



**Revised Agenda:
Adding Item #18.**

BENTONVILLE CITY COUNCIL AGENDA

Note – Due to health concerns related to COVID-19, some of all of the members of the City Council, as well as City staff members, may attend this meeting by phone or other remote means. Those who attend should observe the CDC recommendations concerning hygiene, the use of masks or other facial coverings, and social distancing (keeping at least 6 feet away from other persons present at the meeting). No one should attend this meeting if they are experiencing any type of illness involving a fever, sneezing or coughing, or shortness of breath. Those attending the meeting in person may be screened before being allowed to enter by having their temperature taken and by being asked a series of questions focusing on possible exposure to COVID-19. Those wishing to make public comments who cannot or do not want to attend the meeting may do so by email submitted to cc.comments@bentonvillear.com by at least 4:00 p.m. on the day of the meeting and those comments will be communicated to the members of the Council and the Mayor. Accommodation has also been made to allow Bentonville citizens to make “live” public comments orally in the event they cannot or do not feel comfortable attending the meeting in person. To do so, please send an email indicating a desire to make public comments remotely to cc.comments@bentonvillear.com by at least 1:00 p.m. on the day of the meeting and a reply email will be sent with instructions about how your comments can be made. Making comments will require you to register with your name, address, phone number and email address. The pre-existing limitations (3 minutes) and procedures with respect to oral public comments will still apply.

**Regular City Council Meeting
Bentonville Community Center
BCC Community Rooms**

**Tuesday, January 26, 2021 6:00 p.m.
1101 Southwest Citizens Circle**

***If the public would like to attend virtually, please register at the following link by 4:00 p.m. on January 26, 2021:**

https://us02web.zoom.us/webinar/register/WN_3c3jzfc_TDW6rspS5MkYtA

**Public Comments on Tonight’s Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from City Council Members on Tonight’s Agenda**

Call to Order

Pledge of Allegiance

Moment of Silence – For our Military Forces

Roll Call

Approval of Minutes: January 12, 2021

AGENDA

1. The Bentonville Public Library's needs assessment study presentation will be provided by MSR Design. (Page 6)

2. Lake Bella Vista Dam/Park update – Travis Matlock, Electric Utility Director. (Page 7)

3. Planning:

- 3a. **Ordinance accepting a lot split of Lots 24-25, Block 17 of Deming's 2nd Addition, Square District Properties, LLC, 510 NW D Street, DN-2, Downtown Medium-Density Residential.**

(Pages 12-14)

The Planning Commission voted 7-0, recommending approval.

A lot split of part of existing Lots 9-10, Block 17, creating new Lot 24 (+/- 0.17 acres) and Lot 25 (+/- 0.12 acres), Block 17 of Deming's 2nd Addition. Per the requirements of the Master Street Plan, right-of-way is being dedicated along NW D Street. The plat dedicates a 10-foot wide utility easement along NW D Street and NW 6th Street to serve the lot with public utilities.

- 3b. **Ordinance accepting a lot split of Lots 3-4 of Featherston Valley Subdivision, Martin Elzey, Been Road & Featherston Road, R-2, Duplex & Patio Home Residential.**

(Pages 15-18)

The Planning Commission voted 7-0, recommending approval.

A lot split of Lot 2 of Featherston Valley Subdivision, creating new Lots 3 (+/- 14.41 acres) and 4 (+/- 14.41 acres). The plat dedicates a 20-foot utility easement and +/- 0.03 acres of right-of-way along Been Road.

- 3c. **Ordinance accepting a lot split of Lots 26-27 of Clark's Addition, Miles Vanveckhoven, SW Glover Street, R-1, Single Family Residential.**

(Pages 19-21)

The Planning Commission voted 7-0, recommending approval.

A lot split of Lot 9 of Clarks Addition, creating new Lots 26 (+/- 0.27 acres) and 27 (+/- 0.27 acres). The plat dedicates a 10-foot utility easement along SW Glover Street.

- 3d. **Ordinance accepting a lot split of Lot 13, Block 4 of Deming's Addition, Austen Bailly, 411 NW A Street, R-1, Single Family Residential.**

(Pages 22-24)

The Planning Commission voted 7-0, recommending approval.

A lot split of existing Lots 1 & 2, Block 4, creating new Lot 13, Block 4 (+/- 0.37 acres) of Deming's Addition. Per the requirements of the Master Street Plan, right-of-way is being dedicated along both NW 5th Street and NW A Street. The plat

dedicates a 15-foot utility easement along NW A Street and NW 5th Street to serve the lot with public utilities.

- 3e. **Ordinance accepting a property line adjustment of Lot 16 of Lincoln & Rice Addition, Martin Bynum, 615 E Central Avenue, R-1, Single Family Residential.**

(Pages 25-27)

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lots 11 and 12, Block 1 of Lincoln & Rice Addition, creating new Lot 16 (+/- 0.33 acres). The plat dedicates additional right-of-way along E Central Avenue and NE F Street. The plat dedicates 15-foot utility easements along both of these frontages as well.

- 3f. **Ordinance accepting a final plat of Hawthorne Heights Subdivision Phase I.**

(Pages 28-30)

The Planning Commission voted 7-0, recommending approval.

A final plat of a 26-lot subdivision to be known as Hawthorne Heights Subdivision Phase I. This consists of four town home lots, one future phase lot, 20 single-family lots, and one stormwater detention lot. The plat dedicates right-of-way along NE J Street and for the public streets throughout the new development. Various utility and drainage easements are being dedicated with the plat to serve the subdivision.

- 3g. **Ordinance changing real estate from C-1, Neighborhood Commercial to C-3, Mixed-Use Commercial, Trailside Partners, LLC, E Central Avenue & NE J Street.**

(Pages 31-33)

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within the Downtown Intensification Priority Area. This Priority Area recommends continued support of increased density of residential development in select locations in the form of townhome, multi-family, and mixed-use housing. The Priority Area states that support of a variety of development products would encourage more people to live and work in the downtown area, decreasing commute times and proliferating goods and services across the area.

The Future Land Use Plan currently depicts this property as Mixed Use. These areas are meant to provide goods and services to nearby residents. Vertical mixed-use developments are encouraged with upper floors including offices, services, or residential uses.

The Future Land Use Plan, the Land Use and Strategic Growth Chapter of the Community Plan, and the surrounding context of the area all support the rezoning request. Staff recommends approval of the rezoning request.

- 3h. **Ordinance accepting a lot split of Lot 9 of Out Lot 16 Subdivision, NE2 Properties, LLC, 502 NE 2nd Street, R-1, Single Family Residential.**

(Pages 34-36)

The Planning Commission voted 7-0, recommending approval.

A lot split of a portion of Out Lot 16 Subdivision, creating new Lot 9 (+/- 0.21 acres) of Out Lot 16 Subdivision.

4. A resolution to support the installation of artwork titled "This is Your Public Library" in the Bentonville Public Library at 405 S. Main Street. The artwork is a collaboration between local residents and artist Ziba Rajabi to create a woven paper image of the Bentonville city limits. The artwork was funded by a grant from the Walton Family Foundation in association with the Library Needs Assessment Study. There is no cost to the city. Memo and proposal attached. **(Pages 37-46)**
5. Public hearing and ordinance vacating Street Right of Way requested for 407 W. Central (VAC20-0032). **(Pages 47-51)**
6. Public hearing and ordinance vacating a Utility Easement requested for 4100 North Rainbow Farm Road (VAC20-0033). **(Pages 52-56)**
7. Public hearing and ordinance vacating a Utility Easement requested for 1005 Museum Way (VAC20-0034). **(Pages 57-61)**
8. Public hearing and ordinance vacating Alley Right of Way at Petticoat Lane (VAC20-0035). **(Pages 62-65)**
9. Resolution setting a public hearing for February 9, 2021 for a Utility Easement Vacation requested for 3301 SW 2nd Street (VAC21-0001). **(Pages 66-68)**
10. Ordinance requesting a waiver of bid to allow for the purchase of Patrol Uniforms from Galls, LLC in Springdale, Arkansas. The 2021 Budget total budget allotment for Police Department Uniform Supplies is \$109,700.00. This includes Dispatch Uniforms, Patrol Uniforms, Bike Team Uniforms, SWAT Uniforms, Bomb Squad Uniforms, Leather Gear, Ballistic Vest and other Soft Uniform items such as coats, jackets, rain gear, hats, and informal uniforms. Patrol Uniforms and Replacement Uniforms account for the largest portion of this expense and represents about \$60,000.00 of this total. Factors such as new employees, employment turnover, and general wear and tear, determine the actual yearly expense related to Patrol Uniforms and replacements. The department currently uses Galls for such uniform and uniform related needs. Being located in Springdale, this provider promotes safety and convenience by allowing local, timely and cost effective uniform measuring, fitting, alterations, and availability. This waiver of bid has been internally reviewed by the City's Purchasing Manager and would not exceed the budgeted amount, duplicating 2020. **(Pages 69-74)**
11. Ordinance requesting a waiver of bid for the purchase of uniforms for the Bentonville Fire Department employees. Due to uniform requirements, Galls LLC is able to supply all of the fire department needs and they have a location in Springdale Arkansas. **(Pages 75-80)**
12. An ordinance approving the 2021 Pay Plan for the City of Bentonville. The 2021 pay plan incorporates all the budgeted pay adjustments, grade changes, title changes, and new positions. **(Pages 81-84)**

13. Mayor recommends appointment of Holly Hook to the City of Bentonville's Tree and Landscape Committee. Ms. Hook will serve as an ex-officio member and be filling Jon Terlouw's unexpired term that will end 12/31/21. **(Pages 85-86)**
14. Mayor recommends appointment of Gayatri Agnew to the City of Bentonville's Public Arts Advisory Committee. Ms. Agnew will serve as an ex-officio member with her term expiring 12/31/24. **(Pages 87-88)**
15. Ordinance approving a bid waiver to Bentonville Youth Baseball for officiating services for Bentonville Parks and Recreation. **(Pages 89-96)**
16. Ordinance approving a bid waiver to Bentonville Youth Softball League for softball officiating services for Bentonville Parks and Recreation. **(Pages 97-105)**
17. Ordinance approving a bid waiver to Arkansas USSSA for soccer officiating services for Bentonville Parks and Recreation. **(Pages 106-112)**
18. An ordinance for City Council approval to waive competitive bidding requirements in the amount of \$35,000.00 to Overdrive, Inc. for ebook purchases for Bentonville Public Library. **(Pages 113-120)**



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Library
Submitted by	Hadi Dudley
Phone	(479) 271-3194

Item Type: (Check All That Apply)					
☐ Budget Adjustment	☐ Change Order	☒ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
The Bentonville Public Library's needs assessment study presentation will be provided by MSR Design.					

