$800
Water, Sewer, Trash	\$0	\$400	\$800
Trash Only	\$0	\$25	\$50
Irrigation	\$0	\$100	\$200

The deposit levels will be determined using the same criteria as the residential account, although a credit scoring model may not be available for commercial accounts.

A commercial customer's security deposit may be higher if the actual or estimated average utility bill at a location is greater than the minimum. For a "level 1" deposit, the amount would be equal to one month's average utility bill. For a "level 2" deposit, the amount would be equal to two times the average monthly utility bill. After twelve bills have been issued, the customer may request for their security deposit amount be reviewed. Should the deposit amount be determined to be greater than the average bill, the City will refund the excess deposit to the customer's account. In lieu of a cash security deposit, a customer may elect to provide an Irrevocable Commercial Letter of Credit.

Medium Commercial Deposit:

Service	Level 0	Level 1	Level 2
Electric, Water, Sewer & Trash	\$0	\$2,900	\$5,800
Electric	\$0	\$2,500	\$5,000
Water, Sewer, Trash	\$0	\$400	\$800
Trash Only	\$0	\$25	\$50
Irrigation	\$0	\$100	\$200

The deposit levels will be determined using the same criteria as the residential account, although a credit scoring model may not be available for commercial accounts.

A medium commercial customer's security deposit may be higher if the actual or estimated average utility bill at a location is greater than the minimum. For a "level 1" deposit, the amount would be equal to one month's average utility bill. For a "level 2" deposit, the amount would be equal to two times the average monthly utility bill. After twelve bills have been issued, the customer may request for their security deposit amount be reviewed. Should the deposit amount be determined to be greater than the average bill, the City will refund the excess deposit to the customer's account. In lieu of a cash security deposit, a customer may elect to provide an Irrevocable Commercial Letter of Credit.

Large Power Deposit:

Service	Level 0	Level 1	Level 2
Electric, Water, Sewer & Trash	\$0	\$8,750	\$17,500
Electric	\$0	\$7,500	\$15,000
Water, Sewer, Trash	\$0	\$1,000	\$2,000
Trash Only	\$0	\$250	\$500
Irrigation	\$0	\$100	\$200

The deposit levels will be determined using the same criteria as the residential account, although a credit scoring model may not be available for commercial accounts.

A large power customer's security deposit may be higher if the actual or estimated average utility bill at a location is greater than the minimum. For a "level 1" deposit, the amount would be equal to one month's average utility bill. For a "level 2" deposit, the amount would be equal to two times the average monthly utility bill. After twelve bills have been issued, the customer may request for their security deposit amount be reviewed. Should the deposit amount be determined to be greater than the average bill, the City will refund the excess deposit to the customer's account. In lieu of a cash security deposit, a customer may elect to provide an Irrevocable Commercial Letter of Credit.

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Building Inspection	All Building Permit Fees, exception of Pool, Fence, Demo, Sign, Moving	Change	EA	Varies	EA	Varies	See Exhibit B "Schedule of Permit Fees" attached to this Document
Building Inspection	Commercial Tenant In-Fill	Change	EA	\$100.00	\$100,000 or less	\$200.00	100,000 or less
Building Inspection	Commercial Tenant In-Fill	Change	EA	Varies	\$100,001 or more	Varies	Revert to Schedule of Permit Fees
Building Inspection	Mobile Home- Plumbing	Change	EA	\$25.00	EA	\$30.00	
Building Inspection	Mobile Home- Electric	Change	EA	\$25.00	EA	\$30.00	
Building Inspection	Mobile Home- Mechanical	Change	EA	\$25.00	EA	\$30.00	
Building Inspection	Mobile Home- Final Inspection	Change	EA	\$25.00	EA	\$30.00	
Building Inspection	Development Guide Books	Eliminate	EA	\$10.00			
Building Inspection	Electric- Commercial/Multi-Family Minimum /Base	Change	Base	\$30.00	Base	\$50.00	
Building Inspection	Electric- Commercial/Multi-Family- per Amp	Change	/Amp	\$0.10	/Amp	\$0.20	
Building Inspection	Electric- Commercial/Multi-Family- per Motor	Change	/Motor	\$2.00	/Motor	\$2.50	
Building Inspection	Electric- Commercial/Multi-Family- per Opening	Change	/Opening	\$0.30	/Opening	\$0.50	
Building Inspection	Electric- Commercial/Multi-Family- per Panel/Sub Panel	Change	/Panel /Sub Panel	\$20.00	/Panel /Sub Panel	\$30.00	
Building Inspection	Electric- Residential Minimum / Base	Change	Base	\$25.00	Base	\$30.00	
Building Inspection	Electric- Residential- per Motor	Change	/Motor	\$1.50	/Motor	\$2.00	
Building Inspection	Electric- Residential- per Opening	Change	/Opening	\$0.25	/Opening	\$0.30	
Building Inspection	Electric- Residential- per Panel/Sub Panel	Change	/Panel /Sub Panel	\$10.00	/Panel /Sub Panel	\$15.00	
Building Inspection	Lawn Mowing	Change	/Job	Varies	/Job	Varies	Lawn Mowing is now a Contracted Service. Depends on Job
Building Inspection	Mechanical- Commercial- Replace/Upgrade	No Change	Flat Fee	\$50.00	Flat Fee	\$50.00	
Building Inspection	Mechanical- Commercial - Ea. Up to 4 units	No Change	/Unit	\$50.00	/Unit	\$50.00	
Building Inspection	Mechanical- Commercial- Ea. add'l unit over 4	Change	/Unit	\$10.00	/Unit	\$15.00	
Building Inspection	Mechanical- Residential- Replace/Upgrade	No Change	Flat Fee	\$30.00	Flat Fee	\$30.00	

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Building Inspection	Mechanical- Residential- First unit	Change	/Unit	\$30.00	/Unit	\$40.00	
Building Inspection	Mechanical- Residential- Ea. Add'l unit	Change	/Unit	\$10.00	/Unit	\$15.00	
Building Inspection	Plumbing- Commercial - Add'l up to \$10,000	Change	EA	Base + .1% of project	EA	\$50.00	
Building Inspection	Plumbing- Commercial- Add'l above \$40,000	No Change	EA	.025% of amt > \$40K	EA	.025% of amt > \$40K	
Building Inspection	Plumbing- Commercial Minimum/Base	Change	Base	\$35.00	Base	\$50.00	
Building Inspection	Plumbing- Multi Family- Per unit over 4	Change	/Unit	\$10.00	/Unit	\$15.00	
Building Inspection	Plumbing- Multi-Family- Per unit up to 4	Change	/Unit	\$15.00	/Unit	\$20.00	
Building Inspection	Plumbing- Multi-Family-Base	Change	Base	\$30.00	Base	\$40.00	
Building Inspection	Plumbing- Residential Minimum/Base	Change	Base	\$25.00	Base	\$40.00	
Building Inspection	Plumbing- Residential SFD/Duplex-Base	Change	Base	\$30.00	Base	\$40.00	
Building Inspection	Plumbing- Residential SFD/Duplex- Ea. Add'l Baths	Change	/Bath	\$5.00	/Bath	\$7.00	
Building Inspection	Pool Permit- First \$1000 of valuation	Change	First \$1000	\$15.00	First \$1000	\$25.00	
Building Inspection	Pool Permit- Ea. Add'l \$1000 or fraction thereof	No Change	/ \$1000	\$5.00	/ \$1000	\$5.00	
Building Inspection	Property Maintenance Books	Eliminate	EA	\$10.00			
Building Inspection	Reinspection Fee	Change	HR	\$25.00	HR	\$50.00	Minimum of 1 hour
Building Inspection	Sign Permit- Base	Change	Base	\$10.00	Base	\$25.00	
Building Inspection	Sign Permit- Add'l per sq. ft.	Change	/SF	\$0.50	/SF	\$0.75	
Building Inspection	Fence Permit	Change	Flat Fee	\$25.00	Flat Fee	\$30.00	
Building Inspection	Moving Permit Base Fee	No Change	Flat Fee	\$200.00	Flat Fee	\$200.00	\$200 permit fee
Building Inspection	Moving Permit per Mile Fee	No Change	/ Mile	\$200.00	/ Mile	\$200.00	\$200 / Mile; assessed by the nearest 10th of a mile
Building Inspection	Moving Permit Staff Fee	No Change	/ Person	\$150.00	/ Person	\$150.00	\$150 / person
Building Inspection	Demo- Residential	No Change	Flat Fee	\$50.00	Flat Fee	\$50.00	

