

Bentonville City Council

Meeting Minutes

November 24, 2020

The City Council of Bentonville, Arkansas, met in regular session Tuesday, November 24, 2020, at 6:00 p.m., at the Bentonville Community Center, 1101 Southwest Citizen's Circle, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez, Chris Sooter, Bill Burckart, Jonathan Terlouw, and Aubrey Patterson. Also present were Mayor Stephanie Orman, City Attorney George Spence, the press, city staff, and the audience. Council Members Cindy Acree and Chad Goss attended remotely and participated by Zoom.

Due to the situation related to COVID-19, several members of the city staff and the public also attended remotely by Zoom. Mayor Orman reminded council that all votes would be by roll call.

No individuals signed in to speak at the meeting in person, but Danielle Semsrott joined via Zoom to speak to agenda item 3.

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 10, 2020 meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

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 Sanchez. There was no discussion. Motion carried (7-0).

1. Planning:

- 1a. Ordinance No. 2020-223: Ordinance accepting a lot split of Lots 18-22 of Southside Subdivision to the City of Bentonville, Arkansas (Project No. LS20-0053).

[Applicant: Hurricane WA, LLC;

Location: 701 SE A 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).

- 1b. Ordinance No. 2020-224: Ordinance accepting a property line adjustment of Lot 26, Block 6 of Deming's Addition to the City of Bentonville, Arkansas (Project No. PLA20-0035).

[Applicant: Burckart Family, LLC;

Location: 404 NW 4th 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).

- 1c. Ordinance No. 2020-225: Ordinance amending the Zoning Code, Article 601 Use Regulations, of the Bentonville Municipal Code regarding accessory structures.

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).

- 1d. Ordinance No. 2020-226: Ordinance amending the Land Development Code, Article 300 Administration and Enforcement, of the Bentonville Municipal Code to allow bonds for maintenance guarantees and off-site performance guarantees.

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).

Council Member Burckart thanked the council and Mayor Orman for considering and passing this item.

- 1e. Ordinance No. 2020-227: 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. RZ20-0055).

[Applicant: Square District Properties, LLC;

Location: 510 NW D 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).

2. Resolution No. 11-24-20 A: A resolution endorsing the installation of a box turtle sculpture by artist Stephen Feilbach and funded by the Runway Group, on public property at the All-American Trail.

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).

3. Recognition by the Mayor and City Council of Brick Avenue Lofts for winning the Grow with Trees Award located at 902 Brick Avenue.

Danielle Semsrott, City of Bentonville Senior Planner, AICP, reported on the award.

4. Approval for the transferring of \$30,000.00 in existing funds from Professional Services (3410) and \$30,000.00 from Clerical Services (3110) into Minor Equipment (2510) and Machinery and Equipment (7410).

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

5. Change Order #1 and Final Reconciliation for City Council approval, in the amount of \$3,465.00, for the Moberly HAWK Signal and Trail Crossing Project.

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

6. Resolution No. 11-24-20 B: A resolution authorizing the Mayor to accept a grant from the Walton Family Foundation to fund a Bicycle and Pedestrian Planner position for the Parks and Recreation Department 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 Burckart. There was no discussion. Motion carried (7-0).

7. Budget Adjustment for City Council approval, in the amount of \$1,077,520.00, to recognize a grant from the Walton Family Foundation for Phase II of design for the 8th Street Gateway Park.

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

8. Resolution No. 11-24-20 C: A resolution authorizing the Mayor and the City Clerk to enter an agreement with the Bentonville Library Foundation for the purchase of two properties adjacent to Bentonville Public Library.

The City of Bentonville would purchase the two properties adjacent to Bentonville Public Library for \$1.00. These are Benton County tax parcel ## 01-03790-000 and 01-03792-000.

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).

- 9a. Resolution No. 11-24-20 D: A resolution authorizing the Mayor and Clerk to purchase certain customers and facilities from Carroll Electric Cooperative.

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).

- 9b. Budget adjustment to move \$41,965.00 from Underground Primary to Improvements Other than Electric to purchase CECC infrastructure and accounts on Scoggins Rd. for a total of \$91,694.05.

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

10. Resolution No. 11-24-20 E: A resolution adopting the 2021 Budget for 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 Sooter. There was no discussion. Motion carried (7-0).

Mayor Orman adjourned the meeting. Motion to adjure by Council Member Sanchez, second by Council Member Sooter.

Debbie Griffin, Community Relations Economic Development Director, reminded council of the DEI virtual event on December 10, 2020.

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




Kirby Romines, City Clerk


Stephanie Orman, Mayor