Estimated Cost	\$0
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below):	



117 West Central Avenue, Bentonville, AR 72712
www.bentonvillear.com
PLEASE RECYCLE





Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Electric
Submitted by	Travis Matlock
Phone	(479) 271-5941

Item Type: <i>(Check All That Apply)</i>					
☐ Budget Adjustment	☐ Change Order	☒ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action <i>(Enter recommendation in space below):</i> Lake Bella Vista Dam/Park update.					

Estimated Cost	\$
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded <i>(briefly explain in space below):</i>	



117 West Central Avenue, Bentonville, AR 72712
www.bentonvillear.com
PLEASE RECYCLE





City Council Agenda Items
For City Council Meeting of January 26, 2021
From the January 19, 2021 Planning Commission Meeting

- a. Ordinance accepting a lot split of Lots 24-25, Block 17 of Deming's 2nd Addition, Square District Properties, LLC, 510 NW D Street, DN-2, Downtown Medium-Density Residential.**

The Planning Commission voted 7-0, recommending approval.

A lot split of part of existing Lots 9-10, Block 17, creating new Lot 24 (+/- 0.17 acres) and Lot 25 (+/- 0.12 acres), Block 17 of Deming's 2nd Addition. Per the requirements of the Master Street Plan, right-of-way is being dedicated along NW D Street. The plat dedicates a 10-foot wide utility easement along NW D Street and NW 6th Street to serve the lot with public utilities.

- b. Ordinance accepting a lot split of Lots 3-4 of Featherston Valley Subdivision, Martin Elzey, Been Road & Featherston Road, R-2, Duplex & Patio Home Residential.**

The Planning Commission voted 7-0, recommending approval.

A lot split of Lot 2 of Featherston Valley Subdivision, creating new Lots 3 (+/- 14.41 acres) and 4 (+/- 14.41 acres). The plat dedicates a 20-foot utility easement and +/- 0.03 acres of right-of-way along Been Road.

- c. Ordinance accepting a lot split of Lots 26-27 of Clark's Addition, Miles Vanveckhoven, SW Glover Street, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

A lot split of Lot 9 of Clarks Addition, creating new Lots 26 (+/- 0.27 acres) and 27 (+/- 0.27 acres). The plat dedicates a 10-foot utility easement along SW Glover Street.

- d. Ordinance accepting a lot split of Lot 13, Block 4 of Deming's Addition, Austen Bailly, 411 NW A Street, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

A lot split of existing Lots 1 & 2, Block 4, creating new Lot 13, Block 4 (+/- 0.37 acres) of Deming's Addition. Per the requirements of the Master Street Plan, right-of-way is being dedicated along both NW 5th Street and NW A Street. The plat dedicates a 15-foot utility easement along NW A Street and NW 5th Street to serve the lot with public utilities.

- e. Ordinance accepting a property line adjustment of Lot 16 of Lincoln & Rice Addition, Martin Bynum, 615 E Central Avenue, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

A property line adjustment of Lots 11 and 12, Block 1 of Lincoln & Rice Addition, creating new Lot 16 (+/- 0.33 acres). The plat dedicates additional right-of-way along E Central Avenue and NE F Street. The plat dedicates 15-foot utility easements along both of these frontages as well.

- f. Ordinance accepting a final plat of Hawthorne Heights Subdivision Phase I.**

The Planning Commission voted 7-0, recommending approval.

A final plat of a 26-lot subdivision to be known as Hawthorne Heights Subdivision Phase I. This consists of four town home lots, one future phase lot, 20 single-family lots, and one stormwater detention lot. The plat dedicates right-of-way along NE J Street and for the public streets throughout the new development. Various utility and drainage easements are being dedicated with the plat to serve the subdivision.

- g. Ordinance changing real estate from C-1, Neighborhood Commercial to C-3, Mixed-Use Commercial, Trailside Partners, LLC, E Central Avenue & NE J Street.**

The Planning Commission voted 7-0, recommending approval.

The Bentonville Community Plan depicts this property within the Downtown Intensification Priority Area. This Priority Area recommends continued support of increased density of residential development in select locations in the form of townhome, multi-family, and mixed-use housing. The Priority Area states that support of a variety of development products would encourage more people to live and work in the downtown area, decreasing commute times and proliferating goods and services across the area.

The Future Land Use Plan currently depicts this property as Mixed Use. These areas are meant to provide goods and services to nearby residents. Vertical mixed-use developments are encouraged with upper floors including offices, services, or residential uses.

The Future Land Use Plan, the Land Use and Strategic Growth Chapter of the Community Plan, and the surrounding context of the area all support the rezoning request. Staff recommends approval of the rezoning request.

- h. Ordinance accepting a lot split of Lot 9 of Out Lot 16 Subdivision, NE2 Properties, LLC, 502 NE 2nd Street, R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

A lot split of a portion of Out Lot 16 Subdivision, creating new Lot 9 (+/- 0.21 acres) of Out Lot 16 Subdivision.



Consent Agenda Items

For Planning Commission meeting of January 19, 2021

Reviewer: Tyler Overstreet, AICP, Senior Planner

- ❖ At the Technical Review meeting held on January 12, 2021 the Planning Commission requested these items be placed on the consent agenda. The descriptions below shall serve as the staff report for each of the consent agenda items.

Lot Split: Lots 24 & 25, Block 17 of Deming's 2nd Addition, 510 NW D Street, R-1 Single-Family Residential, LS20-0055

A lot split of part of existing Lots 9 & 10, Block 17, creating new Lot 24 (+/- 0.17 acres) & Lot 25 (+/- 0.12 acres), Block 17 of Deming's 2nd Addition. Per the requirements of the Master Street Plan, right-of-way is being dedicated along NW D Street. The plat dedicates a 10-foot wide utility easement along NW D Street and NW 6th Street to serve the lot with public utilities. There was a setback variance granted for this property by the Board of Adjustment on October 28, 2020.

(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HvK8>)

Lot Split: Lots 3 & 4 of Featherston Valley Subdivision, Been Road & Featherston Road, R-2, Duplex and Patio Home Residential, LS20-0059

A lot split of Lot 2 of Featherston Valley Subdivision, creating new Lots 3 (+/- 14.41 acres) and 4 (+/- 14.41 acres). The plat dedicates a 20-foot utility easement and 0.03 acres of right-of-way along Been Road.

(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HvK8>)

Lot Split: Lots 26 & 27 of Clark's Addition, SW Glover Street, R-1, Single-Family Residential, LS20-0062

A lot split of Lot 9 of Clarks Addition, creating new Lots 26 (+/- 0.27 acres) and 27 (+/- 0.27 acres). The plat dedicates 10 feet of utility easement along SW Glover Street.

(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HvK8>)

Lot Split: Lot 13, Block 4 of Deming's Addition, 411 NW A Street, R-1, Single-Family Residential, LS20-0066

A lot split of existing Lots 1 & 2, Block 4, creating new Lot 13, Block 4 (+/- 0.37 acres) of Deming's Addition. Per the requirements of the Master Street Plan, right-of-way is being dedicated along both NW 5th Street and NW A Street. The plat dedicates a 15-foot wide utility easement along NW A Street and NW 5th Street to serve the lot with public utilities.

(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HvK8>)

Property Line Adjustment: Lot 16 of Lincoln & Rice Addition, 615 E Central Avenue, R-1, Single-Family Residential, PLA20-0060

A property line adjustment of Lots 11 and 12, Block 1 of Lincoln & Rice Addition, creating new Lot 16 (+/- 0.33 acres). The plat dedicates additional right-of-way along E Central Avenue and NE F Street. The plat dedicates 15-foot utility easements along both of these frontages as well.

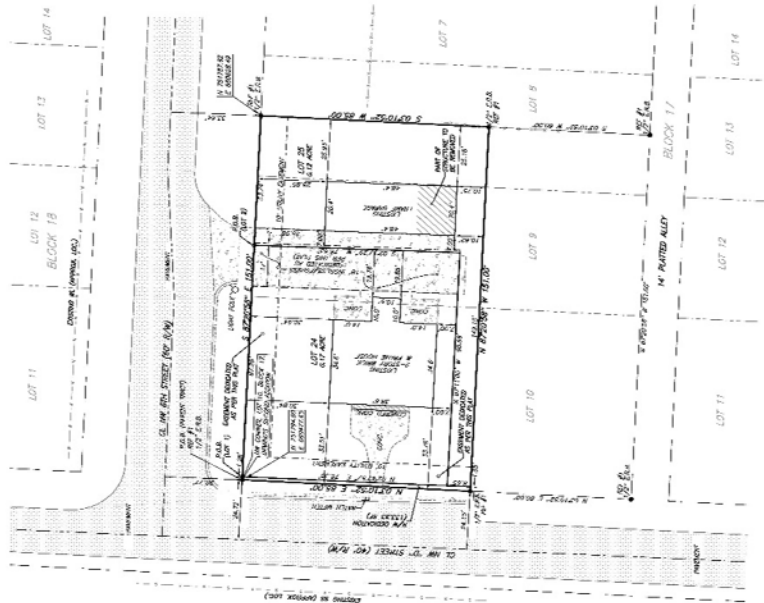
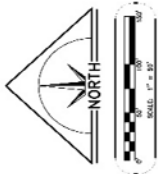
(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HyK8>)

Final Plat: Hawthorne Heights Subdivision Phase 1, NE J Street, PRD, Planned Residential Development, FP20-0005

A final plat of a 26-lot subdivision to be known as Hawthorne Heights Subdivision Phase 1. This consists of four town home lots, one future phase lot, 20 single-family lots and one stormwater detention lot. The plat dedicates right-of-way along NE J Street and for the public streets throughout the new development. Various utility and drainage easements are being dedicated with the plat to serve the subdivision. All non-bondable items and guarantees of improvements must be complete and a final inspection performed and approved prior to Planning Commission approval.