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Building Inspection	Demolition- Commercial	No Change	Flat Fee	\$100.00	Flat Fee	\$100.00	
Building Inspection	Completion/Change of Contractor	No Change	Per	\$250.00	Per	\$250.00	
Building Inspection	Resubmittal Plan Review Fees- Commercial	Change	EA	\$0.00	EA	1/2 Permit Fee	Reference Municipal Code 11.04.03
Building Inspection	Revision Plan Review Fees- Commercial	Change	EA	\$0.00	EA	\$50.00	Reference Municipal Code 11.04.03
Building Inspection	Work w/o Permit	No Change	EA	Double Permit Fee	EA	Double Permit Fee	
Electric	Poly-Phase Meter Test	No Change	EA	\$50.00	EA	\$50.00	
Electric	Single Phase Meter Test	Change	EA	\$30.00	EA	\$50.00	
Electric	Re-Inspection	New			HR	\$100.00	1 Hour Minimum
Electric	Call Out - Customer Issue	New			HR	\$100.00	1 Hour Minimum
Engineering	Grading Permit (0-4.99 Acres)	Change	EA	\$50.00	EA	\$100.00	Admin cost + review
Engineering	Grading Permit (5-10 Acres)	Change	EA	\$100.00	EA	\$130.00	Admin cost + review
Engineering	Grading Permit (More than 10 Acres)	No Change	EA	\$200.00		\$200.00	Admin cost + review
Engineering	Retaining Wall Permit	Change	EA	\$25.00	EA	\$100.00	Admin cost + review
Engineering	Re-Inspection Fee	New			HR	\$100.00	Fee for re-inspecting
Engineering	Floodplain Development Permit	Change	EA	\$0.00	EA	\$100.00	Admin cost + review
Fire	Construction Permit - New Construction-fire sprinkler system 105.7.1	NEW			SF	05 per square ft. maximum	
Fire	Construction Permit - Remodel or Tenant in-fill-fire sprinkler system 105.7.1	NEW			EA	\$58.00	
Fire	Construction Permit - Sprinkler modification with no building modifications 105.7.1	NEW			EA	\$58.00	
Fire	Construction Permit - Kitchen hood and duct suppression 105.7.1	NEW			EA	\$145 + \$72(x) \$145 for 1 hood 72.50 for each additional	
Fire	Construction Permit - New Construction Fire Alarm 105.7.2	NEW			SF	04 per square ft.	
Fire	Construction Permit - Tenant in-fill or Remodel Fire Alarm 105.7.2	NEW			EA	\$58.00	
Fire	Construction Permit - Fire Alarm modification with no building modifications 105.7.2	NEW			EA	\$58.00	

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Fire	Construction Permit - Misc. Fire protection - Protection systems required by 105.7.1 and 105.7.2 not specifically covered in this fee schedule	NEW			EA	\$58.00	
Fire	Operational Permit - Blasting and explosives 105.6.1	NEW			EA	\$58.00	
Fire	Operational Permit - Commercial open burning 105.6.2	NEW			EA	\$58.00	
Fire	Operational Permit - Temporary reclassification of buildings for assembly use 105.6.4	NEW			EA	\$58.00	
Fire	Operational Permit - Temporary membrane structure and item 106.6.5	NEW			EA	\$58.00	
Fire	Operational Permit - Special Events 105.6.6	NEW			EA	\$58.00	
Fire	Operational Permit - Special Amusement 105.6.7	NEW			EA	\$58.00	
Fire	Operational Permit - Open flame use 105.6.3	NEW			EA	\$58.00	
Fire	Plan Review resubmittal fee 113.6	NEW			EA	1/2 of original permit price	
Fire	Plan Review revision fee 113.7	NEW			HR	\$58.00	1 Hour Minimum
Fire	Reinspection fee 109.5	NEW			HR	\$58.00	1 Hour Minimum
Library	Annual Fee - Non Resident	Change	EA	\$15.00	EA	\$15.00	
Library	Lost or damaged/non-usable materials	No Change	EA	Cost + fine+ \$5.00	EA	Cost + fine+ \$5.00	
Library	Overdues: all library materials per day	No Change	/DAY	\$1.00/day; \$2.00 Max	/DAY	\$1.00/day; \$2.00 Max	\$2.00/item maximum; Ordinance No. 2012-30
Library	Multi-part replacement (CD, DVD, etc.)	No Change	EA	\$5.00	EA	\$5.00	
Library	Computer disks - Purchase of supplies	No Change	EA	Varies	EA	Varies	Cost-recovery fee - misc supplies/materials
Library	Damaged (usable) library materials	No Change	EA	\$5.00	EA	\$5.00	
Library	Interlibrary loans	No Change	EA	\$2.00	EA	\$2.00	
Library	Library card - Replacement	No Change	EA	\$1.00	EA	\$1.00	
Library	Photocopy/black and white	No Change	/PAGE	\$0.15	/PAGE	\$0.15	
Library	Photocopy/color	No Change	/PAGE	\$0.30	/PAGE	\$0.30	
Library	Overdues: special library materials per day	No Change	/DAY /ITEM	\$1/day/item; \$10 Max	/DAY /ITEM	\$1/day/item; \$10 Max	\$10.00/item maximum

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Library	Technology Fee	No Change	/EVENT	\$10.00	/EVENT	\$10.00	
Library	Long Overdue/Administration Fee: Collection Agency	No Change	EA	\$10.00	EA	\$10.00	Cost-recovery fee
Library	Administration Fee: Damage to property/facility	No Change	EA	Varies	EA	Varies	Cost-recovery fee - repairs to property, facility, cleaning, etc....
Library	Administration Fee: Staff support	New			/HR	\$30.00	Cost-recovery fee - staff support
Planning	Large Scale Development	Change	EA	\$275.00			Replaced with more specific Large Scale Development fees
Planning	Large Scale Development < 5000 SF	Change			EA	\$400.00	For development less than 5,000 SF
Planning	Large Scale Development =>5000 SF	Change			EA	\$800.00	For developments equal to or greater than 5,000 SF
Planning	Large Scale Development Residential of 25 units or less	Change			EA	\$400.00	
Planning	Large Scale Development Residential of 26 units or more	Change			EA	\$800.00	
Planning	Maps	Eliminate	EA	\$15.00			
Planning	Preliminary Plat	Change	FEE + /LOT	\$425 +\$1 per lot			Replaced with more specific Preliminary Plat fees
Planning	Preliminary Plat Non-Residential	Change			EA	\$800.00	
Planning	Preliminary Plat Residential of 29 units or less	Change			EA	\$400.00	
Planning	Preliminary Residential of 30 units or more	Change			EA	\$800.00	
Planning	Rezoning	Change	EA	\$275.00	EA	\$350.00	
Planning	Custom Maps	No Change	/HR	\$5.00	/HR	\$5.00	
Planning	Board of Adjustment/Appeal	Change	EA	\$125.00	EA	\$150.00	
Planning	Board of Adjustment/Variance	Change	EA	\$125.00	EA	\$150.00	
Planning	Conditional Use	Change	EA	\$125.00	EA	\$150.00	
Planning	Final Plat	Change	FEE + /LOT	\$200 +\$1 per lot			Replaced with more specific Final Plat fees
Planning	Final Plat Non-Residential	Change			EA	\$800.00	
Planning	Final Plat Residential of 29 units or less	Change			EA	\$400.00	

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Planning	Final Plat Residential of 30 units or more	Change			EA	\$800.00	
Planning	Lot Split/ Property Line Adjustment	No Change	EA	\$125.00	EA	\$125.00	
Planning	Ordinance/Subdivision Manual	Eliminate	EA	\$30.00			
Planning	Vacation - Alley/Easements	Change	EA	\$50.00	EA	\$125.00	
Planning	Outdoor Vending Permit	No Change	EA	\$125.00	EA	\$125.00	
Planning	Incidental Subdivision	Change	EA	\$125.00	EA	\$150.00	
Planning	Planned Unit Development/Planned Residential Development	Change	EA	\$275.00	EA	\$350.00	
Planning	Residential Child Care Conditional Use Permit	No Change	EA	\$125.00	EA	\$125.00	
Planning	Waiver	New			EA	\$125.00	
Police	VIN Verification Checks	Eliminate	EA	\$25.00			
Police	Accident Reports	Change	EA	\$5.00	EA	\$10.00	Available Online
Police	Accident Reports in State per page	No Change	/PAGE	\$0.06	/PAGE	\$0.06	
Police	Crime Reports	Change	EA	\$5.00	/PAGE	\$0.06	
Police	Crime Reports in State per page	No Change	/PAGE	\$0.06	/PAGE	\$0.06	
Police	Shelter Fee	Change	EA	\$5.00	/DAY	\$15.00	Changed Name from "Dog Adoption" to "Shelter Fee". There are no adoptions performed.
Police	Fingerprinting	No Change	/PERSON	\$10.00	/PERSON	\$10.00	
Police	Warrant Service Fees	Change		\$25.00	District Court		Refer to District Court Fee Schedule
Public Works	Grave Opening (Holidays)	Change	EA	\$650.00	EA	\$900.00	
Public Works	Grave Opening (Sun-Mon 12:00pm)	Change	EA	\$550.00	EA	\$900.00	
Public Works	Grave Opening/Closing (M-F)	Change	EA	\$350.00	EA	\$650.00	
Public Works	Grave Opening/Closing (Sat)	Change	EA	\$450.00	EA	\$800.00	
Public Works	Cemetery Space in New North Section	No Change	/PLOT	\$300.00	/PLOT	\$300.00	

