

Bentonville City Council
Meeting Minutes
May 14, 2019

The City Council of Bentonville, Arkansas, met in regular session Tuesday, May 14, 2019, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Tim Robinson, Cindy Acree, Chris Sooter, Aubrey Patterson, Bill Burckart, Octavio Sanchez and Jonathan Terlouw, with Chad Goss absent. 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 Burckart to approve the minutes of the April 23, 2019 meeting as presented, second by Council Member Robinson. There was no discussion. Motion carried (7-0), with Council Member Goss absent.

Mayor Orman recognized two Boy Scouts from Troop 122 who were present working on earning their Citizens in the Community merit badges.

1. Proclamation recognizing National EMS Week.

Mayor Orman recognized Brent Boydston, Fire Chief. The Mayor then read the proclamation and presented it to Chief Boydston.

2. Recognition of EMS Personnel.

Several people were recognized and awarded commendations. Shawn Lanier, Josh Davis and Cody Nims were awarded commendations relating to an incident occurring Thanksgiving of 2018. Hunter Smith, Zeke Spence, Bob White and Wesley Gale were awarded commendations for an incident occurring May 5, 2019. Also awarded commendations were dispatchers Brandy Mendoza, Jacob Siemens, Ryan Hoffman and Jenece Farmer.

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

- 3a. Ordinance No. 2019-71: Ordinance accepting a lot split of Lots 20 and 21 Block G of Orchard Addition to the City of Bentonville, Arkansas. (Project No. LS19-10)

[Applicant: Cadence Group, LLC;
Location: 506 Southeast D 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 Goss absent.

- 3b. Ordinance No. 2019-72: Ordinance accept a lot split of Lots 1 and 2 of Haynie Addition to the City of Bentonville, Arkansas. (Project No. LS19-11)

[Applicant: Connie Haynie and David Reynolds;
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 (7-0), with Council Member Goss absent.

- 3c. Ordinance No. 2019-73: Ordinance accepting a property line adjustment of Lot 17 Block 14 of Deming's Second Addition to the City of Bentonville, Arkansas. (Project No. LS19-12)

[Applicant: Dwellings, Inc.;
Location: 105 Northwest 6th 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 (7-0), with Council Member Goss absent.

- 3d. Ordinance No. 2019-74: Ordinance accepting a property line
adjustment of Lots 17, 18 and 19 Block 15 of W.A. Burk's
Addition to the City of Bentonville, Arkansas.
(Project No. LS19-07)

[Applicant: CCSM Ventures, Inc.;
Location: Fillmore 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 (7-0), with Council Member Goss absent.

- 3e. Ordinance No. 2019-75: Ordinance accepting a property line
adjustment of Lot 19 Block 2 of Railroad Addition to the City
of Bentonville, Arkansas. (PLA19-06)

[Applicant: Kathy Muldoon, Trustee;
Location: Southeast 3rd 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 (7-0), with Council Member Goss absent.

- 3f. Ordinance No. 2019-76: Ordinance accepting a property line
adjustment of Lots 5, 6 and 7 of Brown Subdivision to the City
of Bentonville, Arkansas. (Project No. PLA19-10)

[Applicant: Frank and Anna Bray;
Location: 706 Bella Vista Road]

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

- 3g. Ordinance No. 2019-77: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to DN-4, downtown mixed-use residential. (Project No. RZ19-10)

[Applicant: Rodney and Mary Sample and PBR Holdings, LLC;
Location: 802 Southeast 3rd Street, 804 Southeast 3rd Street
and 305 Southeast G 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 (7-0), with Council Member Goss absent.

- 3h. Ordinance No. 2019-78: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to DE, downtown edge. (Project No. RZ19-11)

[Applicant: Habitat for Humanity of Benton County;
Location: 301 Southwest 4th 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 (6-0-1), with Council Member Acree abstaining and Council Member Goss absent.

- 3i. Ordinance No. 2019-79: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of C-1, neighborhood commercial to C-2, general commercial. (Project No. RZ-12)

[Applicant: Hogwild Development, LLC;
Location: 2902 Southeast I 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 Goss absent.

- 3j. Ordinance No. 2019-80: Ordinance accepting a lot split of Lots 31 and 32 Block 24 of Deming's Second Addition to the City of Bentonville, Arkansas

[Applicant: Christopher and Jenny Miller;
Location: 107 Northeast 7th 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 Goss absent.

- 3k. Ordinance No. 2019-81: Ordinance accepting a final plat of Red Barn to the City of Bentonville, Arkansas.
(Project No. FP19-02)

[Applicant: Red Barn Development JV, LLC;
Location: 1605 Northwest A 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 Goss absent.

4. Approval of a reconciliation change order with Central Square Technologies for Trakit software, reducing the contract amount by \$12,280.

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

5. Approval of a budget adjustment for the Planning Department, in the amount of \$9,680, for the professional services agreement with Central Square Technologies for an on-site business process review.

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

6. Ordinance No. 2019-82: Ordinance vacating a utility easement located at Lot 2 of Straube Business Park to the City of Bentonville, Arkansas, Benton County, Arkansas.

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

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 Goss absent.

7. Ordinance No. 2019-83: Ordinance vacating a utility easement located at Lot 7 of Straube Business Park to the City of Bentonville, Arkansas, Benton County, Arkansas.

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

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

8. Ordinance No. 2019-84: Ordinance vacating an alley right-of-way located between Lot 149 and Lot 158 of Bentonville Original. (307 and 401 West Central Avenue)

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

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 Goss absent.

9. Resolution No. 5-14-19 A: Resolution authorizing the Mayor and City Clerk to enter into a Bentonville Municipal Airport land lease agreement with BBT Investments, LLC.

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

10. Resolution No. 5-14-19 B: Resolution authorizing the Mayor and Clerk to enter into an amendment for the master agreement with Garver, LLC for the storm water pollution prevention plan and permit application to ADEQ for work to be performed on the Bentonville Municipal Airport.

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

- 11a. Resolution No. 5-14-19 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with the Arkansas Department of Transportation for the addition of steel access gates along Southeast 8th Street.

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

- 11b. Approval of a budget adjustment for the Transportation Department, in the amount of \$2,483, for change order No. 43 to ARDOT project No. 090376 involving the 8th Street widening project.

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

12. Resolution No. 5-14-19 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with O.R. Colan Associates,

LLC for the professional services to acquire right-of-way for the Water Tower Road project.

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

13. 2019 street overlay review.

Mayor Orman recognized Tony Davis, Street Department Manager. Mr. Davis presented a history of the street overlay program from 2008 forward, along with a power point presentation, which showed such things as the cost of asphalt and number of miles of overlay each year. He stated that the City currently has 280 linear miles and 630 traffic lane miles, and plans to overlay 1.5 miles this year. He also explained how roads are selected for overlay. He answered questions from the Council and invited them to visit his office to view the overlay maps and ask further questions.

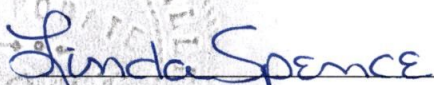
14. Resolution No. 5-14-19 E: Resolution authorizing the execution of a mutual aid and assistance agreement with other members of the Arkansas Municipal Power Association, and for other purposes.

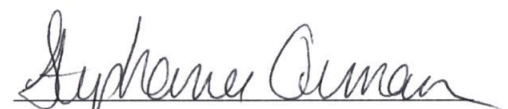
City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0), with Council Member Goss absent.

Mayor Orman adjourned the meeting.

Council members reported on committee and boards they participate in related to the City. There were no public comments.




Linda Spence, City Clerk


Stephanie Orman, Mayor