(Please click on this link to access the vicinity map for this item: <https://arcg.is/08HyK8>)





NOTE: AS SHOWN IN THIS PLAT ARE FORMERLY MOUNTED
APPROXIMATELY OF THE BENTONVILLE PLANNING COMMISSION

LENDERS ENGINEERING CONSULTANTS, INC.
CIVIL ENGINEERING & PLANNING
BENTONVILLE, ARKANSAS 72712

Secure District Properties, LLC
Bentonville, Arkansas 72712

LOT SPLIT - DEWINGS 2ND ADDITION, LOTS 9-10 & PART OF BLOCK 17,
CREATING LOTS 24-25, BLOCK 17
City of Bentonville, Benton County, Arkansas

- GENERAL NOTES:**
- 1) NON-PAID ARE SET AT ALL LOT CORNERS.
 - 2) ADJUSTMENTS TO BE USED FOR ADJUSTED, UNITS, & DIMENSIONS.
 - 3) ALL DIMENSIONS ARE IN FEET.
 - 4) WATER SOURCE: CITY OF BENTONVILLE.
 - 5) SEWERAGE: CITY OF BENTONVILLE.
 - 6) LOTS 9-10 & PART OF BLOCK 17 ARE TO BE USED AS A RESIDENTIAL DEVELOPMENT.
 - 7) CONTRACTOR AND/OR OWNER IS TO OBTAIN RIGHT-OF-WAY FROM THE CITY OF BENTONVILLE.
 - 8) CONTRACTOR AND/OR OWNER IS TO OBTAIN RIGHT-OF-WAY FROM THE CITY OF BENTONVILLE.
 - 9) CONTRACTOR AND/OR OWNER IS TO OBTAIN RIGHT-OF-WAY FROM THE CITY OF BENTONVILLE.
 - 10) THERE MAY NOT BE FRONTS ON ANY OTHER STRUCTURES.
 - 11) ALL STRUCTURES MUST MAINTAIN A MINIMUM OF 20' CLEARANCE FROM ALL ELECTRIC LINES.

PLANNING COMMISSION APPROVAL:
The North 8th Street of Lots 9 and 10 and the North 8th Street of Lot 11 are hereby approved for the proposed road. The Commission has reviewed the plat and the surrounding area and has determined that the proposed road is in the public interest and should be approved. The Commission has also determined that the proposed road is in the public interest and should be approved. The Commission has also determined that the proposed road is in the public interest and should be approved.

ADJ. LOT 10, BENTONVILLE:
LOT 24. The North 8th Street of Lots 9 and 10 and the North 8th Street of Lot 11 are hereby approved for the proposed road. The Commission has reviewed the plat and the surrounding area and has determined that the proposed road is in the public interest and should be approved. The Commission has also determined that the proposed road is in the public interest and should be approved. The Commission has also determined that the proposed road is in the public interest and should be approved.

ADJ. LOT 11, BENTONVILLE:
LOT 25. The North 8th Street of Lots 9 and 10 and the North 8th Street of Lot 11 are hereby approved for the proposed road. The Commission has reviewed the plat and the surrounding area and has determined that the proposed road is in the public interest and should be approved. The Commission has also determined that the proposed road is in the public interest and should be approved. The Commission has also determined that the proposed road is in the public interest and should be approved.

ADJ. LOT 12, BENTONVILLE:
LOT 26. The North 8th Street of Lots 9 and 10 and the North 8th Street of Lot 11 are hereby approved for the proposed road. The Commission has reviewed the plat and the surrounding area and has determined that the proposed road is in the public interest and should be approved. The Commission has also determined that the proposed road is in the public interest and should be approved. The Commission has also determined that the proposed road is in the public interest and should be approved.



APPROVED BY THE CITY OF BENTONVILLE:
The City of Bentonville has reviewed the plat and the surrounding area and has determined that the proposed road is in the public interest and should be approved. The City of Bentonville has also determined that the proposed road is in the public interest and should be approved. The City of Bentonville has also determined that the proposed road is in the public interest and should be approved.

DATE: _____
BY: _____
APPROVED: _____
APPROVED: _____

APPROVED BY THE PLANNING COMMISSION:
The Planning Commission has reviewed the plat and the surrounding area and has determined that the proposed road is in the public interest and should be approved. The Planning Commission has also determined that the proposed road is in the public interest and should be approved. The Planning Commission has also determined that the proposed road is in the public interest and should be approved.

DATE OF EXECUTION: _____

SIGNED: _____

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ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 24-25, BLOCK 17 OF
DEMING'S 2ND ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS
(PROJECT NUMBER: LS20-0055).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville
Municipal Code, the lot split of Lots 24-25, Block 17 of Deming's 2nd Addition, Benton County,
Arkansas, was submitted to the Bentonville Planning Commission on January 19, 2021; and,

WHEREAS, said lot split is attached hereto as Exhibit "A"; and,

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated,
and at other times, and voted to recommend the approval of said lot split to the City Council; and,

WHEREAS, the lot split of real property as described herein has been submitted to the City
Council of the City of Bentonville and, after consideration and deliberation, said Council is of the opinion
that said lot split should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF
BENTONVILLE, ARKANSAS:

Section 1: That the lot split of Lots 24-25, Block 17 of Deming's 2nd Addition to the City of
Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence
the acceptance of said lot split by certifying said acceptance on the approved lot split.

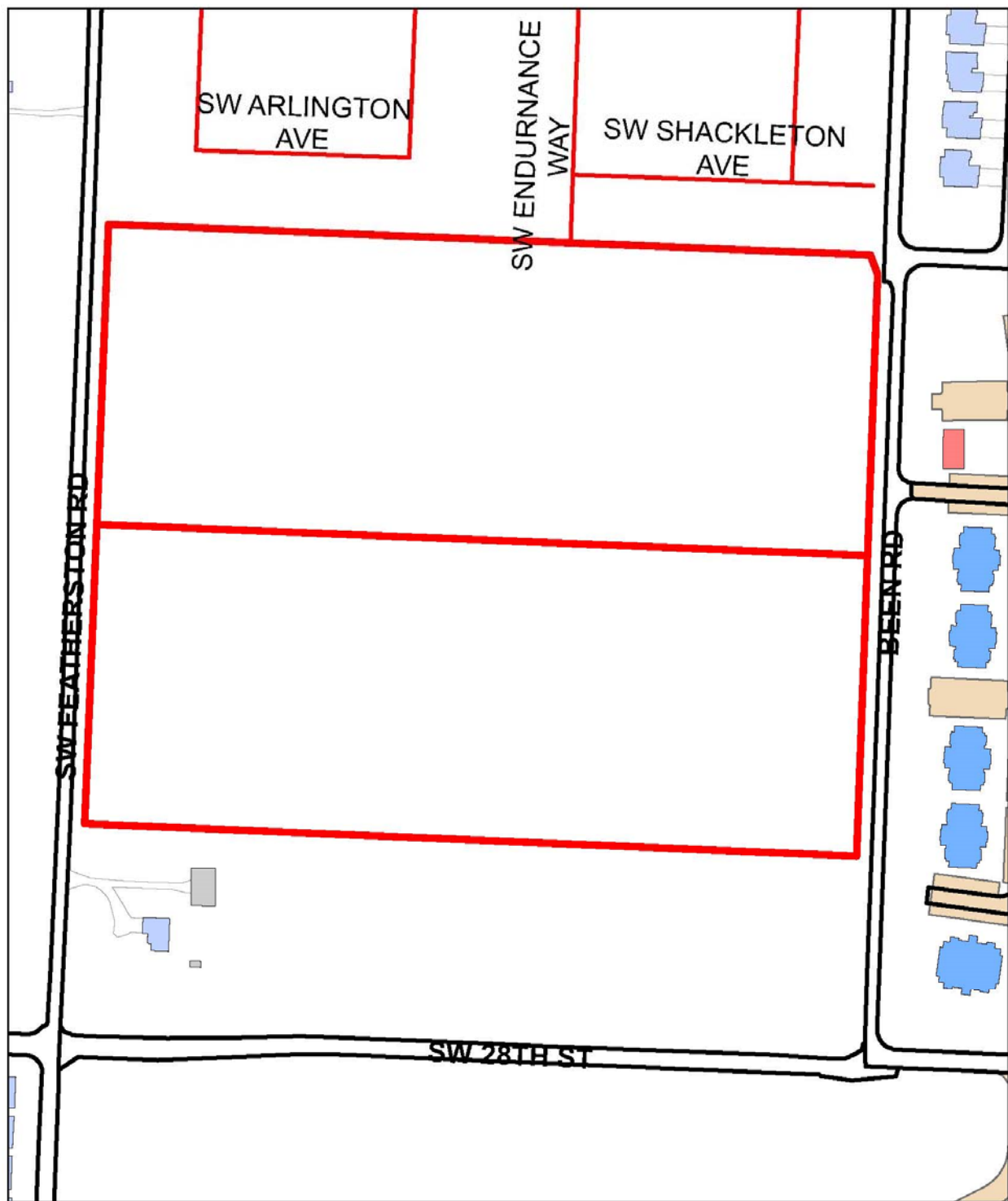
PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