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Public Works	Cremation Niche	No Change	EA	\$100.00	EA	\$100.00	
Public Works	Cremation Opening/Closing	Change	EA	\$100.00	EA	\$150.00	
Public Works	Field Usage	No Change	EA	\$50.00	EA	\$50.00	
Public Works	Mausoleum - Floor Level	No Change	EA	\$1,600.00	EA	\$1,600.00	
Public Works	Mausoleum - Middle Level	No Change	EA	\$1,400.00	EA	\$1,400.00	
Public Works	Mausoleum - Ceiling Level	No Change	EA	\$1,200.00	EA	\$1,200.00	
Public Works	Stone Setting Fee	New			HR	\$75.00	1 Hour Minimum
Sewer	Air compressor	No Change	/HR	\$50.00	/HR	\$50.00	1 Hour Minimum
Sewer	Sewer Backhoe Hourly Charge	No Change	/HR	\$75.00	/HR	\$75.00	1 Hour Minimum
Sewer	Sewer Camera Inspection - Existing lines	No Change	/HR	\$125.00	/HR	\$125.00	1 Hour Minimum
Sewer	Sewer Hydro-jet Cleaning Truck	No Change	/HR	\$100.00	/HR	\$100.00	1 Hour Minimum
Sewer	Sewer Taps	Change	EA	\$125.00	EA	\$150.00	
Sewer	Sewer Vacuum Test	Eliminate	/HR	\$50.00			
Sewer	Re-inspection Fee	Change	HR	Varies	/HR	\$100.00	1 Hour Minimum
Street	Right of Way Permit	New			EA	\$75.00	
Street	Boring or Jacking Permit	No Change	EA	Varies; \$750 Min.	EA	Varies; \$750 Min.	\$750 Minimum
Street	Curb Replacement	No Change	LF	\$15.00	LF	\$15.00	\$100 Minimum
Street	Sidewalk Replacement	Change	SY	\$28.00	SY	\$45.00	\$100 Minimum
Street	Street Replacement	No Change	SY	\$72.00	SY	\$72.00	
Street	Signage- Double Post w Stop Sign & St Names	Change	EA	\$125.00	EA	\$225.00	
Street	Signage- Double Post with Street Names	Change	EA	\$100.00	EA	\$200.00	
Street	Signage- Single Post with Stop Sign	Change	EA	\$60.00	EA	\$125.00	

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Street	After Hours Fee	Change	HR	\$50.00	HR	\$50.00	
Street	Re-Inspection Fee	New			HR	\$100.00	
Utility Billing	Disconnect for Non-pay	No Change	EA	\$15.00	EA	\$15.00	
Utility Billing	Meter Deposit - Large Power	Change	EA	\$500.00	EA	\$8,750.00	Approx 40% ave bill
Utility Billing	Meter Deposit - Medium	New	EA		EA	\$2,900.00	Average bill for class
Utility Billing	Meter Deposit - Residential	Change	EA	\$100.00	EA	\$200.00	Average bill for class
Utility Billing	Meter Deposit - Small Commercial	Change	EA	\$200.00	EA	\$800.00	Average bill for class
Utility Billing	Non-pay Deposits	No Change	EA	\$15.00	EA	\$15.00	
Utility Billing	Reconnect for Non-pay	No Change	EA	\$15.00	EA	\$15.00	
Utility Billing	Trash Bags	Eliminate	/ROLL	\$8.00			No longer sell trash bags
Utility Billing	Service Fee	No Change	EA	\$15.00	EA	\$15.00	
Utility Billing	After Hours Fee	No Change	EA	\$15.00	EA	\$15.00	
Utility Billing	Garage Sale Permit	Eliminate	EA	\$5.00			
Utility Billing	Returned Check Fee	No Change	EA	\$20.00	EA	\$20.00	
Utility Billing	Same Day Fee	No Change	EA	\$15.00	EA	\$15.00	
Wastewater	Re-Inspection	New			HR	\$100.00	1 Hour Minimum
Wastewater	Bagged compost	Change	/BAG	\$3.00	/BAG	\$4.00	
Wastewater	Screened Compost	Change	CY	\$16.00	CY	\$20.00	
Wastewater	Screened Compost (BULK, >8cu yds)	Change	CY	\$14.00	CY	\$20.00	
Wastewater	Unscreened Compost	Change	CY	\$12.00	CY	\$15.00	Free to Bentonville Residents, when available
Wastewater	Unscreened Compost (BULK)	Change	CY	\$10.00	CY	\$15.00	
Wastewater	Raw Wood Mulch	Change	CY	\$8.00	CY	FREE to Residents	Free to Bentonville Residents, when available

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Wastewater	Raw Wood Mulch (BULK)	New			10 CY or More	\$20.00	Free to Bentonville Residents, when available
Wastewater	Composted Wood Hulls	Change	CY	\$6.00	CY	\$8.00	Free to Bentonville Residents, when available
Wastewater	Composted Wood Hulls (BULK)	New			10 CY or More	\$20.00	
Wastewater	cubic yd. wood mulch compost	Eliminate	CY	\$6.00			
Wastewater	cubic yd. wood mulch compost (bulk)	Eliminate	CY	\$4.00			
Wastewater	Greenwaste Dump truck GVW < 16,000 lbs.	Eliminate	EA	\$25.00			
Wastewater	Greenwaste Dump truck GVW 17 K-33K	Eliminate	EA	\$45.00			
Wastewater	Greenwaste Dumptruck GVW >34K	Eliminate	EA	\$65.00			
Wastewater	Greenwaste hauler - Full size truck	Eliminate	EA	\$8.00			
Wastewater	Greenwaste hauler - Light truck	Eliminate	EA	\$6.00			
Wastewater	Greenwaste hauler - Super Duty truck	Eliminate	EA	\$10.00			
Wastewater	Greenwaste trailer up to 6 feet	Eliminate	EA	\$6.00			
Wastewater	Greenwaste trailer over 10 ft up to 12 ft	Eliminate	EA	\$12.00			
Wastewater	Greenwaste trailer over 12 ft up to 14 ft	Eliminate	EA	\$14.00			
Wastewater	Greenwaste trailer over 14 ft up to 16 ft	Eliminate	EA	\$16.00			
Wastewater	Greenwaste trailer over 16 ft	Eliminate	EA	\$20.00			
Wastewater	Greenwaste trailer over 6 ft up to 8 ft	Eliminate	EA	\$8.00			
Wastewater	Greenwaste trailer over 8 ft up to 10 ft	Eliminate	EA	\$10.00			
Wastewater	Pallets	Eliminate	EA	\$1.00			
Wastewater	Significant Industrial User (SIU) Permit (triennial permit)	Change	EA	\$0.00	EA	\$1,065.00	
Wastewater	FOG, Septic and WAS Haulers permits (biannual permit)	Change	EA	\$100.00	EA	\$220.00	
Wastewater	Manifest Books	No Change	EA	\$13.50	EA	\$13.50	

FEE SCHEDULE

DEPART.	ITEM	CATEGORY	CURRENT		PROPOSED		FEE NOTES
			UNIT	FEE	UNIT	FEE	
Wastewater	Industrial /FSE Sampling	New			EA	\$164.00	Offset cost of Administrative, Sampling and Lab Testing
Water	Backhoe Hourly Charge	No Change	/HR	\$75.00	/HR	\$75.00	
Water	Survey Locate Fee	Change	/HR	\$25.00	HR	\$50.00	1 Hour Minimum
Water	Water Meter Test Fee	No Change	EA	\$50.00	EA	\$50.00	
Water	Water Tap - 1" Service	Change	EA	\$1,100.00	EA	\$1,200.00	
Water	Water Tap - 2" Service	Change	EA	\$3,000.00	EA	\$3,300.00	
Water	Water Tap - 5/8" Service	Change	EA	\$1,000.00	EA	\$1,100.00	
Water	Water Tap - Double 5/8 Service	Change	EA	\$1,200.00	EA	\$1,400.00	
Water	Backflow Permit - Domestic	No Change	EA	\$25.00	EA	\$25.00	
Water	Backflow Permit- Commercial	No Change	EA	\$50.00	EA	\$50.00	
Water	Fire Hydrant Flow Tests	Change	EA	\$50.00	EA	\$100.00	
Water	Water Tap- 1" only	No Change	EA	\$50.00	EA	\$50.00	
Water	Water Tap- Single 5/8 to Double	Change	EA	\$350.00	EA	\$600.00	
Water	Road Bores	No Change	LF	\$20.00	LF	\$20.00	
Water	Water Tap - 12" Tap Only	No Change	EA	\$600.00	EA	\$600.00	
Water	Water Tap - 4" Tap Only	No Change	EA	\$175.00	EA	\$175.00	
Water	Water Tap - 6" Tap Only	No Change	EA	\$350.00	EA	\$350.00	
Water	Water Tap - 8" Tap Only	No Change	EA	\$500.00	EA	\$500.00	
Water	Water/Sewer Specifications	No Change	EA	\$30.00	EA	\$30.00	Only for printing and binding, Free to download on website
Water	Re-Inspection Fees	No Change	HR	Varies	/HR	\$100.00	1 Hour Minimum

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING AND AMENDING
CERTAIN FEES AND PERMITS FOR THE CITY OF
BENTONVILLE.**

WHEREAS, The City of Bentonville has determined it necessary to review the current fees and permits;

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

Section 1: That the attached Fee Schedules, 3 copies of which are on file with the City Clerk and which have been advertised and made available for public review and inspection prior to passage, are hereby adopted by reference as though they were copied herein fully.

