

Bentonville City Council
Meeting Minutes
August 13, 2019

The City Council of Bentonville, Arkansas, met in regular session Tuesday, August 13, 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, Octavio Sanchez and Jonathan Terlouw, with Bill Burckart 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 Sooter to approve the minutes of the July 23, 2019 meeting as presented, second by Council Member Sanchez. There was no discussion. Motion carried (7-0), with Council Member Burckart 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 Burckart absent.

[Agenda items 1 through 5 were addressed at a Committee of the Whole meeting held on Monday, August 12, 2019.]

6. Ordinance No. 2019-117: Ordinance detaching property from the City of Bentonville.

[Applicant: Beau and Kourtney Barrett;
Location: Mill Dam Farms Subdivision]

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 Burckart absent.

- 7a. Ordinance No. 2019-118: Ordinance accepting a property line adjustment of Lot 21 Block 7 of Deming's Addition to the City of Bentonville, Arkansas. (Project No. PLA19-19)

[Applicant: Dennis C. Spradlin, Trustee;
Location: 415 Northwest 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 (7-0), with Council Member Burckart absent.

- 7b. Ordinance No. 2019-119: Ordinance accepting a property line adjustment of Lots 3 and 4 of Greenwich Village Communities and Lot 34 of Bentonville Industrial Park South to the City of Bentonville, Arkansas. (Project No. PLA19-21)

[Applicant: 2303 Southeast J Street, LLC;
Location: 2303 Southeast J 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 Burckart absent.

- 7c. Ordinance No. 2019-120: Ordinance accepting a final plat of Windmill Farms Subdivision to the City of Bentonville, Arkansas. (Project No. FP19-04)

[Applicant: Tri-Par, Inc.;
Location: 9004 Windmill 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 Burckart absent.

- 7d. Ordinance No. 2019-121: Ordinance changing real estate in the
City of Bentonville, Arkansas, from its present zoning
classification of C-3, central commercial to C-2, general
commercial. (Project No. RZ19-21)

[Applicant: Clayton and Sheila Eversole, Trustees;
Location: Southwest I Street and Southwest Regional Airport
Boulevard]

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 Burckart absent.

- 7e. Ordinance No. 2019-122: Ordinance changing real estate in the
City of Bentonville, Arkansas, from its present zoning
classification of R-3, medium density residential to DE,
downtown edge. (Project No. RZ19-22)

[Applicant: Crowhow, LLC;
Location: Southeast 7th 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 Burckart absent.

- 7f. Ordinance No. 2019-123: Ordinance changing real estate in the
City of Bentonville, Arkansas, from its present zoning
classification of DN-4, downtown mixed-use residential to C-2,
general commercial. (Project No. RZ19-23)

[Applicant: Crystal Bridges Museum of American Art, Inc.;
Location: Southeast E 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 Burckart absent.

8. Resolution No. 8-13-19 A: Resolution accepting right-of-way
dedication from LSD18-0022, Capstone 6-Plex to 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 Goss. There was no discussion. Motion carried
(7-0), with Council Member Burckart absent.

9. Presentation of the August 2019 Residential Landscaping of the
Month award.

Mayor Orman recognized Danielle Semsrott, Senior Planner.
Ms. Semsrott introduced Greg and Andrea Placzek and family and
presented the award.

10. Ordinance No. 2019-124: Ordinance vacating a street
right-of-way located in Gilmore's Addition to the City of
Bentonville, Arkansas, Benton County, Arkansas.
(Project No. VAC19-19)

[Applicant: Sand Creek Engineering;
Location: 604 Southwest 5th Street]

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 Acree. There was no discussion. Motion carried
(7-0), with Council Member Burckart absent.

11. Ordinance No. 2019-125: Ordinance vacating a drainage and
utility easement located at Lot 24 of Kensington Subdivision to
the City of Bentonville, Arkansas, Benton County, Arkansas.
(Project No. VAC19-26)

[Applicant: Scott Waymire;
Location: Lot 24 Kensington Subdivision]

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 Sooter. There was no discussion. Motion carried (7-0), with Council Member Burckart absent.

12. Approval of a final reconciliation change order in the amount of \$1,600 and a budget adjustment in the amount of \$602.80 to the Engineering Department for the VBT circular terminal apron construction project.

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

13. Resolution No. 8-13-19 B: Resolution authorizing the Mayor and City Clerk to enter into an agreement with the FAA for an airport improvement program grant for southeast taxiway design and install parallel Taxiway B lighting north (design) project at Bentonville Municipal Airport, and approval to execute any and all contracts associated with said grant and paid for by said grant.

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 Burckart absent.

14. Resolution No. 8-13-19 C: Resolution authorizing the Mayor and City Clerk to enter into an agreement with Morrison-Shipley Engineers, Inc. for professional services for the design of sidewalks within 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 Burckart absent.

15. Approval to award Bid No. 19-49, in the amount of \$32,357.25, to Davis Trailer & Truck Equipment, Inc. for the purchase and installation of three utility beds for three Ford F-550s at the Street Department.

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

16. [Item removed from agenda prior to meeting: a resolution regarding an agreement with Thaden School related to traffic signal improvements.]
17. Resolution No. 8-13-19 D: Resolution authorizing the Mayor and Clerk to enter into a professional services agreement with Power System Engineering, Inc. to provide an AMI system review for the City of Bentonville Electric Department.

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 Burckart absent.

18. Ordinance No. 2019-126: Ordinance authorizing the Mayor and the City Clerk to purchase a JWC bar screen grinder for the City of Bentonville Wastewater 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 Acree. There was no discussion. Motion carried (7-0), with Council Member Burckart absent.

19. Resolution No. 8-13-19 E: Resolution authorizing the Mayor and City Clerk to enter into a lease agreement with Doscientos Once, LLC, d/b/a 211 Café, for café services inside the Bentonville Public Library.

City Attorney Spence read the resolution by title only.

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

20. Approval of a budget adjustment for the Police Department, in the amount of \$7,088.73, to recognize and utilize funds reimbursed by the Department of Homeland Security for advanced Bomb Squad training.

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

21. Approval of a budget adjustment for the Police Department, in the amount of \$2,500, to recognize and utilize a donation from the Northwest Arkansas American Association of Physicians of Indian Origin to be used for officer safety and public safety related equipment.

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

22. Approval of a budget adjustment for the Fire Department, in the amount of \$170,000, to add six additional personnel positions for the staffing of Station 7.

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

23. Ordinance No. 2019-127: Ordinance creating a position in the pay plan for the City of Bentonville, Arkansas.
[Parks Planner, Grade 33]

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 Burckart absent.

Mayor Orman adjourned the meeting.

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

