

Bentonville City Council
Meeting Minutes
December 10, 2019

The City Council of Bentonville, Arkansas, met in regular session Tuesday, December 10, 2019, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Tim Robinson, Cindy Acree, Aubrey Patterson, Bill Burckart, Octavio Sanchez and Jonathan Terlouw, with Chad Goss and Chris Sooter 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 Sanchez to approve the minutes of the November 26, 2019 meeting as presented, second by Council Member Acree. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

Motion was made by Council Member Acree 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 (6-0), with Council Member Goss and Council Member Sooter absent.

Mayor Orman thanked Fire Department personnel for the great job they did in handling a massive fire in the City recently and she also read a statement from a representative of United Industries, the site of the fire.

- 1a. Ordinance No. 2019-176: Ordinance accepting a lot split of Lots 1 through 3 of Highland East Addition to the City of Bentonville, Arkansas. (Project No. LS19-38)

[Applicant: Highland, LLC;

Location: Southwest Lee Harris Road and Sears 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 (6-0), with Council Member Goss and Council Member Sooter absent.

- 1b. Ordinance No. 2019-177: Ordinance accepting a lot split of Lots 1 through 3 of Highland West Addition to the City of Bentonville, Arkansas. (Project No. LS19-39)

[Applicant: Highland, LLC;

Location: Southwest Lee Harris Road and Southwest Barron Road]]

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 (6-0), with Council Member Goss and Council Member Sooter absent.

- 1c. Ordinance No. 2019-178: Ordinance accepting a property line adjustment of Lots 12, 23 and 24 of Limestone Ranch Subdivision to the City of Bentonville, Arkansas. (Project No. LS19-30)

[Applicant: Pointe at Bentonville, LLC;

Location: Southwest Stone Boulevard and Southwest Ranch 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 (6-0), with Council Member Goss and Council Member Sooter absent.

- 1d. Ordinance No. 2019-179: Ordinance accepting a property line adjustment of Lots 137 through 145 of Willowbrook Farms Subdivision Phase II to the City of Bentonville, Arkansas. (Project No. PLA19-32)

[Applicant: RLP Investments, Inc.;
Location: Southwest Lucretia 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 (6-0), with Council Member Goss and Council Member Sooter absent.

- 1e. Ordinance No. 2019-180: Ordinance accepting a property line adjustment of Lot 14 Block 5 of Clark's 2nd Addition to the City of Bentonville, Arkansas. (Project No. PLA19-37)

[Applicant: April Seggebruch;
Location: Southwest D 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 (6-0), with Council Member Goss and Council Member Sooter absent.

- 1f. Ordinance No. 2019-181: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to R-4, high density residential. (Project No. RZ19-34)

[Applicant: Marco Reyes;
Location: 1006 Northwest 3rd 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 (6-0), with Council Member Goss and Council Member Sooter absent.

- 1g. Ordinance No. 2019-182: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to R-O, residential office. (Project No. 19-35)

[Applicant: Rohit Dharmadhikari and Padma Patil;
Location: 1205 Southeast 33rd 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 (6-0), with Council Member Goss and Council Member Sooter absent.

- 1h. Ordinance No. 2019-183: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of PUD, planned unit development to R-2, duplex and patio home residential. (Project No. RZ19-36)

[Applicant: WM 63 RE 1, LLC;
Location: Ginn 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 (6-0), with Council Member Goss and Council Member Sooter absent.

2. Approval for the reappointment of Sam Pearson to the Board of Adjustment for a five-year term that will expire on December 31, 2024.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

3. Approval for the reappointment of Joe Haynie to the Board of Adjustment for a five-year term that will expire on December 31, 2024.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

4. Approval for the reappointment of Michelle Malashock and Craig Gilbert and approval for the appointment of Eileen Patrick to the Parks and Recreation Advisory Board, all terms to expire on December 31, 2022.

Motion to approve by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

5. Approval to award Bid No. 19-55 to Jet Custom Screen Printing, in the amount of \$22,242.74, for the purchase of t-shirts for the 2020 Run Bentonville half marathon.

Motion to approve by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

6. Approval to award Bid No. 19-56 to Greenlayer, in the amount of \$19,825, for the purchase of finisher hoodies for the 2020 Run Bentonville half marathon.

Motion to approve by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

7. This item was removed from the agenda: Ordinance establishing fees for 2020 for the Parks and Recreation Department.
8. Resolution No. 12-10-19 A: Resolution authorizing the Mayor and Clerk to enter into an agreement with Ann O'Sullivan for instructional recreation and wellness classes for the Bentonville Parks and Recreation 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
(6-0), with Council Member Goss and Council Member Sooter
absent.

9. Ordinance No. 2019-184: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Challenger Sports Corporation for soccer camp programming for the City of Bentonville Parks and Recreation 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 Robinson. There was no discussion. Motion
carried (6-0), with Council Member Goss and
Council Member Sooter absent.

10. Resolution No. 12-10-19 B: Resolution authorizing the Mayor and Clerk to enter into an agreement with Erin Edminister for instructional swim and triathlon training for the Bentonville Parks and Recreation Department.

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 (6-0), with Council Member Goss and
Council Member Sooter absent.

11. Resolution No. 12-10-19 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with Kristen Bernards for instructional swim lessons for the Bentonville Parks and Recreation Department.

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 (6-0), with Council Member Goss and
Council Member Sooter absent.

12. Resolution No. 12-10-19 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with Sarah Gwin for

instructional swim lessons for the Bentonville Parks and Recreation Department.

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 (6-0), with Council Member Goss and Council Member Sooter absent.