Section 2: That all ordinances or parts of ordinances in conflict herewith should be and the same are hereby repealed.

Section 3: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

Section 4: This ordinance shall be in full force and effect from and after the 1st day of January, 2018.

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:

October 24, 2017

Submitted by:

Jon Simpson

Department

Police

Phone

271-3172

ACTION REQUIRED:

Request for a waiver of competitive bidding to allow for the purchase of equipment and upfitting of two (2) new Tahoes purchased from Superior Auto Group in Siloam Springs. The funding for these vehicles, including equipment and upfitting, was approved by Council with a budget adjustment at the last council meeting (October 10, 2017). The total cost of the equipment and upfitting is estimated to be under \$20,000 (in total) and is also within the amount already approved by council for these purchases. However, Superior Auto Group previously provided equipment and upfitting for three other police vehicles in 2017. These purchases included the equipment and upfitting of two (2) 2017 budgeted Tahoes at the first of the year, at \$6,159 each (\$12,318 total) and one (1) previously approved command staff position vehicle in August, at \$5,169, for a grand total of \$17,487. This grand total, when combined with the cost of equipment and upfitting for the two newly purchased Tahoes, would exceed state competitive bidding requirements. This waiver of competitive bidding would allow the adherence to spending requirements and also allow Superior Auto Group to provide more of the necessary equipment than was previously anticipated. Having Superior Auto Group source these additional equipment items will streamline the process and also allow the equipment and upfitting costs to be included in the final purchase price of the vehicle.

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



REQUEST FOR WAIVER OF BID

Date	<u>10/24/2017</u>	
Requested by:	<u>Chief Jon Simpson</u>	
Department:	<u>Police Department</u>	
DESCRIPTION OF REQUEST:		
Type of Equipment:	<u>Police Tahoe Equipment and Upfitting Services</u>	
Year & Model:	<u>Not applicable</u>	
Serial #	<u>None</u>	
To Be Purchased From:	<u>Superior Auto Group</u>	
	<u>490 HW 412 East</u>	
	<u>Siloam Springs, AR</u>	
Amount:	Base Amount:	<u>\$20,000.00</u>
	Tax:	<u> </u>
	*Other:	<u> </u>
	TOTAL	<u>\$ 20,000.00</u>
* List all other costs: (not to exceed above detailed budgeted amount)		
JUSTIFICATION FOR REQUEST FOR WAIVER OF BID:		
Request for a waiver of competitive bidding to allow for the purchase of equipment and upfitting of two (2) new Tahoes purchased from Superior Auto Group in Siloam Springs. Having Superior Auto Group source these additional equipment items will streamline the process and also allow the equipment and upfitting costs to be included in the final purchase price of the vehicle.		
<u> </u> Department Head		<u> </u> Director of Finance & Administration

Revised 6-18-99

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE MAYOR AND THE
CITY CLERK TO PURCHASE CERTAIN POLICE
EQUIPMENT AND UPFITTING SERVICES FROM
SUPERIOR AUTO GROUP AND WAIVING THE
REQUIREMENT OF COMPETITIVE BIDDING.**

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

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement with Superior Auto Group for the purchase of equipment and upfitting of police vehicles as set forth in the agenda item submitted herewith.

Section 2: Because Superior is the provider of the police vehicles and provides law enforcement upfitting services related to such vehicles, allowing for a streamlined and efficient purchase and installation of components in connection with the purchase of the vehicle, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

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		
Resolution		
Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Ecological Design Group for the Bella Vista Lake Master Plan.

COST TO CITY:

Cost of this Request: \$29,250

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: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
Date: October 16, 2017
Re: City Council approval of a resolution authorizing the Mayor and City Clerk enter into an agreement with Ecological Design Group for the Master Plan of Bella Vista Lake Park.

Parks and Recreation is seeking City Council's approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Ecological Design Group (EDG) for the Master Plan of Bella Vista Lake Park. This value of this contract is \$29,250.00. EDG will work in conjunction with Watershed Conservation Resource Center (WCRC) to create conceptual plans, accompanied with cost estimates, for the future use of the park.

Earlier this year, following a series of open meetings regarding community dialogue and dispute resolution, a public infrastructure group was formed to focus on the future of Bella Vista Lake. A series of meetings were hosted where the discussion centered on the debate of whether the lake should be removed or not. At the July 20 meeting, City Staff presented a new concept suggested by the Play Bentonville Plan. This suggestion included a free flowing stream, with a side channel lake. Although neither side fully agreed on this compromise, both groups did express a willingness to work together and explore this option.

At the conclusion of the meeting, Travis Matlock and I first met with Watershed Conservation Resource Center (WCRC) to gain a better understanding of the possibility of such a project. WCRC has worked with many public projects in Northwest Arkansas and are currently under contract with the City to restore a section of the Little Sugar Creek within the boundary of the park. With WCRC's specialty being streambank restoration, we then turned to Ecological Design Group (EDG) to discuss the possibility of creating conceptual plans that provide options of the best use of the land outside the stream. Although these two groups are independent of each other, it is important that they work together with the City to conduct these studies in unison. The final product, that will essentially be two different projects, will be combined into a single presentation to be presented to the City Council.

Finally, in an effort to be respectful to the taxpayer's dollar, City Staff approached the Walton Family Foundation to discuss the possibility of a partnership to assist with this

At the conclusion of the study, the City Council will be provided with multiple plans, or options, of how we can proceed with the future of Bella Vista Lake. These plans will include the different options we have discussed for several years, plus the recent suggestion from the Play Bentonville Plan. Each of these options will include conceptual drawings, potential land uses and detailed cost estimates. At the conclusion of the study, the City Council will have all information necessary to make the most informed decision possible concerning the future of Bella Vista Lake.

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



August 15, 2017

Mr. David Wright
Director, City of Bentonville Parks and Recreation
215 SW A Street
Bentonville, AR 72712

**RE: *Statement of Qualifications –Professional Landscape Architectural Design Services
Letter of Transmittal***

Dear Mr. Wright,

Ecological Design Group, Inc. is pleased to provide the attached proposal for Task Order No. 1 and Statement of Qualifications package for Professional Landscape Architectural Design Services for the City of Bentonville Lake Bella Vista project. The information provided is based on our understanding of the City's need, as discussed and our personal knowledge of the project area.

EDG brings a unique design perspective focused on ecology and public health safety and welfare that benefits the project planning and design process ensuring high quality, efficiency, aesthetic and function. EDG is committed to working with clients to bring the greatest possible project benefit within project budget and schedule.

We sincerely appreciate the opportunity to present this proposal and our capabilities and qualifications. Please don't hesitate to contact us. We are available to provide any further information you may require.

Respectfully submitted,
ECOLOGICAL DESIGN GROUP, INC.



Martin Smtih, PLA, ASLA



August 15, 2017

Mr. David Wright
Director, City of Bentonville Parks and Recreation
215 SW A Street
Bentonville, AR 72712

Re: EDG Task Order No.1
Lake Bella Vista - Bentonville, Arkansas

Dear David:

Per your request, we are pleased to submit our proposal for Task Order No. 1 associated with the proposed Memorandum of Understanding with the Watershed Conservation Resource Center and the City of Bentonville.

SCOPE OF WORK

The Scope of Work for Basic Services will consist of meetings with stakeholders and master planning the area described above with an emphasis on programming, connectivity, and stormwater strategies. The professional services shall include coordination with Watershed Conservation Resource Center for a natural design stream restoration of Little Sugar Creek through the project area. This scope assumes topographic information will be made available for this area for EDG's use by the City of Bentonville.

BASIC SERVICES

Given the above scope of work, we will provide the following basic services:

Conceptual Design:

1. Meetings and Coordination
 - a. Meet with appropriate Stakeholders as necessary;
 - b. Two public meetings estimated at two hours each;
2. Site Analysis, programming and circulation of the project area;
3. Coordination with Watershed Conservation Resource Center on stream restoration;
4. Master Plan Document to include the following:
 - a. Site Analysis;
 - b. Master Plan Graphic (plan view) including Programming and Circulation in 11 x 17 format which can also be printed at a large scale format for display and meetings;
 - c. Birdseye Illustration;
 - d. Up to three ground level illustrations;
 - e. Phasing and Cost Estimates;
 - f. Bound Presentation Booklets.
5. Presentation of plan
 - a. Parks and Recreation Advisory Board;
 - b. City Council.

REMUNERATION

We propose to perform the scope of work described above for the following lump-sum fee of \$29,250 plus reimbursable expenses.

Reimbursable Expenses:

The Client shall, in addition to payment of the fee, reimburse the Consultant for expenditures made for such items as, surveys, drawings and reports necessary to conduct the work and not otherwise furnished by the Client; computer plots; reproductions; prints; postage. Reimbursable expenses will be billed at 1.0 times direct cost. *Reimbursement Expenses shall not exceed 3% of the Basic Service Fee.

