

Bentonville City Council
Meeting Minutes
January 8, 2019

The City Council of Bentonville, Arkansas, met in regular session Tuesday, January 8, 2019, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Tim Robinson, Chad Goss, Cindy Acree, Chris Sooter, Aubrey Patterson, Bill Burckart, Octavio Sanchez and Jonathan Terlouw. Also present were Mayor Stephanie Orman, City Attorney George Spence, City Clerk Linda Spence, the press, city staff and the audience.

At 6:00 p.m., prior to calling the meeting to order, Mayor Orman invited public comments. There was no response so the Mayor declared the comment period closed. The Mayor then invited questions or comments from the Council about items on the agenda and there were none.

Mayor Orman called the meeting to order. The Mayor led everyone present in the Pledge of Allegiance followed by a moment of silence in support of our armed forces.

Motion was made by Council Member Goss to approve the minutes of the December 11, 2018 meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

Motion was made by Council Member Sooter to suspend the rules regarding the reading of all ordinances on three separate days and further that all ordinances and resolutions be read by title only, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

1a. Ordinance No. 2019-1: Ordinance accepting a lot split of Lot 1 Block K of Orchard Addition to the City of Bentonville, Arkansas. (Project No. LS18-42)

[Applicant: Art Park, LLC;
Location: 609 Southeast D Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (8-0).

- 1b. Ordinance No. 2019-2: Ordinance accepting a lot split of Lots 4 and 5 of Gateway Park Addition to the City of Bentonville, Arkansas. (Project No. LS18-43)

[Applicant: Crossmar Industrial II, LLC;
Location: 3000 Southwest Regional Airport Boulevard]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

- 1c. Ordinance No. 2019-3: Ordinance accepting a lot split of Lots 1 and 2 of Southwest 28th Street Church Addition to the City of Bentonville, Arkansas. (Project No. PLA18-42)

[Applicant: Shelby Elzey;
Location: 2801 Southwest Featherston Road]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (8-0).

- 1d. Ordinance No. 2019-4: Ordinance accepting a property line adjustment of Lot 34 Block 8 of Bland Valley Estates to the City of Bentonville, Arkansas. (Project No. PLA18-38)

[Applicant: Sean and Nicole Doke;
Location: 1903 Lawrence Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by

Council Member Robinson. There was no discussion. Motion carried (8-0).

- 1e. Ordinance No. 2019-5: Ordinance accepting a final plat of Lots 33 through 37 of McAndrew and Jackson Addition to the City of Bentonville, Arkansas. (Project No. FP18-7)

[Applicant: Hurricane WA, LLC;
Location: 610 Bella Vista Road]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

- 1f. Ordinance No. 2019-6: Ordinance accepting a final plat of Cornerstone Ridge Subdivision Phase 7 to the City of Bentonville, Arkansas. (Project No. FP18-9)

[Applicant: Cornerstone, LLC;
Location: Rainbow Farm Road]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Burckart, second by Council Member Goss. There was no discussion. Motion carried (8-0).

- 1g. Ordinance No. 2019-7: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, medium-density residential to DN-3, downtown high-density residential. (Project No. RZ18-35)

[Applicant: Connie Haney;
Location: 411 Tiger Boulevard]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (8-0).

- 1h. Resolution No. 1-8-19 A: Resolution adopting revisions to the Future Land Use Map of the City of Bentonville to change real

estate from its present land use classification of open space to medium-density residential. (Project No. GPA18-5)

[Applicant: Anthony Michael Roberts;
Location: Valley Street]

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (8-0).

- 1i. Ordinance No. 2019-8: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of DN-3, downtown high-density residential and DN-4, downtown mixed-use residential to PRD, planned residential development. (Project No. PRD18-5)

[Applicant: Bentonville Housing, LLC;
Location: 608 Southeast 3rd Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Burckart, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

- 1j. Ordinance No. 2019-9: Ordinance accepting a property line adjustment of Lot 18 Block 2 of Lincoln and Rice addition to the City of Bentonville, Arkansas. (Project No. PLA18-41)

[Applicant: James Hall;
Location: 701 East Central Avenue]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

2. Ordinance No. 2019-10: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with Ozark Regional Transit (ORT) to provide public transit service within the City of Bentonville for the 2019 calendar year and waiving the requirement of competitive bidding.

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (8-0).

3. Ordinance No. 2019-11: Ordinance requiring, as part of the building inspection process, property owners of platted lots to provide certification, stamped by an Arkansas licensed surveyor, that the finished floor elevation (FFE) of any new construction or addition is at or above the FFE shown on the recorded plat.

City Attorney Spence read the ordinance by title only.

Council Member Burckart asked for clarification of when the certification needed to be filed. Shelli Kerr, Interim Community Planning Director, stated that the FFE must be received before a slab inspection is scheduled.

Council Member Burckart asked if that recommendation needed to be stated in the ordinance. Ms. Kerr stated that it did not since it was already part of the process.