13. Approval to award Bid No. 19-53 to Walden Chemical, in the amount of \$164 per bucket of PPG chlorine for City facilities, with a projected annual cost of \$42,000.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

14. Ordinance No. 2019-185: Ordinance to adopt the 2019 revised pretreatment program specifications for the City of Bentonville.

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 (6-0), with Council Member Goss and Council Member Sooter absent.

15. Resolution No. 12-10-19 E: Resolution setting a public hearing for January 14, 2020, on a petition filed by CEI Engineering requesting a street right-of-way vacation located in W.A. Burks Addition.

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 (6-0), with Council Member Goss and Council Member Sooter absent.

16. Resolution No. 12-10-19 F: Resolution setting a public hearing for January 14, 2020, on a petition filed by Crafton Tull

requesting a utility easement vacation located in Griffin Addition Phase 2. (Project No. VAC 19-39)

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 (6-0), with Council Member Goss and Council Member Sooter absent.

17. Resolution No. 12-10-19 G: Resolution setting a public hearing for January 14, 2020, on a petition filed by Crafton Tull requesting an access easement vacation located in Griffin Addition Phase 2. (Project No. VAC19-40)

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 (6-0), with Council Member Goss and Council Member Sooter absent.

18. Resolution No. 12-10-19 H: Resolution setting a public hearing for January 14, 2020, on a petition filed by Crafton Tull requesting an access easement vacation located in Griffin Addition Phase 2. (Project No. VAC19-41)

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 (6-0), with Council Member Goss and Council Member Sooter absent.

19. Resolution No. 12-10-19 I: Resolution authorizing the Mayor and Clerk to enter into a memorandum of understanding with Northwest Arkansas Regional Planning for storm water education.

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 (6-0), with Council Member Goss and Council Member Sooter absent.

20. Ordinance No. 2019-186: Ordinance adopting certain amendments to the 2020 pay plan for the City of Bentonville, Arkansas.

City Attorney Spence read the ordinance by title only.

Ed Wheeler, Human Resources Manager, noted a typographical error in the Exhibit A that was originally attached to the ordinance. He stated that the position of technical supervisor should have been listed as a Grade 22, not a Grade 21, and stated that it had been corrected.

Motion to pass as amended by Council Member Burckart, second by Council Member Sanchez. There was no further discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

21. Ordinance No. 2019-187: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of electric meters for the City of Bentonville from Mueller Systems 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 (6-0), with Council Member Goss and Council Member Sooter absent.

22. Ordinance No. 2019-188: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of water meters for the City of Bentonville from Mueller Systems 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 Robinson. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

23. Ordinance No. 2019-189: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of Sensus water meters for the City of Bentonville from Core and Main 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 Robinson. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

24. Ordinance No. 2019-190: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of ornamental lighting fixtures for the City of Bentonville 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 Robinson. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

25. Approval to award Bid No. 19-66, a six-month blanket bid, to Techline, in the amount of \$401,772, for single-phase transformers.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

26. Approval to award Bid No. 19-67, a six-month blanket bid to Stuart Irby in the amount of \$94,212 and Techline, in the amount of \$687,912, for three-phase transformers.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

27. Approval to award Bid No. 19-68, a six-month blanket bid, to Techline in the amount of \$109,674, Stuart Irby in the amount of \$60,567 and Arkansas Electric in the amount of \$63,060, for double bushing pole mount transformers.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

28. Approval to award Bid No. 19-71, a one-year blanket bid, to Ferguson Waterworks in the amount of \$73,071.16, NW Arkansas Winwater in the amount of \$420,797.90 and Core and Main in the amount of \$5,977.42, for water/sewer materials.

Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

29. Approval to award Bid No. 19-72, a one-year blanket bid, to Arkansas Electric in the amount of \$168,505, Stuart Irby in the amount of \$862,499.33, Anixter Electrical Supply in the amount of \$144,467, Border States in the amount of \$525.58, Techline in the amount of \$307,896.75 and Wesco in the amount of \$222,076.83, for electrical materials.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

30. Approval to award Bid No. 19-70, a one-year blanket bid, to Benton County Stone in the amount of \$230,120 and Hutchenson Construction in the amount of \$51,000, for street materials.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

31. Approval to award Bid No. 19-69, a one-year blanket bid, to Techline in the amount of \$63,121, for switchgears.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion

carried (6-0), with Council Member Goss and Council Member Sooter absent.

32. Approval to award Bid No. 19-73, a one-year blanket bid, to D&G Springfield Janitor Supplies in the amount of \$78,701.02, American Paper and Twine in the amount of \$27,019, Salt Chemical Supply in the amount of \$9,858 and Motion Industries in the amount of \$4,100.40, for janitorial supplies.

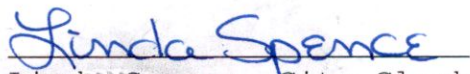
Motion to approve by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

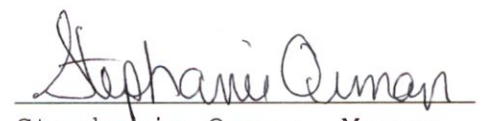
33. Motion to cancel the December 24, 2019 City Council meeting by Council Member Burckart, second by Council Member Acree. There was no discussion. Motion carried (6-0), with Council Member Goss and Council Member Sooter absent.

Mayor Orman adjourned the business portion of the meeting.

During the general public comments period, Beth Keck and Ken Leonard were recognized and spoke regarding the Lake Bella Vista Dam and Little Sugar Creek.

Council members reported on committees and boards they participate in related to the City.


Linda Spence, City Clerk


Stephanie Orman, Mayor