Hourly Rates

The following hourly rates apply to Ecological Design Group's Basic Services and to any Additional Services requested:

Standard Hourly Rate Schedule:

Principal	\$135.00
Professional Civil Engineer	\$125.00
Professional Landscape Architect	\$105.00
Project Manager Civil Engineering	\$105.00
Project Manager Landscape Architect	\$ 90.00
Associate Landscape Architect	\$ 80.00
Engineer Intern	\$ 80.00
Landscape Designer	\$ 75.00
Illustrator	\$ 75.00
CAD Technician	\$ 60.00
Technical/Clerical	\$ 45.00

We sincerely thank you for the opportunity to submit this proposal and look forward to working with you on this exciting project. Your signature in the space provided on this proposal, returned to us, will indicate Agreement and permit us to proceed with the work as directed.

Respectfully submitted,

ECOLOGICAL DESIGN GROUP, INC.



Martin L. Smith, PLA
Principal

Accepted: _____ Date: _____



Lake Bella Vista
Master Plan

15-Aug-17

Master Plan	Hours	Rate	Individual Totals	Total
Principal Landscape Architect - Martin Smith/Tanner Weeks	40	\$135.00	\$5,400.00	\$29,250.00
Professional Landscape Architect - Martin Smith/Tanner Weeks	40	\$105.00	\$4,200.00	
Project Manager Landscape Architect - Alison Jumper	80	\$90.00	\$7,200.00	
Landscape Designer/Illustrator - Reva Meeks/Hillary Ramsey	160	\$75.00	\$12,000.00	
Clerical - Susanne Palmer	10	\$45.00	\$450.00	

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT FOR WITH
ECOLOGICAL DESIGN GROUP FOR THE MASTER
PLAN OF THE BELLA VISTA LAKE PARK.**

**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 a professional services agreement with Ecological Design Group for the Master Plan of Bella Vista Lake Park, in an amount not to exceed \$29,250.00, 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



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Watershed Conservation Resource Center for the Master Plan of Bella Vista Lake Park.

COST TO CITY:

Cost of this Request: \$63,960

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

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

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

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

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PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
Date: October 16, 2017
Re: City Council approval of a resolution authorizing the Mayor and City Clerk enter into an agreement with Watershed Conservation and Resource Center Master Plan of Bella Vista Lake Park.

Parks and Recreation is seeking City Council's approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Watershed Resource Conservation Center (WCRC) for the Master Plan of Bella Vista Lake Park. This value of this contract is \$63,960.00. WCRC will work in conjunction with Ecological Design Group (EDG) to create conceptual plans, accompanied with cost estimates, for the future use of the park.

As discussed in an earlier memo, the agreement with WCRC mirrors an agreement with EDG for the creation of a master plan for Bella Vista Lake. WCRC specializes in streambank restoration and working within the boundaries of the creek. They will focus their study on the channel while working in unison with EDG. EDG will focus their study on the future land uses of the park.

The cost of this contract is funded by a grant from the Walton Family Foundation. At the conclusion of the study, City Council will be provided with multiple plans, or options, of how we can proceed with the future of Bella Vista Lake. These plans will include the different options we have discussed for several years, plus the recent suggestion from the Play Bentonville Plan. Each of these options will include conceptual drawings, potential land uses and detailed cost estimates. At the conclusion of the study, the City Council will have all information necessary to make the most informed decision possible concerning the future of Bella Vista Lake.

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

DRAFT

WCRC Task Order 1

Conceptual Design: Little Sugar Creek Restoration and Dam Removal Bentonville, Arkansas

Submitted to City of Bentonville

By Watershed Conservation Resource Center

August 16, 2017

Background:

The Watershed Conservation Resource Center (WCRC) was contacted by the City of Bentonville to develop a conceptual stream restoration design and dam removal plan for the portion of Little Sugar Creek that is affected by the Lake Bella Vista dam and associated impoundment located in Bentonville, Arkansas. The dam was constructed in 1918 creating what is known today as Lake Bella Vista. Over the course of the nearly 100 years, the lake has been inundated as well as drained for a variety of reasons. The dam, lake, and adjacent properties were conveyed to the City of Bentonville in 2006. Since that time, the lake has provided a backdrop to many users of the park who enjoy walking on the multi-use surface that circles the lake. Several floods have overtopped the dam causing damage to the aging earthen structure including washout of the downstream embankment and the development of seeps that have the potential to threaten the structure. The dam has been deemed to be high-hazard structure under dam safety regulations of the Arkansas Natural Resources Commission. The City of Bentonville retained an out-of-state engineering firm to develop a dam reconstruction plan and applied for a nationwide permit from the U.S. Army Corps of Engineers to reconstruct the dam. Delays in the process resulted in the project permit being revoked and an individual permit requirement by the Corps. Meanwhile, a group of citizens who would like to see the dam removed altogether, establishing a free flowing stream through the park vocalized their desires to the City. As a result of the revised permit requirements and citizen feedback, the City is considering an alternative to reconstruction of the dam that includes dam removal and stream restoration.

The WCRC met with the directors of Engineering and Parks and Recreation Department at Lake Bella Vista to evaluate the conditions of the site and to discuss the overarching goals of the alternative to create a park with a natural, free-flowing stream that will provide a variety of features and amenities for the citizens of Bentonville as well as park users from around the region. Based on the site visit, it is the opinion of the WCRC that a stream restoration design could be developed that would meet all of the objectives articulated by the City's staff. The WCRC has restored nearly 20,000 linear feet of streams and rivers in Northwest Arkansas over the course of 12 projects and has an in-depth understanding of the hydrologic and fluvial processes that occur in the greater Ozark Mountains region. The WCRC also recently completed a conceptual dam removal and river restoration plan on the West Fork White River for the City of Fayetteville. The WCRC also met with the City of Bentonville and representatives of

WCRC Task Order 1: Lake Bella Vista Dam Removal and Stream Restoration Design, Bentonville, Arkansas

DRAFT

Ecological Design Group (EDG) to discuss a pathway forward that would create a vision for the stream and a public park/natural area design that complement one another.

Description of Work:

In order to develop a stream restoration design for the site that meets the objectives of the City, the WCRC proposes to collect stream morphology, topographic, and bathymetry survey data at the site and a reference reach. The design will be developed using the collected data and "Natural Channel Design" principles. This approach will utilize information from a stable reach of Little Sugar Creek or other appropriate streams in the Springfield Plateau Physiographic Ecoregion to develop analogue morphologic dimensions, such as, riffle cross-section area, riffle width, riffle depth, etc., for the restoration reach. The design will be limited in scope to provide adequate information for depicting the specific form of the restoration design in the plan, cross-section, and elevation view and for developing a cost estimate for the proposed work to be implemented. The final product will not include sealed construction drawings. The WCRC will work congruently with EDG, who will be developing a master plan for a public park/natural area so that the park is compatible and programmatically linked with the proposed stream restoration design. If the City elects to implement the proposed restoration design alternative, then final construction drawings would be developed and construction services would be contracted through the WCRC as part of a future scope of work.

Specifically, the WCRC will perform the following tasks in pursuit of developing a design plan for removing the dam and restoring Little Sugar Creek through the current Lake Bella Vista footprint:

1. Collect stream morphology for Little Sugar Creek upstream and downstream of the lake
 - a. The profile of the streambed, the water surface, and bankfull elevations will be surveyed throughout the entire reach
 - b. Multiple representative cross-sections will be surveyed
 - c. The plan form of the stream network will be evaluated using GIS to determine plan form characteristics.
 - d. A pebble count will be conducted to determine the nature of the channel substrate and estimate friction losses created by the channel bed
 - e. Collect relevant topographic data that will aid in estimating excavation quantities and evaluation of streambank erosion
2. Evaluate backwater bathymetry of Lake Bella Vista
 - a. Survey lake bathymetry using echo sounder to assist with cut and fill quantities associated with stream channel excavation and floodplain development
 - b. Collect core samples to determine depth to bedrock within the footprint of the lake backwater area
 - c. Analyze sediment cores to ensure that elevated concentrations of potential pollutants area not present within the sediment that may be mobilized during or after implementation of the stream restoration plan
3. Collect stream morphology data at a reference reach within the Springfield Plateau Physiographic Ecoregion

WCRC Task Order 1: Lake Bella Vista Dam Removal and Stream Restoration Design, Bentonville, Arkansas

DRAFT

- a. The profile of the streambed, the water surface, and bankfull elevations will be surveyed throughout the entire reach
 - b. Multiple representative cross-sections will be surveyed
 - c. The plan form of the stream network will be evaluated using GIS to determine reference plan form characteristics.
 - d. A pebble count will be conducted to determine the nature of the channel substrate and estimate friction losses created by the channel bed within the reference reach
4. Compile the survey data and perform a Rosgen Level II analysis of the stream survey data in order to determine stream type and morphological character.
5. Evaluate reference reach data in order to determine appropriate dimensionless design variable values
6. Develop a draft conceptual design for review with the City
 - a. Coordinate with EDG and City to integrate park master plan with the stream restoration design layout
 - b. Engage the community to obtain input for the conceptual design plan through a meeting with interested stakeholders
7. Upon approval by the City, develop final conceptual restoration plan drawings
8. Develop a cost estimate for the proposed conceptual design.
9. Develop a summary report that discusses the proposed restoration design and includes the analysis of survey data, conceptual drawings, and estimated project costs.
10. Present the proposed stream restoration plan to the City Council and public.

