

Bentonville City Council
Meeting Minutes
October 8, 2019

The City Council of Bentonville, Arkansas, met in regular session Tuesday, October 8, 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. 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 September 24, 2019 meeting as presented, second by Council Member Sanchez. 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 Sanchez. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

[Agenda items 1 and 2 were addressed at the October 7, 2019 Committee of the Whole meeting.]

3. Fire Prevention Week presentation.

Mayor Orman recognized Fire Chief Brent Boydston and three firemen from the Fire Department. The Mayor read the proclamation and then presented it to Chief Boydston.

4. Public Power Week presentation.

Mayor Orman recognized Travis Matlock, Engineering Director. The Mayor read the proclamation and presented it to Mr. Matlock.

5a. Ordinance No. 2019-150: Resolution accepting a lot split of Lots 3-4 Block 1 of Incidental Subdivision to the City of Bentonville, Arkansas. (Project No. PLA19-08)

[Applicant: Mikki Brown;
Location: 304 Southeast C 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.

5b. Ordinance No. 2019-151: 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. RZ19-20)

[Applicant: Mikki Brown;
Location: 306 Southeast C 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.

5c. Ordinance No. 2019-152: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-0, residential office, R-2, duplex and patio home residential, and R-3, medium-density residential to DE, downtown edge. (Project No. RZ19-29)

[Applicant: Montero Properties of NWA, LLC;
Location: 502 and 504 Southeast B 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.

6. Ordinance No. 2019-153: Ordinance vacating a utility easement located at 6513 Southwest Warrington of Providence Village Phase 1 to the City of Bentonville, Arkansas, Benton County, Arkansas. (Project No. 19-32)

[Applicant: Rausch Coleman;
Location: 6513 Southwest Warrington]

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 Terlouw absent.

7. Ordinance No. 2019-154: Ordinance vacating a utility easement located at 6601 Warrington of Providence Village Phase 1 to the City of Bentonville, Arkansas, Benton County, Arkansas. (Project No. VAC19-33)

[Applicant: Rausch Coleman;
Location: 6601 Warrington]

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.

8. Ordinance No. 2019-155: Ordinance vacating an alley right-of-way and establishing a utility easement located in TJ Hollands to the City of Bentonville, Arkansas, Benton County, Arkansas. (Project NO. VAC19-37)

[Applicant: Jake Newell;
Location: TJ Hollands 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 Goss. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

9. Resolution No. 10-8-19 A: Resolution setting a public hearing for October 22, 2019, at 6:00 p.m., on a petition filed by Swope Engineering requesting a street right-of-way vacation in Rolling Acres 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.

- 10a. Resolution No. 10-8-19 B: Resolution accepting a grant from the Walton Family Foundation to fund certain street project designs in the City of Bentonville.

City Attorney Spence read the resolution by title only.

Council Member Acree asked for clarification on what the other three street projects were that were included in this item. David Wright, Parks and Recreation Director, stated that the three projects included were: Northwest 3rd Street from Elm Tree Road to Walton Boulevard, Northwest 3rd Street/ Northeast 2nd Street from Walton Boulevard to Northeast J Street, and Southwest 8th Street from Town Vu Road to Southwest I Street.

Motion to pass by Council Member Burckart, 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 Street Department to accept additional funds from the Walton Family Foundation, in the amount of \$1,915,000, for the redesign of 8th Street from Southwest I Street to Southeast J Street, and for design and construction documents of three other street projects.

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

11. Resolution No. 10-8-19 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with Toole Design Group for the redesign of a portion of 8th Street and the complete design of three additional street projects in the City of Bentonville.

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. Resolution No. 10-8-19 D: Resolution authorizing the Mayor and Clerk to enter into supplemental agreement Number 6 to the agreement for professional engineering services with Burns and McDonnell Engineering Company, Inc. related to the 8th Street 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 Terlouw absent.

13. Approval to award Bid No. 19-57 to Lights by Sparky, in the amount of \$35,677.59, to install lights on downtown buildings.

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