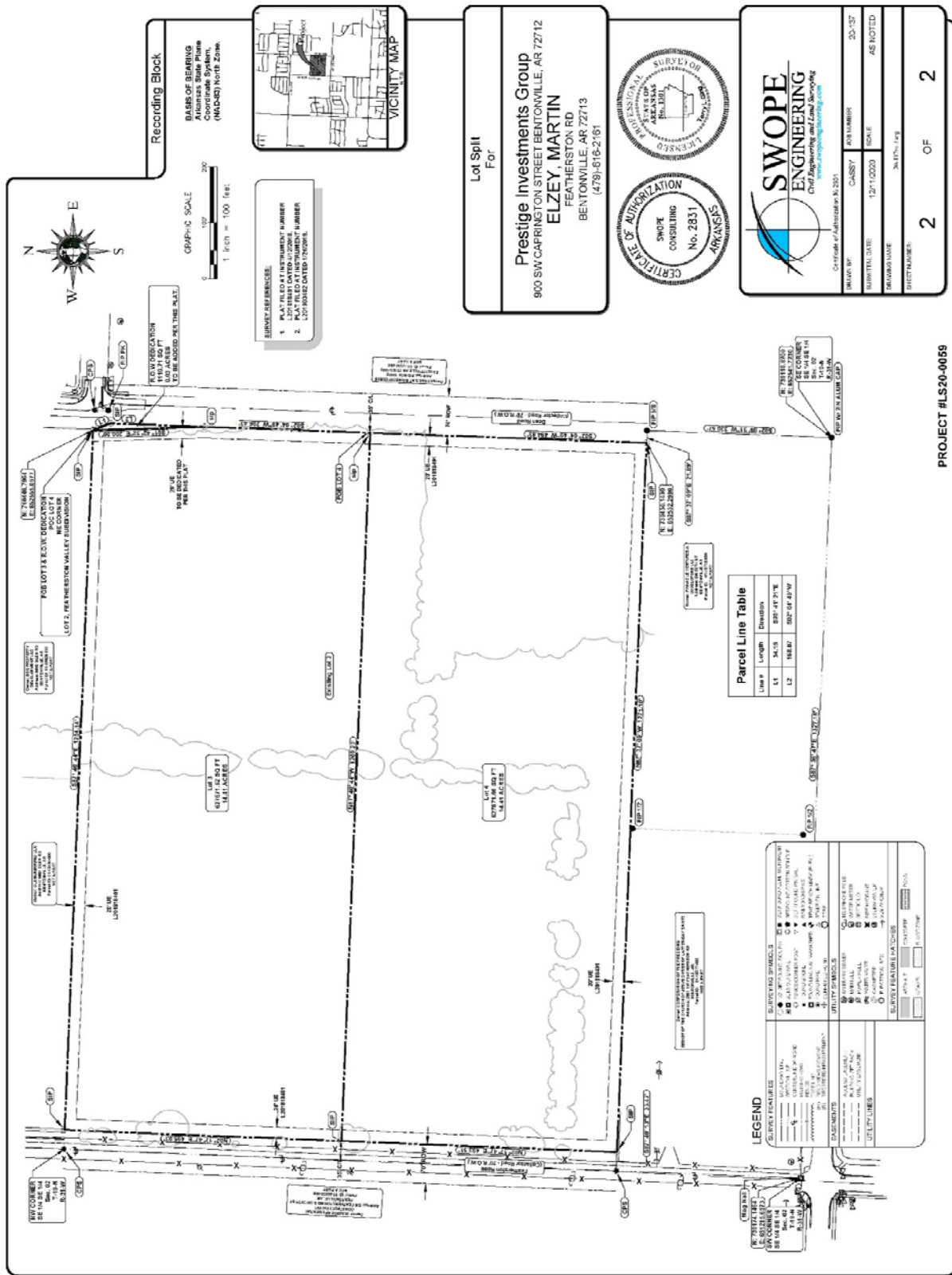
Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



1 inch = 200 feet



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 3-4 OF
FEATHERSTON VALLEY SUBDIVISION TO THE CITY OF BENTONVILLE,
ARKANSAS (PROJECT NUMBER: LS20-0059).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville
Municipal Code, the lot split of Lots 3-4 of Featherston Valley Subdivision, Benton County, Arkansas,
was submitted to the Bentonville Planning Commission on January 19, 2021; and,

WHEREAS, said lot split is attached hereto as Exhibit "A"; and,

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated,
and at other times, and voted to recommend the approval of said lot split to the City Council; and,

WHEREAS, the lot split of real property as described herein has been submitted to the City
Council of the City of Bentonville and, after consideration and deliberation, said Council is of the opinion
that said lot split should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF
BENTONVILLE, ARKANSAS:

Section 1: That the lot split of Lots 3-4 of Featherston Valley Subdivision to the City of
Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence
the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 26-27 OF CLARK'S
ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT
NUMBER: LS20-0062).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville
Municipal Code, the lot split of Lots 26-27 of Clark's Addition, Benton County, Arkansas, was submitted
to the Bentonville Planning Commission on January 19, 2021; and,

WHEREAS, said lot split is attached hereto as Exhibit "A"; and,

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated,
and at other times, and voted to recommend the approval of said lot split to the City Council; and,

WHEREAS, the lot split of real property as described herein has been submitted to the City
Council of the City of Bentonville and, after consideration and deliberation, said Council is of the opinion
that said lot split should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF
BENTONVILLE, ARKANSAS:

Section 1: That the lot split of Lots 26-27 of Clark's Addition to the City of Bentonville,
Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence
the acceptance of said lot split by certifying said acceptance on the approved lot split.

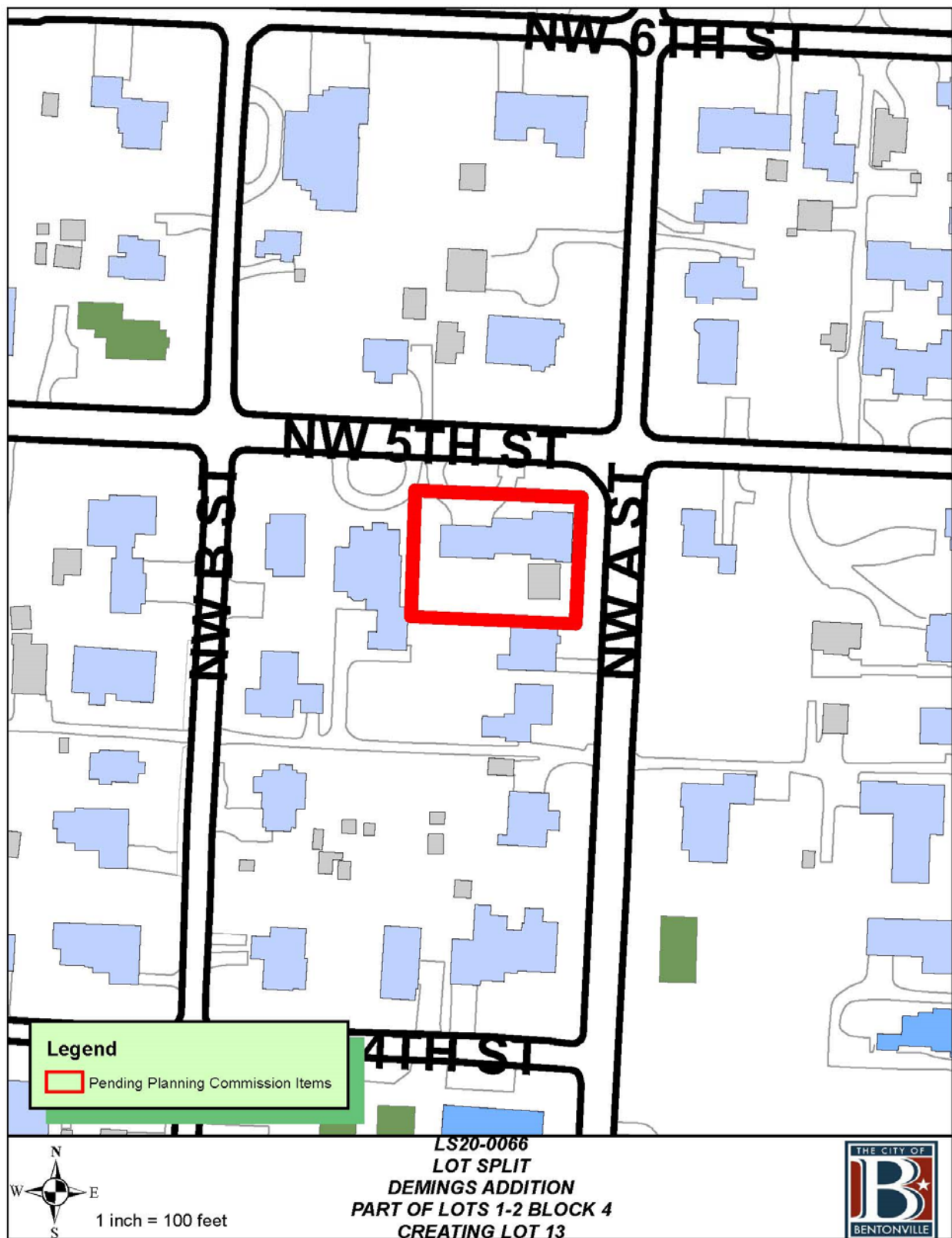
PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 13, BLOCK 4 OF
DEMING'S ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS
(PROJECT NUMBER: LS20-0066).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the lot split of Lot 13, Block 4 of Deming's Addition, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on January 19, 2021; and,