Payment and Schedule:

The WCRC is prepared to initiate this work beginning November 2017 and would deliver a final product by the end of May 2018.

The WCRC would be compensated an amount not to exceed \$63,960 including travel and other incidental expenses.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT FOR WITH
THE WATERSHED CONSERVATION AND RESOURCE
CENTER FOR THE MASTER PLAN OF THE BELLA
VISTA LAKE PARK.**

**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 a professional services agreement with the Watershed Resource Conservation Center for the Master Plan of Bella Vista Lake Park, in an amount not to exceed \$63,960.00, 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



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

City Council approval of a budget adjustment, in the amount of \$98,960.00, to recognize the revenue from a Walton Family Foundation grant to fund a site specific master plan for Bella Vista Lake Park.

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



BUDGET ADJUSTMENT REQUEST FORM

Budget Adjustment #
(Assigned by Admin)

Department: Parks

Date of Request: October 17, 2017

Acct Number	Account Name	Revenue + (-)	Expense + (-)	Fund Balance + (-)
010-5030-452.32-10	Professional Services		\$ 98,960.00	\$ (98,960.00)
	Professional Services	\$ 98,960.00		\$ 98,960.00
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
	Totals	\$ 98,960.00	\$ 98,960.00	\$ -

Justification:

Budget adjustment recognizes the revenue from the Walton Family Foundation grant and allocates funding for the planning consultants for the Bella Vista Lake master plan.

FOR ACTING USE ONLY

Council Action: Approved Disapproved Other _____

Date: _____ Date entered: _____ By: _____

Revised 5/1/07

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
Date: October 16, 2017
Re: City Council approval of a budget adjustment, in the amount of \$98,960, to recognize the revenue from a Walton Family Foundation Grant and allocate funding for master plan for Bella Vista Lake Park.

As discussed in a previous memo, City Staff has worked with a public infrastructure group to discuss the future of Bella Vista Lake. At the conclusion of the July 20 meeting, the group agreed to study every option to determine the future of Bella Vista Lake.

Following the meeting, City Staff met with potential consultants to determine the process and price. Following those meetings, Staff met with the Walton Family Foundation to discuss a partnership regarding funding. The WFF agreed to fund the study in full, at the value of \$98,960.00. This budget adjustment recognizes this grant and funds the contracts with Watershed Conservation Resource Center (WCRC) and Ecological Design Group (EDG).

At the conclusion of the study, the City Council will be provided with multiple plans to choose from. These plans will include the options we have discussed for several years, plus the recent suggestion from the Parks and Recreation Master Plan. Each of these options will include conceptual drawings, potential land uses and detailed cost estimates. At the conclusion of the project, the City Council will have the best information necessary to make the most informed decision possible concerning the future of Bella Vista Lake.

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

WALTON FAMILY
FOUNDATION

October 2, 2017

Bob McCaslin
Mayor
City of Bentonville
117 West Central Boulevard
Bentonville, AR 72712

RE: Grant #2017-1520

Dear Mayor McCaslin,

It is my pleasure to inform you that the Walton Family Foundation, Inc. ("Foundation") has approved a grant in the amount of \$98,960.00 to the City of Bentonville ("Grantee"). The project term will be November 1, 2017 to November 1, 2018. This grant is subject to the following terms and conditions:

1. **Purpose:** The purpose of the grant is to create a master plan for the 148-acre Bella Vista Lake Park. This grant is more fully described in Grantee's proposal dated September 8, 2017. Grantee agrees to use all grant funds exclusively for the grant's purposes. Any changes in these purposes must be authorized in advance by the Foundation in writing.

2. **Amount:** Ninety-Eight Thousand, Nine Hundred Sixty Dollars (\$98,960.00).

Grant payments will be made as follows:

Installment	Amount	Requirement
#1	\$98,960.00	See Payable Below

3. **Payable:** This grant payment shall be initiated upon receipt of this completed letter from Grantee acknowledging the terms and conditions set forth herein, as well as receipt of a copy of the contract with the master plan consultant(s) and a draft design schedule for activities and deliverables.

4. **Accounting:** (a) The Foundation encourages, whenever feasible, the deposit of grant funds in an interest-bearing account. For purposes of this letter, the term "grant funds" includes the grant and any income earned thereon.

(b) Grantee will maintain records of receipts and expenditures made in connection with the grant funds and will keep these records during the period covered by the Grantee's reporting obligations specified in paragraph 5 and for at least four years thereafter ("Maintenance Period"). Grantee will make its books and records in connection with the grant funds available for inspection by the Foundation during normal business hours as the

P.O. Box 2030, Bentonville, AR 72712 | Tel: 479.464.1570 Fax: 479.464.1580

www.waltonfamilyfoundation.org

Foundation may request at any time during the Maintenance Period.

5. **Reporting and Evaluation:** Grantee will provide the Foundation with a financial and narrative report by the due date listed in the report schedule below. This report shall include an account of expenditures of grant funds, and a brief narrative of what was accomplished (including a description of progress made in fulfilling the purposes of the grant and a confirmation of Grantee's compliance with the terms of the grant).

Report Date	Report Type
11/1/2018	Final Financial and Narrative

Success will be measured against the outputs and outcomes described in Appendix A.

All reports will be sent electronically to HomeRegion@wffmail.com. Please reference Grant #2017-1520 on all reports submitted.

Grantee payments are always contingent upon the Foundation's approval of Grantee's operations based on the above reports and the Foundation's satisfaction with such information as it chooses to obtain from other sources.

6. **Representations:** Grantee represents and warrants to the Foundation that:

(a) Grantee is an organization in good standing, is either an organization described in section 501(c) (3) of the Internal Revenue Code ("Code") or a governmental unit, and is not a "private foundation" described in section 509(a) of the Code. Grantee will promptly notify the Foundation of any change in Grantee's tax status under the Code.

(b) In no event will Grantee use any grant funds:

(i) to carry on propaganda, or otherwise to attempt, to influence legislation;

(ii) to influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drive; or

(iii) to undertake any activity other than for a charitable, educational or other exempt purpose specified in section 170(c)(2)(B) of the Code.

(c) Grantee will comply with all applicable laws and regulations.

7. **Repayment:** Grantee agrees to repay to the Foundation any portion of the grant funds not used for the grant's purposes. In addition, the Foundation may discontinue any further payments to Grantee, and may direct Grantee to repay any unexpended grant funds to the Foundation, if any of the following events occurs:

- (a) Grantee ceases to maintain its tax-exempt status as described in paragraph 6(a) above;
- (b) Grantee fails to comply with the terms of this letter; or
- (c) There is a material change in Grantee's key personnel that in the sole opinion of the Foundation adversely affects Grantee's management of the grant.

8. **Release and Indemnity:** Without waiving immunity pursuant to law, Grantee shall release, indemnify, defend and hold harmless the Foundation and its directors, officers, employees and agents from and against any and all claims, actions, suits, demands, damages, losses, expenses and liabilities, arising out of or related in any way to the actions or omissions of Grantee (or its directors, officers, employees, agents or contractors) in connection with the Grant and the project funded by the Grant, except to the extent caused by the Foundation's (or its directors', officers', employees' or agents') negligent actions or omissions.

9. **Grant Publicity:** Grant publicity related to this grant consistent with Grantee's normal practice is permitted, subject to the following provisions. The Foundation expects any announcements and other publicity to focus on Grantee's work and the project or issue funded by the grant. Recognition of the Foundation's role in funding the project is permitted, provided that the timing, content and strategic focus of such publicity should be approved by the Foundation contact listed in paragraph 11. Publicizing the grant and the Foundation in Grantee's publications and communications in a manner consistent with similar grants obtained by Grantee is permitted.

The Foundation may ask Grantee to provide illustrations, photographs, videos, recordings, information or other materials related to the grant (collectively "Grant Work Product") for use in Foundation communications including the Foundation's website, annual report, newsletters, board materials, presentations, communications and other publications. Grantee agrees to provide the Foundation with such items upon the Foundation's reasonable request and hereby grants to the Foundation and anyone acting under the authority of the Foundation a fully paid-up, world-wide, right and license to use, reproduce, display and distribute the Grant Work Product in connection with the Foundation's charitable operations and activities. In connection therewith, Grantee shall be responsible for obtaining all necessary rights and permissions from third parties for the Foundation to use the Grant Work Product for these purposes. By signing this Agreement, Grantee also acknowledges and agrees to use by the Foundation of historical, programmatic and other information relating to Grantee and the grant hereunder.

10. **Gratuities:** The Foundation desires that all of Grantee's resources be dedicated to accomplishing its philanthropic purposes. Therefore, Grantee agrees that it will not furnish the Foundation or its Board of Directors, officers, staff or affiliates with any type of benefit related to this grant including tickets, tables, memberships, commemorative items, recognition items, or any other benefit or gratuity of any kind.

