

Bentonville City Council
Meeting Minutes
June 25, 2019

The City Council of Bentonville, Arkansas, met in regular session Tuesday, June 25, 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, Bill Burckart, Octavio Sanchez and Jonathan Terlouw, with Aubrey Patterson 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 Robinson to approve the minutes of the June 11, 2019 meeting as presented, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Patterson 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 (7-0), with Council Member Patterson absent.

- 1a. Ordinance No. 2019-97: Ordinance accepting a lot split of Lots 6 through 7 of Cavness Subdivision to the City of Bentonville, Arkansas. (Project No. LS19-18)

[Applicant: Southern Bancorp Bank;
Location: Southwest Crockett 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 Patterson absent.

- 1b. Ordinance No. 2019-98: Ordinance accepting a property line
adjustment of Lot 6 Block 2 of Scoggan Subdivision to the City
of Bentonville, Arkansas. (Project No. PLA19-15)

[Applicant: Marrs Development, LLC;
Location: 448 Southwest C 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 Patterson absent.

- 1c. Ordinance No. 2019-99: Ordinance accepting a final plat of
Garrison Village to the City of Bentonville, Arkansas.
(Project No. FP18-08)

[Applicant: 0806 Investments;
Location: Southwest Hasley 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 Patterson absent.

- 1d. Ordinance No. 2019-100: Ordinance amending Chapter 15 Land
Development Code of the Bentonville Municipal Code to allow
eight feet tall fences in the DC, downtown core and DE,
downtown edge zoning districts.

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 Patterson absent.

2. Approval for the reappointment of Joe Haynie to the Planning Commission for a five-year term that expires on July 1, 2024.

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

3. Approval for the reappointment of Rod Sanders to the Planning Commission for a five-year term that expires on July 1, 2024.

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

4. Ordinance No. 2019-101: Ordinance amending Bentonville Municipal Code Section 11.04.04 non-occupancy deposit and requiring a construction deposit.

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

5. Ordinance No. 2019-102: Ordinance vacating a utility easement located at 3702 Southwest Divinci Boulevard, Highpointe Addition to the City of Bentonville, Arkansas, Benton County, Arkansas.

[Applicant: Efrain Garcia;
Location: 3702 Southwest Divinci Boulevard]

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 Patterson absent.

6. Resolution No. 6-25-19 A: Resolution setting a public hearing for July 9, 2019, on a petition filed by CEI Engineering

requesting an access and utility easement vacation at 701 South Main 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 Patterson absent.

7. Resolution No. 6-25-19 B: Resolution setting a public hearing for July 9, 2019, on a petition filed by Rob Caster requesting a utility easement vacation at 14 Grassland Trail.

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 Patterson absent.

8. Resolution No. 6-25-19 C: Resolution setting a public hearing for July 9, 2019, on a petition filed by Grant Nevill requesting a drainage and utility easement vacation at 1303 Northwest 9th Street.

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 Patterson absent.

9. Resolution No. 6-25-19 D: Resolution setting a public hearing for July 9, 2019, on a petition filed by Grant Nevill requesting a drainage and utility easement vacation at 1209 Northwest 9th Street.

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 Patterson absent.

10. Approval to award Bid No. 19-40 to MHC Kenworth, in the amount of \$180,563.28, to purchase a pothole patching truck for the Street Department.

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

11. Ordinance No. 2019-102: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the City of Bentonville's building and property insurance 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 Acree. There was no discussion. Motion carried (7-0), with Council Member Patterson absent.

12. Ordinance No. 2019-103: Ordinance updating certain provisions of the Bentonville Municipal Code.

City Attorney Spence read the ordinance by title only.

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

13. Approval of a budget adjustment to allow for an additional position approved for the Legal Department to instead be utilized as a Police Department position, and to add an additional Operations Division position and provide a police vehicle for the Operations Division Traffic Unit position.

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

14. Approval of a budget adjustment for the Police Department, in the amount of \$22,921.34, to be used to repair eight police vehicles.

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

15. Resolution No. 6-25-19 E: Resolution authorizing the Mayor and Clerk to enter into a professional services agreement with Hawkins-Weir Engineering, Inc.

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

Council Member Burckart asked whether this contract covered all the engineering costs. Mike Bender, Public Works Director, clarified that this is just step one, essentially a planning process to prioritize and identify options.

There was no further discussion. Second by Council Member Goss. Motion carried (7-0), with Council Member Patterson absent.

16. Approval to award Bid No. 19-35, a six-month blanket bid in the amount of \$382,815, to Arkansas Electric for single-phase transformers.

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

17. Approval to award Bid No. 19-34, a six-month blanket bid in the amount of \$606,302, to Stuart Irby for 3-phase pad mounted transformers.

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

18. Approval to award Bid No. 19-33, a six-month blanket bid in the total amount of \$177,465, for double bushing pole mount transformers to Techline, Stuart Irby and Arkansas Electric.

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

- 19a. Ordinance No. 2019-104: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Historic Preservation Associates, LLC 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 Patterson absent.

- 19b. Approval of a budget adjustment, in the amount of \$28,682, to pay for a cultural resource survey for the Lake Bella Vista Park.

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

20. Resolution No. 6-25-19 F: Resolution authorizing the Mayor and Clerk to enter into a professional services agreement with Design Workshop. [Quilt of Parks - Downtown Parks Master Plan]

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 Patterson absent.

21. Resolution No. 6-25-19 G: Resolution authorizing the Mayor and Clerk to enter into a professional services agreement with Design Workshop. [Dave Peel Park]

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 Patterson absent.

22. Approval of a budget adjustment in the amount of \$494,000, recognizing a grant from the Walton Family Foundation for a feasibility study and design for a possible park on Southwest 8th Street.

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

Motion to adjourn by Council Member Burckart, second by Council Member Sanchez. Motion carried (7-0), with Council Member Patterson absent.

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

Linda Spence
Linda Spence, City Clerk

Stephanie Orman
Stephanie Orman, Mayor