WHEREAS, said lot split is attached hereto as Exhibit "A"; and,

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated, and at other times, and voted to recommend the approval of said lot split to the City Council; and,

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville and, after consideration and deliberation, said Council is of the opinion that said lot split should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the lot split of Lot 13, Block 4 of Deming's Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

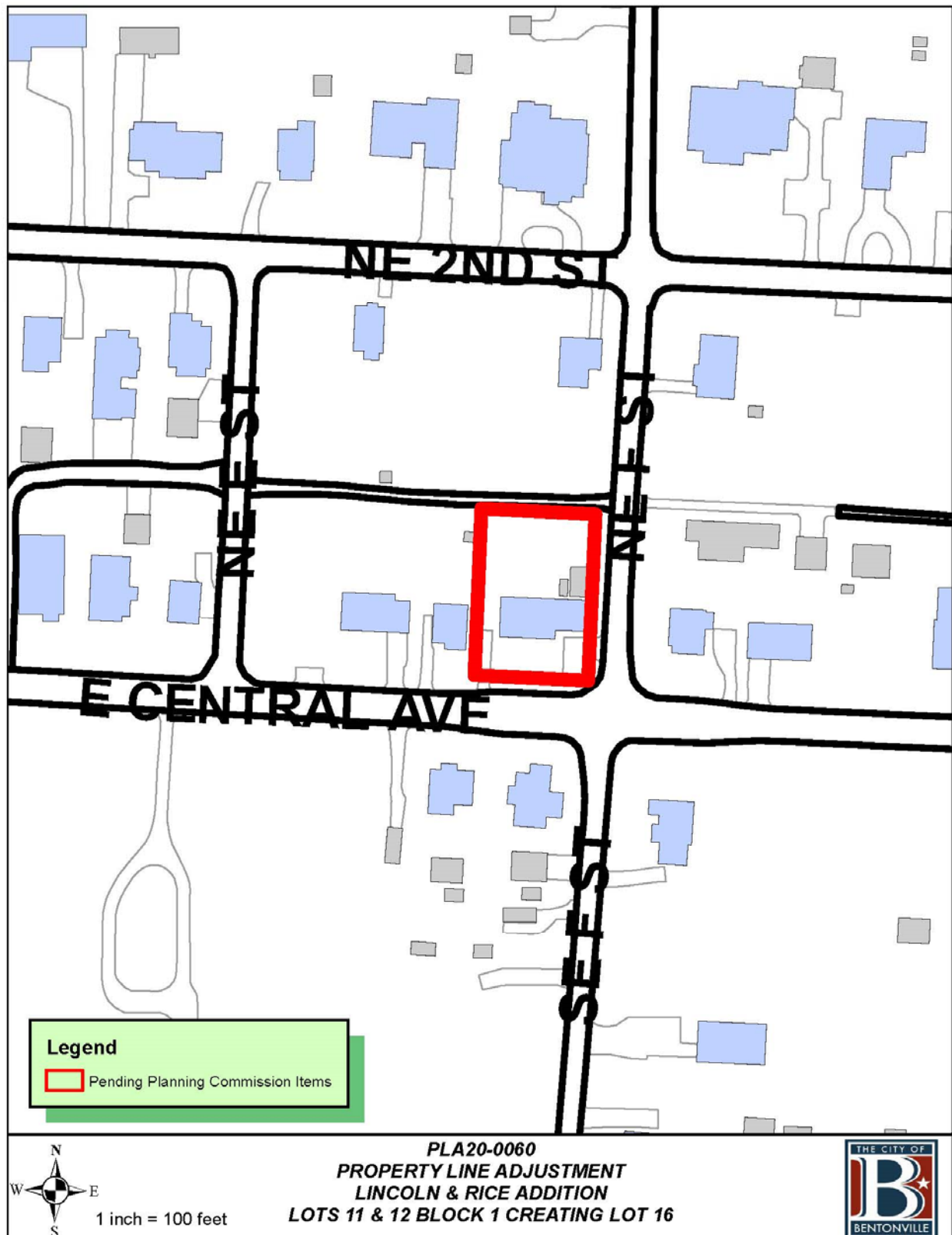
PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 16
OF LINCOLN & RICE ADDITION TO THE CITY OF BENTONVILLE,
ARKANSAS (PROJECT NUMBER: PLA20-0060).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the property line adjustment of Lot 16 of Lincoln & Rice Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on January 19, 2021; and,

WHEREAS, said property line adjustment is attached hereto as Exhibit "A"; and,

WHEREAS, the Bentonville Planning Commission considered said property line adjustment on the date stated and at other times, and voted to recommend the approval of said property line adjustment to the City Council; and,

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council for the City of Bentonville, and after consideration and deliberation, said Council is of the opinion that said property line adjustment should be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the property line adjustment of Lot 16 of Lincoln & Rice Addition to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said property line adjustment by certifying said acceptance on the approved property line adjustment.

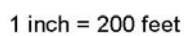
PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A FINAL PLAT OF HAWTHORNE
HEIGHTS PHASE I TO THE CITY OF BENTONVILLE, ARKANSAS
(PROJECT NUMBER: FP20-0005).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville Municipal Code, the final plat of Hawthorne Heights Phase I, to the City of Bentonville, Benton County, Arkansas, was submitted to the Bentonville Planning Commission on January 19, 2021; and,

WHEREAS, said final plat is attached hereto as Exhibit "A"; and,

WHEREAS, the Bentonville Planning Commission considered said final plat on the date stated, and at other times, and voted to recommend the approval of said final plat to the City Council; and,

WHEREAS, the final plat of real property as described herein has been submitted to the City Council of the City of Bentonville and, after consideration and deliberation, said Council is of the opinion that said final plat should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the final plat of Hawthorne Heights Phase I to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said final plat by certifying said acceptance on the approved final plat.

PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk

REZONING STAFF REPORT



Trailside Partners, LLC

E Central Avenue and NE J Street

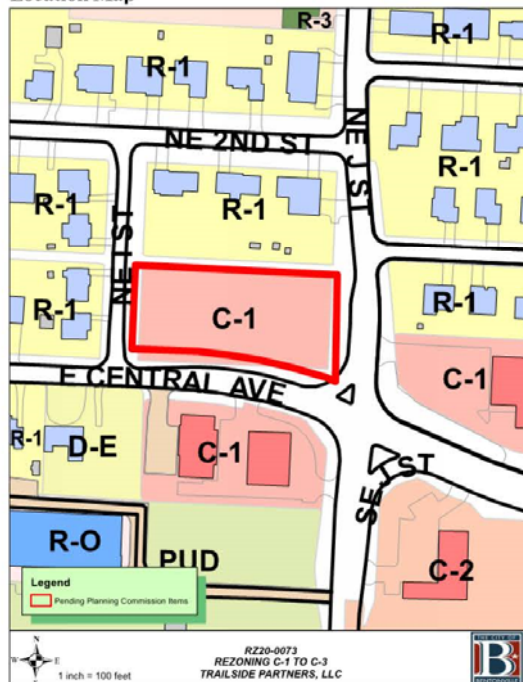
PC Date: 1/19/2021

Reviewer: Tyler Overstreet, Senior Planner, AICP

Project Number	RZ20-0073
Applicant / Current Owner	Trailside Partners, LLC
Site Area	+/- 1.04 acres
Current Zoning	C-1, Neighborhood Commercial
Requested Zoning	C-3, Mixed-Use Commercial
Future Land Use Map Designation	Mixed Use

<https://arcg.is/08HvK8>

Location Map



Property Description

Parcels 01-03276-000, 01-03277-000, 01-03278-000, and 01-03279-000 are currently vacant parcels bordered by NE J Street, NE I Street, and E Central Avenue. Adjacent zoning districts are R-1, Single Family Residential to the north and west, and C-1, Neighborhood Commercial to the east and south. Further to the south is the Brick Avenue Lofts development, currently zoned PUD, Planned Unit Development.

East Central Avenue is designated as a Collector, while Northeast J Street is designated as an Arterial on the Master Street Plan.

Relationship to the Bentonville Community Plan

The Bentonville Community Plan depicts this property within the Downtown Intensification Priority Area. The Priority Area recommends continued support of increased density of residential development in select locations in the form of townhome, multi-family, and mixed-use housing. The Priority Area states that support of a variety of development products would encourage more people to live and work in the downtown area, decreasing commute times and proliferating goods and services across the area.

The Future Land Use Plan currently depicts this property as Mixed Use. These areas are meant to provide goods and services to nearby residents. Vertical mixed-use developments are encouraged with upper floors including offices, services, or residential uses.

Public Comment

Staff has received phone calls and inquiries regarding this request, but no formal, written public comment.

Analysis

According to the applicant's narrative, the intent of the rezoning request is to build a mixed-use commercial/residential development at the corner of E Central and NE J Street.

The area surrounding the proposed rezoning reflects a variety of land uses. C-1 developments, such as Casey's to the south or Dollar General to the east, as well as multi-family developments such as Brick Avenue Lofts to the south, suggest support for a mix of land uses in this area. In addition, SE J Street's designation as an arterial and E Central Avenue's designation as a collector suggests support for an increase in density in the area.

Conclusion

The Future Land Use Plan, the Land Use and Strategic Growth Chapter of the Community Plan, and the surrounding context of the area all support the rezoning request.

Staff recommends approval of the rezoning request.