11. **Contact:** For all communications regarding this grant, please contact the Foundation by email at HomeRegion@wffmail.com. Please reference Grant #2017-1520 in your communication.

We have enclosed the grant letter. By electronically signing this item the Grantee acknowledges and agrees to the terms and conditions herein. A copy of the completed document will be emailed to the Grantee through DocuSign. If the electronic signing of this item is not completed by October 16, 2017 the Foundation will consider the Grantee to have declined the grant.

On behalf of the Foundation, I extend every good wish for the success of your organization's endeavors.

Sincerely,

Kyle J. Peterson
Executive Director

ACKNOWLEDGED AND AGREED

By: _____
Bob McCaslin (Date)
City of Bentonville

**Appendix A: City of Bentonville
Bella Vista Lake Master Plan**

Outputs And Outcomes		
Who will do what and how much?	By when?	Measured or evaluated by?
Goal: Bella Vista Lake Master Plan		
Outputs		
The City of Bentonville will select and place under contract a professional design team to solicit public input, create a park master plan, research and develop stream restoration and dam removal design options.	11/01/2017	Signed professional services contract(s)
The City of Bentonville and/or selected professional design firm will offer opportunities for stakeholders and citizens to provide input on current recreation needs and desires of citizens for the park through a minimum of four (4) public meetings/workshops targeted to an audience of at least 150 participants.	8/31/2018	Sign-in sheets and program agendas
The City's consultant(s) will develop a cohesive, integrated conceptual park master plan through an iterative design process incorporating the most appropriate recreational needs, greenway trail enhancement, and dam resolution/stream restoration design options.	08/31/2018	Copy of the master plan documents
The City of Bentonville and their design team will collect data, conduct environmental analysis and create plans and recommendations that will provide design options to resolve the issue of the dam, stream channel construction and stream bank restoration along Little Sugar Creek.	8/31/2018	The results of the research, along with a detailed cost analysis, included in a written report
The results of the master plan study, including a cost analysis, will be presented via conceptual drawings and written report to the community and City Council for review and consideration.	10/01/2018	Program records
Outcomes		
The City of Bentonville will adopt the master plan design option ultimately selected by the City Council.	10/01/2018	A letter from the Mayor



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Amanda McBee for the service of teaching instructional recreation and wellness classes for Parks and Recreation.

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



Memo



To: City Council, Mayor McCaslin
From: Lee Farmer, Recreation Services Manager
Through: David Wright, Parks and Recreation Director
Date: October 11, 2017
Re: Amanda Urner McBee -Contracted Fitness Instructor and Personal Trainer

Parks and Recreation utilizes independent contractors, as opposed to employees, to teach many of our recreation and wellness classes at the Bentonville Community Center. These classes include wellness class such as aerobics or spin, as well as swim classes such as instructional swim or masters swim. Each year, Parks and Recreation works with our Accounting Department to ensure contracts are current and accurate.

In January 2017, Parks and Recreation entered into two agreements with Amanda Urner McBee. First agreement is for her to serve as a Personal Trainer at the Bentonville Community Center. In addition, she has an agreement to teach various fitness classes. The demand for these classes and services are very high at the Bentonville Community Center. Year to date, more than 51,000 people have participated in one of these programs.

Mrs Urner McBee has been under contract with the City of Bentonville since January. However, upon signing the agreement, we did not anticipate this would reach the level of City Council approval. This resolution authorizes an agreement that has already been signed, but allows Mrs Urner McBee to continue beyond the \$20,000.00 in payment threshold. Mrs Urner Bernard is an excellent instructors who is in high demand from our participants. This contract is completely funded by membership and program registration fees.

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



City of Bentonville
Parks and Recreation
Instructor Contract

Instructor Name Amanda (Mandy) Urner
Address 1802 W Lazy L St.
City Rogers State AR Zip 72758
Home Phone 479-636-3899 Work/Cell Phone 479-616-6716
E-Mail aaurner@gmail.com

Start Date: 7-Sep-17 End Date: 31-Dec-17

Class to be Taught:	Aqua Boot Camp	Time/Day	Mon./Wed./Fri. 10:30am
	Pilates	Time/Day	Tues. 9:50am
	Group Circuit	Time/Day	Tues. 10:35am
	Power Pump	Time/Day	Tu./Thu. 11:30am
	Spin	Time/Day	Tu./Thu. 12:15pm
	Sub	Time/Day	TBD

Instructor will be paid \$19/per 30min. Class | \$22.50/per 45min. Class | \$25/per 60min. Class

- 1) The instructor is expected to be ready for class at least 10 minutes in advance. Instructor will be given a roster of registered students before class.
- 2) The instructor agrees to maintain and provide proof of all certifications for subjects taught.
- 3) **The instructor is responsible for finding his/her own substitute, if necessary, and notifying management in advance for approval.**
- 4) The instructor understands that he/she is not an employee of the City of Bentonville and that classes may be cancelled if there is not enough interest in the class from membership. Instructors are only paid for the actual sessions of classes that are taught
- 5) IRS form W-9 required
- 6) You indemnify and hold harmless the City and all personnel and officials against any liability resulting from your negligent or wrongful acts, failure or breach of law. You may be required to maintain insurance and provide proof of same.

Instructor Signature

Parks and Rec Signature

Mayor Signature

9/11/2017

9.18.2017

09.19.2017



City of Bentonville
Parks and Recreation

Personal Trainer Contract

Instructor Name Amanda (Mandy) Urner
Address 1802 W. Lazy L St.
City Rogers State AR Zip 72758
Home Phone 479-616-6716 Work/Cell Phone 479-616-6716 *Best*
E-Mail adurner@gmail.com

Start Date: 1-Jan-17 End Date: 31-Dec-17

Class to be Taught:	30 min appt.	Time/Day	Per request
	60 min appt.	Time/Day	Per request
		Time/Day	
		Time/Day	
		Time/Day	
		Time/Day	

Instructor will be paid

\$25 per 30 min session, \$40 per 60 min session

- 1) The instructor is expected to be ready for class at least 10 minutes in advance. Instructor will be given a roster of registered students before class.
- 2) The instructor agrees to maintain and provide proof of all certifications for subjects taught.
- 3) The instructor is responsible for finding his/her own substitute, if necessary, and notifying management in advance for approval.
- 4) The instructor understands that he/she is not an employee of the City of Bentonville and that classes may be cancelled if there is not enough interest in the class from membership. Instructors are only paid for the actual sessions of classes that are taught.
- 5) IRS form W-9 required
- 6) You indemnify and hold harmless the City and all personnel and officials against any liability resulting from your negligent or wrongful acts, failure or breach of law. You may be required to maintain insurance and provide proof of such.

Instructor Signature

Date

12/12/16

Parks and Rec Signature

Date

1-17-2017

Mayor Signature

Date

01.17.17

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH
AMANDA MCBEE FOR INSTRUCTIONAL RECREATION
AND WELLNESS CLASSES FOR THE BENTONVILLE
PARKS AND RECREATION DEPARTMENT.**

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an Agreement with Amanda McBee for the service of teaching instructional recreation and wellness classes for the Bentonville Parks and Recreation Department 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



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

AGENDA FORM

CITY COUNCIL MEETING OF:

October 24, 2017

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Jami Bernards for the service of teaching instructional swim lessons for Parks and Recreation.

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



Memo



To: City Council, Mayor McCaslin
From: Lee Farmer, Recreation Services Manager
Through: David Wright, Parks and Recreation Director
Date: October 11, 2017
Re: Jami Bernards- Instructional Swim Lesson Contractor

Parks and Recreation utilizes independent contractors, as opposed to employees, to teach many of our recreation and wellness classes at the Bentonville Community Center. These classes include wellness class such as aerobics or spin, as well as swim classes such as instructional swim or masters swim. Each year, Parks and Recreation works with our Accounting Department to ensure contracts are current and accurate.

In December of 2016, Parks and Recreation entered into an agreement with Jami Bernards for the service of teaching instructional swim lessons in 2017. The agreement is attached to this memo. As you know, the demand for our swim lessons at the BCC has become very high. To date, more than 5,600 participants have utilized the BCC for swim lessons, creating a gross revenue for the program of more than \$215,000. Because of this demand and the number of participants in our program, Bernards is soon to surpass the \$20,000 contract amount that requires City Council approval.

This resolution authorizes the agreement that has already been signed, but allows Ms. Bernards to continue beyond the \$20,000 in payment threshold. Ms. Bernards is an excellent instructor with a very high demand by our participants. This contract is completely paid by registration fees.