Motion to pass by Council Member Burckart, second by Council Member Sooter. There was no further discussion. Motion carried (8-0).

- 4a. Resolution No. 1-8-19 B: Resolution authorizing the Mayor and Clerk to enter into an agreement with Hight Jackson for architectural services related to the City of Bentonville administrative services building.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss.

Council Member Burckart asked if this proposed agreement was for a generic design of the building since the building site has yet to be determined. Jake Harper, Finance Director, stated that the plan was the building would be built on the south side of the property, with some flexibility if there was an issue.

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

- 4b. Approval of a budget adjustment of \$252,000 to pay for architectural services for the administrative services building.

Motion to approve by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (8-0).

5. Resolution No. 1-8-19 C: Resolution authorizing the Mayor and Clerk to enter into an amendment to the existing contract with CEI Engineering for extra work related to Fire Station 7.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

6. Ordinance No. 2019-12: Ordinance authorizing the Mayor and the City Clerk to purchase Stryker power cots for the City of Bentonville Fire Department and waiving the requirement of competitive bidding.

City Attorney Spence noted that the version of the ordinance previously sent out had the word "cart" instead of "cot" in the title. He then read the ordinance by the corrected title only.

Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

7. Resolution No. 1-8-19 D: Resolution authorizing the Mayor and City Clerk to enter into agreements for ambulance service with Centerton, Cave Springs and Highfill.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

8. Resolution No. 1-8-19 E: Resolution authorizing the Mayor and Clerk to enter into supplemental agreement No. 5 to the agreement for professional engineering services with Burns and McDonnell Engineering Company, Inc. related to the 8th Street project.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Burckart, second by Council Member Sanchez.

Council Member Robinson asked whether any consideration had been given to revisiting the design due to the change to be made to Walmart's general office. Dennis Birge, Transportation Engineer, stated that the project was so far along now that only minimal changes could be made at this point.

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

- 8b. Approval of a budget adjustment for additional design requirements for the 8th Street project that were not part of the original design, and accepting additional reimbursement from the Arkansas Transportation and Highway Department once the project is completed.

Motion to approve by Council Member Burckart, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

- 9a. Resolution No. 1-8-19 F: Resolution authorizing the Mayor and Clerk to enter into a contract with APAC Central, Inc. for Highway 102/Southwest I Street improvements.

City Attorney Spence noted that there was not a resolution for this item included in the agenda. He stated he had just handwritten one and would prepare it for signing by the Mayor tomorrow. He then read the resolution in its entirety.

Motion to pass by Council Member Burckart, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

- 9b. Approval of a budget adjustment in the amount of \$398,009.75 to accept Surface Transportation Block Grant Program-Attributable funding for the Highway 102/Southwest I Street intersection improvement project.

Motion to approve by Council Member Burckart, second by Council Member Goss. There was no discussion. Motion carried (8-0).

10. Resolution No. 1-8-19 G: Resolution authorizing the Mayor and Clerk to enter into a memorandum of understanding with Northwest Arkansas Regional Planning Commission for storm water education.

City Attorney Spence read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

11. Approval of a reconciliation change order in the amount of \$33,883.81 and a budget adjustment in the amount of \$26,384 in completion of the west side taxiway at the Bentonville Municipal Airport.

Motion to approve by Council Member Burckart, second by Council Member Sanchez. There was no discussion. Motion carried (8-0).

Mayor Orman passed out a 2019 calendar noting City Council meetings and Committee of the Whole meetings. Mayor Orman recognized Jake Harper, Finance Director. Mr. Harper explained proposed plans to present financial report presentations at Committee of the Whole meetings.

Mayor Orman recognized Council Member Acree. Ms. Acree stated she would like to see more financial information included in the short agenda. Mr. Harper stated that the financial information was included in the long agenda and that it had been the intent to encourage reading all the supporting documentation.

Council Member Robinson stated he would like to see a review process of revisiting a top priorities list among the departments.

Mr. Harper agreed there is a need to update and present a list. Mr. Harper recognized Council Member Sanchez and stated he thought the spread sheet model he had sent would be useful. Mayor Orman stated that currently department heads were compiling their top five priorities.

Council Member Goss asked about the status of organizing the committee for building the new City Hall. Mr. Harper stated it would be looked at in February.

Mayor Orman stated the first Committee of the Whole would be set on February 11 if there was no objection. Council Member Burckart asked whether changes to Council procedure would be discussed at that meeting. The Mayor responded that it would.

Mayor Orman also noted her goal was to have a comprehensive calendar with all Council meetings, Committee of the Whole meetings, noting which would include financial presentations, neighborhood meetings and other committee meetings set out.

Mayor Orman stated she had nominations and forms available for the Outstanding Citizen award.

Motion to adjourn by Council Member Goss, second by Council Member Burckart. Motion carried (8-0).

Linda Spence
Linda Spence, City Clerk

Stephanie Orman
Stephanie Orman, Mayor