Rezoning Narrative
E. Central Ave. and J Street

Current Zoning Designation: C-1, Neighborhood Commercial

Proposed Zoning Designation: C-3, Mixed Use Commercial

Explanation: Trailside Partners, LLC proposes to rezone the properties located at E. Central Ave, Parcel Numbers:

01-03276-000

01-03277-000

01-03278-000

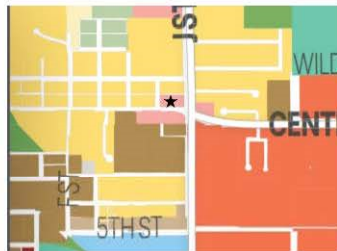
01-03279-000

in order to develop a real estate project in compliance with the C-3 development standards.

Reason to Rezone: The rezone would allow for owners to build a mixed-use commercial/ residential development at the corner of E. Central and J Street.

Statement of how the property will relate to surrounding properties: The development proposed will blend residential and commercial space on the corner of Central and J, the “gateway to Downtown”. Surrounding properties are zoned R-1, C-1 and DE. Per the C-3 zoning code, the project will be “designed with an urban, walkable character that encourages physical activity, alternative transportation and greater social interaction”.

Use: The development will complement the City of Bentonville’s Future Land Use Plan which has identified these parcels’ best designation in coming years as mixed-use commercial. The development will offer both commercial and residential space and provide an opportunity to “live, work, meet, shop, and utilize services (C-3 zoning)” all in one location.



Snapshot of property as indicated in Future Land Use Plan.

Traffic: Ingress and egress to the development will be available on several sides of the property. With its proximity to downtown Bentonville and location at the intersection of multiple trails, the development will encourage bike and pedestrian traffic and access in addition to vehicular traffic.

Signage: None proposed at this time. Commercial spaces will follow city code for sign placement and approval upon tenant infill.

Appearance: The development will fit in form and scale of C-3 zoning regulations and the Bentonville LSD design standards.

Water/ Sewer/ Electric: On-Site

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF C-1, NEIGHBORHOOD COMMERCIAL TO C-3, MIXED-USE COMMERCIAL (PROJECT NUMBER: RZ20-0073).

WHEREAS, Trailside Partners, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of C-1, Neighborhood Commercial to C-3, Mixed-Use Commercial to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOTS 7, 8, 9, 10, 11, AND 12, BLOCK 5, OF THE LINCOLN AND RICE ADDITION ALSO KNOWN AS RICE AND LINCOLN ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD "8" AT PAGE 101.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held January 19, 2021 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public notice of said hearing having been published in the Northwest Arkansas Democrat-Gazette for the time and in the manner required by law; and,

WHEREAS, the Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of C-1, Neighborhood Commercial to C-3, Mixed-Use Commercial.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present zoning classification of C-1, Neighborhood Commercial to C-3, Mixed-Use Commercial to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

ATTEST:

Stephanie Orman, Mayor

City Clerk

LOT SPLIT ADJUSTMENT STAFF REPORT



Lot 9, Out Lot 16 Subdivision

502 NE 2nd Street

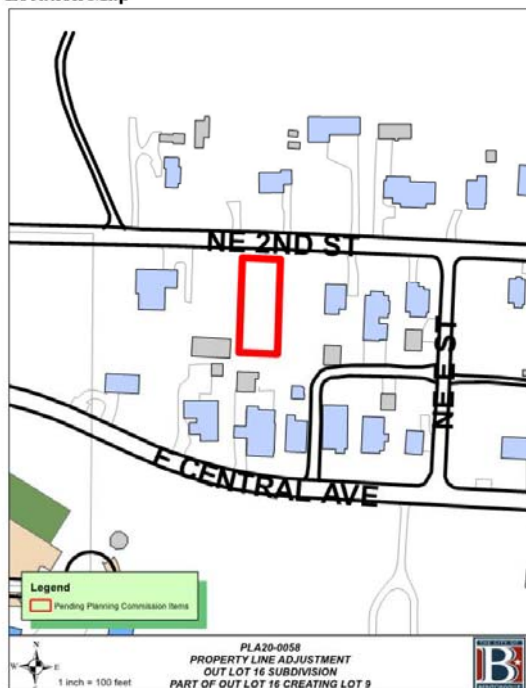
PC Date: 1/19/2021

Reviewer: Tyler Overstreet, AICP, Senior Planner

Project Number	PLA20-0058
Applicant / Current Owner	NE2 Properties, LLC
Site Area	+/- .23 acres
Current Zoning	R-1, Single Family Residential
Future Land Use Map Designation	Low Density Residential (LDR)

<https://arcg.is/08HvK8>

Location Map



Property Description

This property is a vacant lot with a preliminary address of 502 NE 2nd Street. It is currently zoned R-1, Single-Family Residential with a Future Land Use Plan designation of Low Density Residential.

Project Details

A lot split of a portion Out Lot 16 Subdivision, creating new Lot 1 (+/- .21 acres) of Out Lot 16 Subdivision.

Waivers

- One waiver requested:
 - A waiver from Article 1100, Section 1100.16, *Street Standards*, Subsection b, *Right-of-way dedication*, of the Land Development Code. The Land Development Code requires all subdivisions to dedicate right-of-way to meet the requirements of the Master Street Plan. The applicant requests the current right-of-way width of approximately 28 feet from centerline be accepted as opposed to the 35 feet required in the Master Street Plan.

Analysis and Recommendation

The proposed plat does not meet the minimum requirements of the Land Development Code, due to the waiver request. However, Planning and Engineering staff both recommend approval of the waiver request. Therefore, staff recommends approval of the lot split.

Standard Conditions of Approval

- Provide a digital copy of the plat.
- Address all technical review comments prior to filing or requesting a building permit.

NOTES

- Sidewalks. Sidewalk installation will be the responsibility of individual lot owners at the time of building permit.

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A LOT SPLIT OF LOT 9 OF OUT LOT 16
SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT
NUMBER: PLA20-0058).

WHEREAS, pursuant to the provisions of the Land Development Code of the Bentonville
Municipal Code, the lot split of Lot 9 of Out Lot 16 Subdivision, Benton County, Arkansas, was
submitted to the Bentonville Planning Commission on January 19, 2021; and,

WHEREAS, said lot split is attached hereto as Exhibit "A"; and,

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated,
and at other times, and voted to recommend the approval of said lot split to the City Council; and,

WHEREAS, the lot split of real property as described herein has been submitted to the City
Council of the City of Bentonville and, after consideration and deliberation, said Council is of the opinion
that said lot split should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF
BENTONVILLE, ARKANSAS:

Section 1: That the lot split of Lot 9 of Out Lot 16 Subdivision to the City of Bentonville,
Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence
the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED this _____ day of _____, 2021.

APPROVED:

Stephanie Orman, Mayor

ATTEST:

City Clerk



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Planning
Submitted by	Shelli Kerr
Phone	(479)271-6822

Item Type: <i>(Check All That Apply)</i>					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☒ Resolution	☐ Bid Award
Recommendation/Suggested Action <i>(Enter recommendation in space below):</i>					
A resolution to support the installation of artwork titled "This is Your Public Library" in the Bentonville Public Library at 405 S. Main Street. The artwork is a collaboration between local residents and artist Ziba Rajabi to create a woven paper image of the Bentonville city limits. The artwork was funded by a grant from the Walton Family Foundation in association with the Library Needs Assessment Study. There is no cost to the city. Memo and proposal attached.					

Estimated Cost	0
Is this Item Budgeted?	☐ Yes ☒ No
If no, please explain how item will be funded <i>(briefly explain in space below):</i>	
Artwork is being funded by a grant from the Walton Family Foundation in association with the Library Expansion Study.	



117 West Central Avenue, Bentonville, AR 72712
www.bentonvillear.com
PLEASE RECYCLE



MEMO



To: Mayor Stephanie Orman and Bentonville City Council
From: Shelli Kerr, AICP, Comprehensive Planning Manager
On behalf of: Bentonville Public Art Advisory Committee
CC date: January 26, 2021
RE: **"This is Your Public Library" in Bentonville Public Library**

The Bentonville Public Library is seeking approval to install public art titled *"This is Your Public Library"* in the Bentonville Public Library at 405 S. Main Street.

"This is Your Public Library" is a collaborative and community-engagement art piece made with permanent marker illustrations on paper created by library patrons and others interested in the library. Fayetteville artist Ziba Rajabi used the individual illustrations to create a 65" x 65" woven art piece glued on a wooden frame in the shape of the Bentonville city limits. The artwork will be installed over the fireplace in the library.

Please see the attached proposal for the narrative about the artwork. Funding is provided from a private grant and there is no cost to the city.

The Public Art Advisory Committee approved the proposal, 5-0, at its regular meeting on Tuesday, Jan. 12, 2021.



From: noreply@civicplus.com
To: [Shelli Kerr](#)
Subject: Online Form Submittal: Public Art Proposal
Date: Thursday, January 7, 2021 4:24:36 PM

Public Art Proposal

Proposal for Public Art

Is the proposal independent or in response to a request for proposals?	Independent Proposal
--	----------------------

Date	1/7/2021
------	----------

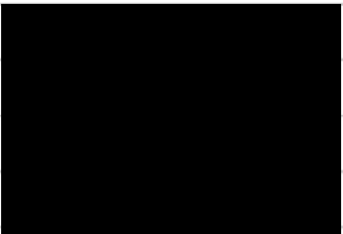
CONTACT INFORMATION

Complete this section if someone other than the artist is completing the form, such as a curator or organization donating artwork to be placed on public property.

