

City of Bentonville
Meeting Minutes
May 28, 2019

The City Council of Bentonville, Arkansas, met in regular session Tuesday, May 28th, 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 and Octavio Sanchez, with Jonathan Terlouw 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 regarding items on the agenda. 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 Sanchez to approve the minutes of the May 14, 2019 meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (7-0), with Council Member Terlouw 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 Burckart. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

1. Visit Bentonville annual report for 2018.

Mayor Orman recognized Kalene Griffith, President and CEO of the Bentonville Advertising and Promotion Commission.

Ms. Griffith presented the report along with a power point presentation.

2. Proclamation recognizing treatment courts.

Mayor Orman read the proclamation recognizing treatment courts and the month of May 2019 as National Drug Court Month. Present accepting the proclamation were District Court Judge Ray Bunch, Staff Attorney Camille Thompson, Chief Court Clerk Jennifer Jones and Guary Morgan from the Bentonville Police Department.

3. Ordinance No. 2019-85: Ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville and assigning same to wards.

[Applicant: S&S Properties, LLC;
Location: 1605 Southwest 14th 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 Terlouw absent.

4a. Ordinance No. 2019-86: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural and R-3, medium-density residential to C-2, general commercial. (Project No. RZ19-13)

[Applicant: Louise Bishop Revocable Trust
and Judith Basco Revocable Trust;
Location: 2910 Southeast J 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 (7-0), with Council Member Terlouw absent.

4b. Ordinance No. 2019-87: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning

classification of A-1, agricultural to R-1, single family residential. (Project No. RZ19-14)

[Applicant: The Bluffs Property Owners Association;
Location: Lots 23 through 40 and Lots 42 and 43 of
The Bluffs Subdivision]

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 Terlouw absent.

- 4c. Ordinance No. 2019-88: Ordinance accepting a lot split of
Lots 33 through 38 and 40 and 41 of Wildwood Subdivision
Phase 6 to the City of Bentonville, Arkansas.
(Project No. LS19-14)

[Applicant: Dream Structures Residential, LLC;
Location: Southwest Joshua Avenue]

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 Terlouw absent.

5. Presentation of the Grow with Trees award.

Mayor Orman recognized Danielle Semsrott, Senior Planner.

Ms. Semsrott stated that the award was created to recognize
those in the community that have made a direct impact on
increasing and/or preserving Bentonville's tree canopy.
Bryce Larry, Spencer Fox and Jeremy Woody, accepted the award
on behalf of Legacy National Bank, the first commercial
development recipient of this award.

6. Resolution No. 5-28-19 A: Resolution setting a public hearing
for June 11, 2019, at the request of Adam Samuels, regarding
an ingress/egress easement vacation located at Tract 2 of
411 Southeast Walton Boulevard.

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 Terlouw absent.

7. Resolution No. 5-28-19 B: Resolution committing to partner with the U.S. Census Bureau and the State of Arkansas to strive for a complete and accurate count of all persons in Bentonville, Arkansas for the 2020 census.

City Attorney Spence read the resolution 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 Terlouw absent.

8. Resolution No. 5-28-19 C: Resolution establishing the Bentonville Complete Count Committee (CCC) for the 2020 census.

City Attorney Spence read the resolution 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 Terlouw absent.

9. Presentation of the Bentonville Great Neighborhoods Partnership initiative.

Mayor Orman recognized Shelli Kerr, Planning Services Manager.

Ms. Kerr stated that Mayor Orman was introducing this program. She stated that the purpose of the program was to encourage and support neighborhood-based activities and engage residents in enhancing their quality of life. She also explained the components of the program and answered questions from the Council.

- 10a. Resolution No. 5-28-19 D: Resolution to initiate the Bentonville Great Neighborhoods Partnership and establish a neighborhood advisory committee.

City Attorney Spence read the resolution 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 Terlouw absent.

- 10b. Approval of a budget adjustment for the Planning Department, in the amount of \$10,000, to establish programs that support the Bentonville Great Neighborhoods Partnership.

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

11. Resolution No. 5-28-19 E: Resolution setting a public hearing for July 23, 2019 on a petition declaring a structure located at 1800 Northwest Mystic Avenue to be a nuisance and to allow the property owner (Coleman Bass Construction, LLC) to provide evidence to the Council regarding the condition of the property and why it should not be condemned.

City Attorney Spence read the resolution 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 Terlouw absent.

12. Ordinance No. 2019-89: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Mission Communications, LLC for certain alarm services for the City of Bentonville wastewater system 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 Burckart. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

13. Approval to award Bid No. 19-30 to Carpet One, in the amount of \$22,201.35, for the purchase and installation of ceramic tile in the Wastewater Administration building No. 1.

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

14. Proposed utility billing cycle boundary adjustments.

Mayor Orman recognized Gary Wilson, Billing and Collection Manager.

Mr. Wilson gave a power point presentation and explained the billing cycle, the proposed cycle changes geographically and how the adjustments would be implemented. He also stated that the City had approximately 26,000 accounts and that approximately 1,000 accounts had been added in the first five months of 2019.

15. Ordinance No. 2019-90: Ordinance to adopt certain amendments to the Bentonville Electric Utility Department construction specifications.

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

16. Ordinance No. 2019-91: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Altec for the purchase of one Altec aerial device, one Altec digger derrick, and two MHC Kenworth cab/chasis for the City of Bentonville Electric Department 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 Goss. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

17. Approval to award Bid No. 19-29 to Stribling Equipment, in the amount of \$246,935.52, for backhoe leasing for two years.

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

18. Resolution No. 5-28-19 F: Resolution adopting an updated quality management plan for EPA funded projects for the City of Bentonville, Arkansas.

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

- 19a. Resolution No. 5-28-19 G: Resolution authorizing the Mayor and Clerk to enter into a cost-share agreement with Benton County for the repair of Anglin Road.

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

- 19b. Approval of a budget adjustment for the Street Department, in the amount of \$90,000, for the City's cost-share for the repair of Anglin Road.

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

20. Approval of a budget adjustment for the District Court, in the amount of \$7,500, for the purchase of a desk and computer equipment.

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

21. Ordinance No. 2019-92: Ordinance adopting certain amendments to the pay plan for the City of Bentonville, Arkansas.
[Paramedic add-pays]

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 Terlouw absent.

22. Approval of a final change order for the Parks and Recreation Department, in the amount of \$2,002, to purchase Bermuda sod for the Citizens Park tennis complex.

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

23. Approval of a budget adjustment for the Parks and Recreation Department to fund the Citizens Park playground project, in the amount of \$409,341, recognizing revenue from multiple sources.

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

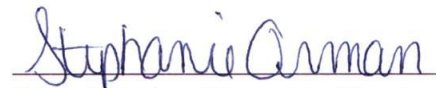
24. Approval of bid award No. 19-31 to Ozark Ballfields, in the amount of \$47,000, for reconstruction of Phillips Park fields.

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

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

There were no committee reports. Adam Hughey was recognized during the public comment period.


Linda Spence, City Clerk


Stephanie Orman, Mayor