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

Attachments:

Instructor Agreement



City of Bentonville
Parks and Recreation
Swim Instructor Certified Contract

Instructor Name Jami Bernards
Address 305 SW Ridgepoint Avenue
City Bentonville State AR Zip 72712
Home Phone _____ Work/Cell Phone 479-268-0230
E-Mail jamibernards@gmail.com

Start Date: 1-Jan-17 End Date: 31-Dec-17
Class to be Taught:

Group Lessons T/Th	Time/Day	AM
Group Lessons Wed/Sat	Time/Day	PM/AM
Private Lessons	Time/Day	Per Request

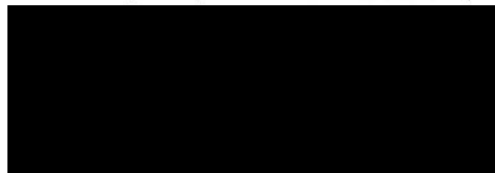
Instructors will be paid: \$14 per 30 min group lesson, \$23 per 30 min private lesson

- 1) The instructor is expected to be ready for class at least 10 minutes in advance. Instructor will be given a roster of registered students before class and must have their swim instructor equipment ready prior to class.
- 2) The instructor agrees to maintain and provide proof of all certifications for subjects taught. CPR/FIRST AID/WSI
- 3) **The instructor is responsible for finding his/her own substitute, if necessary, and notifying management in advance for approval.**
- 4) The instructor understands that he/she is not an employee of the City of Bentonville. Swim Instructors must agree to teach group lessons each session to maintain a Contractor. Instructors are only paid for the actual sessions of classes that are taught on a given day- 30 minutes classes. Instructors are required to teach make up lessons.
- 5) IRS form W-9 required
- 6) You indemnify and hold harmless the City and all personnel and officials against any liability resulting from your negligent or wrongful acts, failure or breach of law. You may be required to maintain insurance and provide proof of such.

Instructor Signature

Parks and Rec Signature

Mayor Signature



12/9/16
12-20-2016
12.21.2016

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH JAMI
BERNARDS FOR INSTRUCTIONAL SWIM LESSONS FOR
THE BENTONVILLE PARKS AND RECREATION
DEPARTMENT.

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

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an
Agreement with Jami Bernards for the service of teaching instructional swim lessons for the
Bentonville Parks and Recreation Department 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, October 24, 2017 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, October 24, 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: October 10, 2017**

AGENDA

1. A proclamation designating October 2017 Community Planning Month in the City of Bentonville.
2. Request that the City Council adopt a formal resolution to recognize, commend and congratulate Detective Corporal Steve Vera upon his October 2017 retirement. This resolution recognizes more than 33 years of law enforcement service, including more than 17 years of decorated service with the Bentonville Police Department. This resolution also wishes Steve Vera much health, happiness, and continued success in all of his future endeavors. See attached resolution.
3. Planning:
- 3a. **Lot Split: Lots 16 & 17 Southside Subdivision, Hurricane WA, LLC, 228 Southeast 7th Street, DE, Downtown Edge.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating two new lots from one existing lot. The new lots will be known as Lot 16 (0.10 acres) & Lot 17 (0.10 acres) of Southside Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along SE 7th Street. A private cross access easement will be dedicated by a separate document and will provide rear access to both of the new lots. Direct access to SE 7th Street

shall not be permitted. Each new lot will have access to public utilities and a public street.

- 3b. **Lot Split: Lots 1 & 2 Bailey Subdivision, Taildragger, LLC, 801 & 803 North Walton Boulevard, C-2, General Commercial.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating two new lots from two existing parcels. The new lots will be known as Lot 1 (0.36 acres) & Lot 2 (0.40 acres) of Bailey Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along NW 9th Street. Cross access easements will be dedicated along the western property lines of each new lot to allow access to NW 8th and NW 9th Streets. Public utility easements are also being dedicated to serve the two new lots. Each of the new lots will have access to public utilities and a public street.

- 3c. **Lot Split: Lots 1, 2, & 3 Forrest Oaks Subdivision, Edward Eugene Garrett, 1600 & 1602 Northwest 3rd Street, R-1, Single Family Residential & R-E, Residential Estate.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating three new lots from two existing parcels. The new lots will be known as Lot 1 (3.47+/- acres), Lot 2 (2.51+/- acres) & Lot 3 (0.95+/- acres) of Forrest Oaks Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along NW 3rd Street. Public utility easements are also being dedicated to serve the three new lots. Each of the new lots will have access to public utilities and a public street.

- 3d. **Property Line Adjustment: Lots 42 & 43 Oakwood Heights Addition, Drew Mayer, 1906 Almand Drive, R-1, Single-Family Residential.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common lot of existing lots 31 & 32 of Oakwood Heights Addition. The new lots will be known as Lot 42 (0.48+/- acres) and Lot 43 (0.23+/- acres) of Oakwood Heights Addition. Per the Master Street Plan requirements, additional right-of-way will be dedicated along Almand Drive and Timber Trail Road. A public utility easement will also be dedicated with the plat to serve each of the new lots. Both of the new lots will have access to public utilities and a public street.

- 3e. **General Plan Amendment: Kuhlman Properties, LLC, Southwest Regional Airport Boulevard & Southwest Blue Jay Lane, From Commercial to High Density Residential.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Commercial (C). Policy LU-23 Housing Types within the General Plan suggests that the city should encourage the development of a mix of housing types to meet the needs of residents throughout their lives. As utilities and infrastructure are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed land use will help to reduce the impact on city infrastructure by the extension of public utilities and infrastructure that will be required with the development of this land, all helping to meet the intent of the policy.

- 3f. **General Plan Amendment: Martin Elzey, Southwest Featherston Road, Glenn Road, & Been Road, From Low Density Residential to Medium Density Residential.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Low Density Residential (LDR). Policy LU-23 Housing Types within the General Plan suggests that the city should encourage the development of a mix of housing types to meet the needs of residents throughout their lives. As utilities and infrastructure are extended to new locations within the city, the city should reevaluate and adjust the land uses accordingly. The proposed land use will help to reduce the impact on city infrastructure by the extension of public utilities and infrastructure that will be required with the development of this land, all helping to meet the intent of the policy.

- 3g. **Lot Split: Lots 1 & 2 Fellowship-McMillon Subdivision, McMillon Family Revocable Trust, 1701 Northeast Tiger Boulevard, A-1, Agricultural.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split creating two new lots from five existing parcels. The new lots will be known as Lot 1 (41+/- acres) and Lot 2 (25+/- acres) of Fellowship-McMillon Subdivision. Per the requirements of the current Master Street Plan, the applicant is dedicating right-of-way along a portion of NE Tiger Blvd. & McCollum Road. Public utility easements are also being dedicated to serve the two new lots. Each of the new lots will have access to public utilities and a public street. Note that a sewer easement agreement has been accepted by the sewer department to allow for future sewer service to the new Lot 2.

4. Appointment of Lauren Haynes to the Public Art Advisory Committee. Ms. Haynes is the Curator of Contemporary Art at Crystal Bridges Museum of American Art. This term will begin November 1, 2017 and expire November 1, 2020.
5. City Council approval of a budget adjustment to recognize revenue awarded in the form of a donation from Walmart Stores Inc. in the amount of \$25,000.00 to leverage city funds for the purchase of 430 trees for the City of Bentonville's 5th Annual Tree Planting Blitz on October 13, 2017.

6. Staff recommends City Council approval of Change Order No. 2 and Final Reconciliation of the Guaranteed Maximum Price Contract with Flintco, LLC for construction services associated with the new City Maintenance Facility recognizing a decrease of \$791,469.00 reducing the contract total from \$25,635,142.00 to \$24,843,673.00.
7. Staff recommends adoption of the document titled "City of Bentonville Amendments to the 2012 Arkansas Fire Prevention Code Volume I".
8. City council approval of an ordinance creating a Right-of-Way permit for the City of Bentonville Street Department.
9. Staff is seeking City Council approval of an ordinance updating the City of Bentonville Schedule of Fees.
10. Request for a waiver of competitive bidding to allow for the purchase of equipment and upfitting of two (2) new Tahoes purchased from Superior Auto Group in Siloam Springs. The funding for these vehicles, including equipment and upfitting, was approved by Council with a budget adjustment at the last council meeting (October 10, 2017). The total cost of the equipment and upfitting is estimated to be under \$20,000.00 (in total) and is also within the amount already approved by council for these purchases. However, Superior Auto Group previously provided equipment and upfitting for three other police vehicles in 2017. These purchases included the equipment and upfitting of two (2) 2017 budgeted Tahoes at the first of the year, at \$6,159.00 each (\$12,318.00 total) and one (1) previously approved command staff position vehicle in August, at \$5,169.00, for a grand total of \$17,487.00. This grand total, when combined with the cost of equipment and upfitting for the two newly purchased Tahoes, would exceed state competitive bidding requirements. This waiver of competitive bidding would allow the adherence to spending requirements and also allow Superior Auto Group to provide more of the necessary equipment than was previously anticipated. Having Superior Auto Group source these additional equipment items will streamline the process and also allow the equipment and upfitting costs to be included in the final purchase price of the vehicle.
- 11a. City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Ecological Design Group for the Bella Vista Lake Master Plan.
- 11b. City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an agreement with Watershed Conservation Resource Center for the Master Plan of Bella Vista Lake Park.
- 11c. City Council approval of a budget adjustment, in the amount of \$98,960.00, to recognize the revenue from a Walton Family Foundation grant to fund a site specific master plan for Bella Vista Lake Park.
12. Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Amanda

McBee for the service of teaching instructional recreation and wellness classes for Parks and Recreation.

13. Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Jami Bernards for the service of teaching instructional swim lessons for Parks and Recreation.