Name	Hadi Dudley
Title	Library Director
Organization Name	Bentonville Public Library
Street Address	405 S. Main Street
City	Bentonville
State	AR
Zip Code	72712
Email Address	hdudley@bentonvillear.com
Phone Number	(479)271-3194

ARTIST INFORMATION

Name	Ziba Rajabi
------	-------------

Address	
City	
State	
Zip Code	

Email Address	zibarajabi@gmail.com
Phone Number	(479)270-3499
Upload artist resume / CV	Ziba Rajabi-CV (4) (1).pdf
Artist portfolio	Rajabi_Bani Adam_.pdf
Artist website (if available)	<i>Field not completed.</i>
For Collaborative Proposals: <i>Please use this section to provide information for partnering artists.</i>	
Name	<i>Field not completed.</i>
Address	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip Code	<i>Field not completed.</i>
Email Address	<i>Field not completed.</i>
Phone Number	<i>Field not completed.</i>
Upload artist resume/CV	<i>Field not completed.</i>
Artist portfolio	<i>Field not completed.</i>
Artist website (if available)	<i>Field not completed.</i>
ARTWORK DETAILS	
Title of artwork	This Is Your Public Library
Medium	Wood frame w/ paper, permanent marker and acrylic
Location	Bentonville Public Library
Height	65" h
Width and depth	65" w
Description of artwork	see attachment

Upload narrative	Art Project for Bentonville Public Library (1).pdf
Upload image of proposed artwork	BPL Art Mockups .pdf
INSTALLATION AND MAINTENANCE	
Is the proposal for temporary or permanent display?	Permanent
If temporary, what is the requested display period?	Not applicable
Is the artwork already complete?	No
If artwork is complete, is it currently on display?	No
If artwork is currently on display, when will it be available?	<i>Field not completed.</i>
If artwork is not complete, how much time is needed for fabrication?	1-2 months
Is the artwork best suited for indoor or outdoor display?	Indoor
Is a foundation required to install the artwork?	No
If a foundation is required, indicate the size and shape needed.	<i>Field not completed.</i>
Does the artwork require access to electricity?	No
Does the artwork	No

require access to water?

What is the life expectancy of the artwork?	11 or more years
---	------------------

Are there any special maintenance needs for this artwork?	No
---	----

If yes, describe ongoing maintenance needs.	<i>Field not completed.</i>
---	-----------------------------

BUDGET FOR PERMANENT DISPLAY

Complete this section if the proposal is for a permanent display. If not, type "0" in the space provided to ensure the application is complete.

Upload detailed budget	<i>Field not completed.</i>
------------------------	-----------------------------

Purchase price	n/a
----------------	-----

Delivery and installation cost	n/a
--------------------------------	-----

Total budget for permanent display	n/a
------------------------------------	-----

BUDGET FOR TEMPORARY DISPLAY

Complete this section if the proposal is for a temporary display. If not, type "0" in the space provided to ensure the application is complete.

Upload detailed budget	<i>Field not completed.</i>
------------------------	-----------------------------

Annual lease amount	<i>Field not completed.</i>
---------------------	-----------------------------

Annual insurance cost	<i>Field not completed.</i>
-----------------------	-----------------------------

Total annual cost	<i>Field not completed.</i>
-------------------	-----------------------------

Installation cost	<i>Field not completed.</i>
-------------------	-----------------------------

Deinstallation cost	<i>Field not completed.</i>
---------------------	-----------------------------

Total cost	<i>Field not completed.</i>
------------	-----------------------------

Purchase price	<i>Field not completed.</i>
----------------	-----------------------------

Can the lease amount be credited to the purchase price?	Field not completed.
---	----------------------

FUNDING

What is the planned funding for this proposal?	Private funding
--	-----------------

Is the artwork a donation to the City of Bentonville?	No
---	----

Email not displaying correctly? [View it in your browser.](#)

Collaborative Public Art Project for Bentonville Public Library

The Bentonville Public Library art Project is a collaborative and community-engagement art piece made with paintings created by library patrons and others interested in the library.

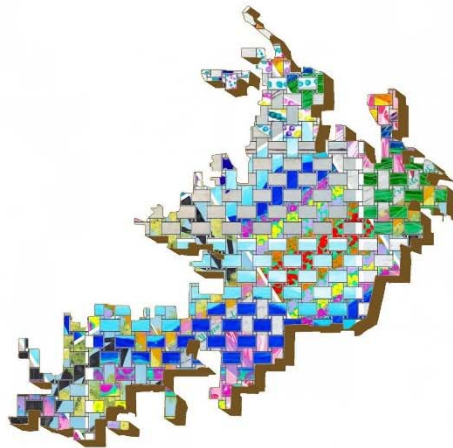
- Process:

Art kits, including markers and canvases, will be distributed during a public engagement workshop. Participants will be asked to paint their ideas about the public library. Afterward, the art pieces will be collected and given to a local artist, Ziba Rajabi, to create a woven art piece. It will then be glued on a wooden frame in the Bentonville map's shape to visually and conceptually address the region. (the image model is attached.)

An artist book will be created from scanned copies of the art submissions; several copies will be ordered for the library's collection and use; this portion of the project will also be coordinated by the Ziba Rajabi.

- Conceptual basis:

The weaving technique represents the concept of intertwining our community's ideas and thoughts about the future expansion of Bentonville Public Library. The final piece will be presented in a frame that is in the shape of the Bentonville map to visually represent the district.





RESOLUTION NO. _____

**A RESOLUTION ENDORSING THE INSTALLATION OF ARTWORK TITLED
“THIS IS YOUR PUBLIC LIBRARY” BY ARTIST ZIBA RAJABI AND
BENTONVILLE PUBLIC LIBRARY PATRONS ON PUBLIC PROPERTY AT
THE BENTONVILLE PUBLIC LIBRARY, 405 S MAIN STREET.**

WHEREAS, the City Council of the City of Bentonville has established the importance of integrating public art into the daily lives of the citizens of Bentonville by adopting a Public Art Policy with Ordinance No. 2013 – 40 on May 14, 2013; and,

WHEREAS, the Public Arts Advisory Committee approved the proposed design and location in the Bentonville Public Library on January 12, 2021; and,

WHEREAS, a private grant is funding the artwork and installation and there is no cost to the city;
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
BENTONVILLE, ARKANSAS:

Section 1: That the City Council of the City of Bentonville, Arkansas hereby endorses the installation of artwork, titled “This is Your Public Library” by artist Ziba Rajabi and Bentonville Public Library patrons and funded by a private grant on public property in the Bentonville Public Library at 405 S. Main Street.

PASSED and APPROVED this ____ day of _____, 2021.

APPROVED

Stephanie Orman, Mayor

ATTEST:

Kirby Romines, City Clerk



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Engineering
Submitted by	Tracy Billings
Phone	(479) 696-0229

Item Type: Public Hearing & Ordinance					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
A public hearing and ordinance vacating Street Right of Way requested for 407 W. Central (VAC20-0032).					

Estimated Cost	\$
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below):	



117 West Central Avenue, Bentonville, AR 72712
www.bentonvillear.com
PLEASE RECYCLE



EXHIBIT "A"

W CENTRAL AVE
(70' R/W REQ'D PER MSP)

HOUSE

GARAGE

SHED

Part of Lot 166
Original Town of Bentonville
Parcel ID: 01-01112-000
HILAND, JAMES W & SUSANNE M
407 W Central Ave.

LEGEND

- PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- - - PROPOSED R.O.W. VACATION PER THIS DOCUMENT
- ⊙ UTILITY POLE
- ⊙ HVAC UNIT
- ⊙ GUY WIRE
- ⊙ WATER METER
- ⊙ WATER VALVE

SCALE: 1" = 40'

NOTE:
IT IS TO BE UNDERSTOOD THAT THIS SKETCH IS DESCRIPTIVE ONLY OF THE SIZE, SHAPE, AND LOCATION OF THE EASEMENT AND DOES NOT CONSTITUTE A PLAT OR SURVEY OF THE GRANTOR'S PROPERTY.

R.O.W. VACATION DESCRIPTION:
BEING A PART OF LOT 166, ORIGINAL TOWN OF BENTONVILLE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A FOUND 1/2" OPEN-TOP PIPE, BEING THE NORTHEAST CORNER OF SAID LOT 166 AND A POINT IN THE SOUTH RIGHT-OF-WAY OF W CENTRAL AVE.; THENCE ALONG THE NORTH LINE OF SAID LOT 166 AND THE SOUTH ROW OF W CENTRAL AVE., NORTH 88°38'53" WEST A DISTANCE OF 75.85 FEET TO A FOUND 1/2" REBAR W/ CAP "AR1642/1756"; THENCE NORTH 88°39'3" WEST A DISTANCE OF 79.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 166 AND A POINT IN THE EAST RIGHT-OF-WAY OF SW D ST.; THENCE ALONG THE WEST LINE OF SAID LOT 166 AND THE EAST RIGHT-OF-WAY OF SW D ST., SOUTH 02°19'59" WEST A DISTANCE OF 97.06 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 02°19'59" WEST A DISTANCE OF 34.02 FEET; THENCE NORTH 88°38'48" WEST A DISTANCE OF 1.22 FEET; THENCE NORTH 01°12'52" EAST A DISTANCE OF 34.02 FEET; THENCE SOUTH 88°30'07" EAST A DISTANCE OF 1.88 FEET TO THE POINT OF BEGINNING, CONTAINING 53 SQUARE FEET OR 0.001 ACRES, MORE OR LESS.

VACATION DETAIL
1"=20'

SCE PROJECT #: 20062
DATE: 08-03-2020
SHEET: 1 OF 1

SHEET:

R.O.W. VACATION EXHIBIT

PROJECT:

**PART OF LOT 166
ORIGINAL TOWN OF BENTONVILLE
407 W. CENTRAL AVE.
BENTONVILLE, ARKANSAS**

Legend

Easement Vacations

Representation: THECAN.DBO.Easement_Vacations_Rep

 Street Vacation

W CENTRAL AVE

SW D ST

SW 2ND ST



1 inch = 39 feet

VAR20-0032
407 W. Central Ave
ROW Vacation



ORDINANCE NO _____

AN ORDINANCE VACATING STREET RIGHT OF WAY AT 407 W. CENTRAL STREET OF BENTONVILLE ORGINIAL SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS (VAC20-0032).

