

Bentonville City Council
Meeting Minutes
March 26, 2019

The City Council of Bentonville, Arkansas, met in regular session Tuesday, March 26, 2019, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Chad Goss, Cindy Acree, Chris Sooter, Aubrey Patterson, Bill Burckart, Octavio Sanchez and Jonathan Terlouw, with Tim Robinson absent.

Prior to calling the meeting to order, Mayor Orman invited public comments with regard to agenda items. Todd Jacobs spoke in reference to Item No. 2e on the agenda.

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 Sanchez to approve the minutes of the March 12, 2019 meeting as presented, second by Council Member Acree. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

Motion was made by Council Member Sooter to suspend the rules regarding the reading of all ordinances on three separate days and further that all ordinances and resolutions be read by title only, second by Council Member Sanchez. There was no discussion. Motion carried (6-1), with Council Member Burckart voting no and Council Member Robinson absent.

1. Presentation of the 2018 Annual Development report.

Shelli Kerr, Planning Services Manager, presented the report along with a power point presentation.

- 2a. Ordinance No. 2019-45: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of PUD, planned unit development to C-2, general commercial. (Project No. RZ19-02)

[Applicant: KCG BV, LLC;

Location: Southwest Regional Airport Boulevard and Southwest Buckeye Street]

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 (7-0), with Council Member Robinson absent.

- 2b. Ordinance No. 2019-46: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of PRD, planned residential development to R-O, residential office. (Project No. RZ19-03)

[Applicant: Joley Casey and Linda Parnell;

Location: 2302 Southwest I Street]

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

Council Member Patterson referenced a letter in the agenda packet from a resident with concerns about this rezoning item and asked when and how those concerns would be addressed.

Ms. Kerr stated that the item before Council concerned only the rezoning of the property and that the issues raised in the letter would be addressed in the large scale development process. She further stated that there would be no public hearing as part of the large scale development review as long as it was meeting zoning district requirements.

Second by Council Member Goss. There was no further discussion. Motion carried (6-0-1), with Council Member Burckart abstaining and Council Member Robinson absent.

- 2c. Ordinance No. 2019-47: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of C-3, mixed-use commercial to DC, downtown core. (Project No. RZ19-04)

[Applicant: Emergent Property Management, LLC;
Location: 109 Southeast 14th Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

- 2d. Ordinance No. 2019-48: Ordinance accepting a lot split of Lots 1 through 3 of Presley Place Subdivision to the City of Bentonville, Arkansas. (Project No. LS19-06)

[Applicant: Mud Puddle Investments, LLC;
Location: 806 Northwest A Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

- 2e. Ordinance amending Chapter 15 Subdivision Code of the Bentonville Municipal Code.

City Attorney Spence read the ordinance by title only.

After being initiated by Council Member Burckart, a discussion occurred to determine how to proceed with this item. Several council members indicated that they needed more time to review the proposed changes and to ask questions.

A motion to table the item until the next regularly scheduled meeting on April 9th was made by Council Member Burckart, second by Council Member Acree. Motion carried (7-0), with Council Member Robinson absent.

3. Ordinance No. 2019-49: Ordinance vacating an alley right-of-way located between 704 and 706 Northeast A Street of Demings 2nd Addition.

Mayor Orman declared a public hearing open for comments. There was no response so Mayor Orman declared the hearing closed.

City Attorney Spence noted that this was a corrected version of the ordinance that was sent out. He then read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

4. Approval for the appointment of Gary Wilson to the Benton County Regional Solid Waste Management District Board.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

5. Approval to award Bid No. 19-18 to Service Electric, in the amount of \$32,090, for Substation E maintenance.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

6. Approval of a bid award to Lonnie Cobb Ford, Inc., in the amount of \$147,585, to purchase three 2019 Cab and Chassis 4 x 4 trucks.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

7. Motion to award Bid No. 19-17 to Fine Cut Lawns, in the amount of \$53,550, for mowing services for Parks and Recreation.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

- 8a. Resolution No. 3-26-19 A: Resolution authorizing the Mayor and Clerk to enter into an agreement with Toole Design Group for an update to the Bike and Pedestrian Master Plan for the City of Bentonville.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

- 8b. Approval of a budget adjustment for the Parks and Recreation Department, in the amount of \$175,000, to recognize a grant from the Walton Family Foundation.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

9. Approval of a budget adjustment for the Parks and Recreation Department, in the amount of \$10,520, for the purchase of one industrial grade floor scrubber to be used at the Bentonville Community Center.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

10. Approval to award Bid No. 19-16 to Crossland Heavy Contractors, in an amount not to exceed \$101,000, for installation of eight aeration rotors for the Wastewater Utilities Department.

Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

11. Approval to award Bid No. 19-15 to Brenntag Mid-South, in the amount of \$115,000, to purchase Praestol 279 FLX polymer for Wastewater Utilities, with an option to renew annually for two additional years.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0), with Council Member Robinson absent.

Motion to adjourn the meeting by Council Member Acree, second by Council Member Sanchez. Motion carried (7-0), with Council Member Robinson absent.

[After adjournment, Council members reported on committees and boards they participate in related to the City.]

Linda Spence

Linda Spence, City Clerk

Stephanie Orman

Stephanie Orman, Mayor

