

Bentonville City Council
Meeting Minutes
August 27, 2019

The City Council of Bentonville, Arkansas, met in regular session Tuesday, August 27, 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, Octavio Sanchez and Jonathan Terlouw. 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. There were no questions or comments from the Council about items on the agenda.

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 August 13, 2019 meeting as presented, second by Council Member Acree. There was no discussion. Motion carried (8-0).

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 (8-0).

1. Ozark Regional Transit presentation.

Mayor Orman recognized Joel Gardner, Executive Director of Ozark Regional Transit. Mr. Gardner presented a report on the present status and future needs with regard to bus transit for the region and the City of Bentonville. He noted that he would

be bringing a request to the City, as well as other entities that are part of the organization, for funding to support increased salaries for drivers.

- 2a. Ordinance No. 2019-128: Ordinance accepting a lot split of Lots 14 through 17 Block 1 of Young's Addition to the City of Bentonville, Arkansas. (Project No. LS19-25)

[Applicant: Joseph and Jennifer Thompson;
Location: 706 Southeast 3rd 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 (8-0).

- 2b. Ordinance No. 2019-129: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to DN-2, downtown medium-density residential. (Project No. RZ19-24)

[Applicant: MSB Holdings, LLC;
Location: Southwest E Street and Southwest 5th 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 (8-0).

- 2c. Ordinance No. 2019-130: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to C-2, general commercial. (Project No. RZ19-25)

[Applicant: Calvary Baptist Church;
Location: 2603 Southeast 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 (8-0).

- 2d. Ordinance No. 2019-131: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural to C-2, general commercial. (Project No. RZ19-26)

[Applicant: PMD Enterprises, LLC;
Location: Rice Lane and Rice Road]

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 (8-0).

- 2e. Ordinance No. 2019-132: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural to R-ZL, residential zero lot line. (Project No. RZ19-27)

[Applicant: Featherston Farms, LLP;
Location: Featherston Road and Southwest 28th Street]

City Attorney Spence read the ordinance by title only.

Council Member Sanchez noted a typographical error in the body of the ordinance and made a motion to correct the error and approve the ordinance, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

Council Member Terlouw initiated a discussion concerning the Land Use Plan and density and how the proposed rezoning fit into the plan. Ellen Norvell, Community Development Director, stated the proposed rezoning did broadly fit into the designation under the plan as it was residential. She added that she would check into when GIS updates might occur.

Motion carried (7-1), with Council Member Acree voting no.

3. Resolution No. 8-27-19 A: Resolution setting a public hearing for October 22, 2019, at 6:00 p.m., regarding a structure located at 1703 Southeast J Street declared to be a nuisance.

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 (8-0).

4. Resolution No. 8-27-19 B: Resolution adopting a social media policy for the City of Bentonville, Arkansas.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second Council Member Sooter. There was no discussion. Motion carried (8-0).

5. Resolution No. 8-27-19 C: Resolution setting a public hearing for September 10, 2019, at 6:00 p.m., regarding a petition filed by CEI Engineering requesting a street right-of-way vacation at the northeast corner of Valley Street and Fillmore Street.

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 (8-0).

6. Resolution No. 8-27-19 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with Traffic Engineering Consultants for a traffic signal timing study and coordination plan.

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

Council Member Burckart asked for clarification on the traffic studies. Dennis Birge, Transportation Director, stated that there were two different studies, a coordination study and a study for improvements at intersections.

There was no further discussion. Motion carried (8-0).

- 7a. Resolution No. 8-27-19 E: Resolution authorizing the Mayor and Clerk to enter into an agreement with Garver, LLC for the

professional services to revise and update the Master Street Plan and street specifications.

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 (8-0).

- 7b. Approval of a budget adjustment for the Transportation Department, in the amount of \$451,400, to update the Master Street Plan.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (8-0).

8. Resolution No. 8-27-19 F: Resolution accepting a right-of-way donation from LSD18-0043 Emerson Group Expansion 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 (8-0).

9. Resolution No. 8-27-19 G: Resolution adopting the written procedures concerning the turf (grass) runway 17/35 operations located at the Bentonville Municipal Airport

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 (8-0).

10. Resolution No. 8-27-19 H: Resolution authorizing the Mayor and City Clerk to consent to and execute on behalf of the City of Bentonville a maintenance services agreement concerning the turf runway and outdoor pilot area located at the Bentonville Municipal Airport.

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 (8-0).

11. Ordinance No. 2019-133: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of radar speed signs and traffic counters from All Traffic Solutions 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 (8-0).

12. Approval to shift personnel so that one bailiff for the Bentonville District Court be reclassified as a police officer under the Bentonville Police Department, while the second bailiff would remain under the District Court personnel staffing.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (8-0).

13. Approval of a change order to increase the anticipated contract amount of the current agreement with Kristen Bernards to provide swim instruction at the Bentonville Community Center.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (8-0).

14. Approval of a change order to increase the anticipated contract amount of the current agreement with Sarah Gwin to provide swim instruction at the Bentonville Community Center.

Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

15. Resolution No. 8-27-19 I: Resolution dissolving the Bentonville Animal Shelter Special Task Force and the Bentonville Pet Resource and Service Center Steering Committee.

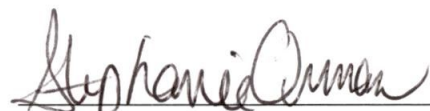
City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (7-1), with Council Member Burckart voting no.

Council Member Robinson, Council Member Burckart and the Mayor recognized and thanked all those involved for their time and efforts.

The Mayor adjourned the meeting.

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


Linda Spence, City Clerk


Stephanie Orman, Mayor