WHEREAS, a petition was filed with the City Council of the City of Bentonville, Arkansas, by James Hiland asking the City Council to vacate street right of way located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

BEING A PART OF LOT 166, ORIGINAL TOWN OF BENTONVILLE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1/2" OPEN-TOP PIPE, BEING THE NORTHEAST CORNER OF SAID LOT 166 AND A POINT IN THE SOUTH RIGHT-OF-WAY OF W CENTRAL AVE.; THENCE ALONG THE NORTH LINE OF SAID LOT 166 AND THE SOUTH ROW OF W CENTRAL AVE., NORTH 88°38'53" WEST A DISTANCE OF 75.85 FEET TO A FOUND 5/8" REBAR W/ CAP "AR1642/1756"; THENCE NORTH 88°39'3" WEST A DISTANCE OF 79.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 166 AND A POINT IN THE EAST RIGHT-OF-WAY OF SW D ST.; THENCE ALONG THE WEST LINE OF SAID LOT 166 AND THE EAST RIGHT-OF-WAY OF SW D ST., SOUTH 02°19'59" WEST A DISTANCE OF 97.06 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 02°19'59" WEST A DISTANCE OF 34.02 FEET; THENCE NORTH 88°38'48" WEST A DISTANCE OF 1.22 FEET; THENCE NORTH 01°12'52" EAST A DISTANCE OF 34.02 FEET; THENCE SOUTH 88°30'07" EAST A DISTANCE OF 1.88 FEET TO THE POINT OF BEGINNING, CONTAINING 53 SQUARE FEET OR 0.001 ACRES, MORE OR LESS.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described street right of way easement.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bentonville, Arkansas:

Section 1: The City of Bentonville, Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to an street right of way designated as follows:

BEING A PART OF LOT 166, ORIGINAL TOWN OF BENTONVILLE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1/2" OPEN-TOP PIPE, BEING THE NORTHEAST CORNER OF SAID LOT 166 AND A POINT IN THE SOUTH RIGHT-OF-WAY OF W CENTRAL AVE.; THENCE ALONG THE NORTH LINE OF SAID LOT 166 AND THE SOUTH ROW OF W CENTRAL AVE., NORTH 88°38'53" WEST A DISTANCE OF 75.85 FEET TO A FOUND 5/8" REBAR W/ CAP "AR1642/1756"; THENCE NORTH 88°39'3" WEST A DISTANCE OF 79.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 166 AND A POINT IN THE EAST RIGHT-OF-WAY OF SW D ST.; THENCE ALONG THE WEST LINE OF SAID LOT 166 AND THE EAST RIGHT-OF-WAY OF SW D ST., SOUTH 02°19'59" WEST A DISTANCE OF 97.06 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 02°19'59" WEST A DISTANCE OF 34.02 FEET; THENCE NORTH 88°38'48" WEST A DISTANCE OF 1.22 FEET; THENCE NORTH 01°12'52" EAST A DISTANCE OF 34.02 FEET; THENCE SOUTH 88°30'07" EAST A DISTANCE OF 1.88 FEET TO THE POINT OF BEGINNING, CONTAINING 53 SQUARE FEET OR 0.001 ACRES, MORE OR LESS.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas, and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2021, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Kirby Romines, City Clerk/Recorder
City of Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



Agenda Item Form

Date of City Council Meeting	1/26/2020
Department	ENGINEERING
Submitted by	TRACY BILLINGS
Phone	(479) 696-0229

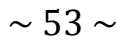
Item Type: Public Hearing and Ordinance					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Public hearing and ordinance vacating a Utility Easement requested for 4100 North Rainbow Farm Road (VAC20-0033).					

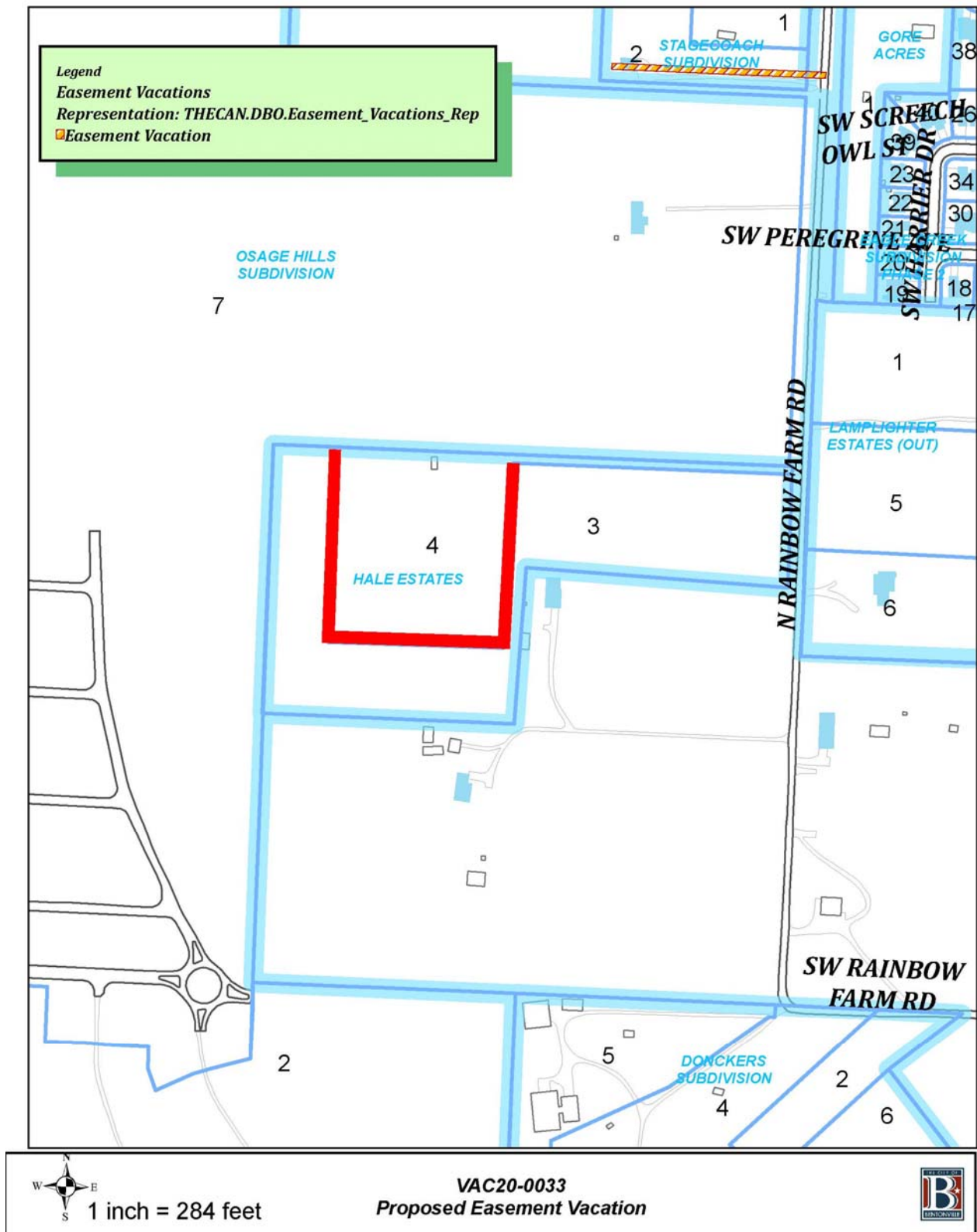
Estimated Cost	\$
Is this Item Budgeted?	☐ Yes ☒ No
If no, please explain how item will be funded (briefly explain in space below):	



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ORDINANCE NO _____

AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED AT 4100 N. RAINBOW FARM ROAD TO THE CITY OF BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS (VAC20-0033).

WHEREAS, a petition was filed with the City Council of the City of Bentonville, Arkansas, by Joshua Holder asking the City Council to vacate a utility easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

AN EXISTING 30' UTILITY EASEMENT BEING 15.00 FEET EACH SIDE OF A CENTERLINE, BEING IN PART OF LOT 3 AND LOT 4 OF HALE ESTATES LOT SPLIT, INSTRUMENT #L201822220, BEING RECORDED IN THE OFFICE OF THE EXOFFICIO RECORDER OF BENTON COUNTY, IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE NE CORNER OF LOT 3;

THENCE N 87°33'58"W 685.26 FEET TO A FOUND IRON PIN FOR THE POINT OF BEGINNING OF A CENTERLINE;

THENCE ALONG SAID CENTERLINE THROUGH THE FOLLOWING BEARINGS AND DISTANCES;

S 03°00'46"W 442.60 FEET TO A FOUND IRON PIN;
N 88°06'19"W 431.64 FEET TO A FOUND IRON PIN;
N 02°11'53"E 461.64 FEET TO THE POINT OF TERMINATION.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described utility easement.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bentonville, Arkansas:

Section 1: The City of Bentonville Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to a utility easement designated as follows:

AN EXISTING 30' UTILITY EASEMENT BEING 15.00 FEET EACH SIDE OF A CENTERLINE, BEING IN PART OF LOT 3 AND LOT 4 OF HALE ESTATES LOT SPLIT,

INSTRUMENT #L201822220, BEING RECORDED IN THE OFFICE OF THE EXOFFICIO RECORDER OF BENTON COUNTY, IN THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE NE CORNER OF LOT 3;

THENCE N 87°33'58"W 685.26 FEET TO A FOUND IRON PIN FOR THE POINT OF BEGINNING OF A CENTERLINE;

THENCE ALONG SAID CENTERLINE THROUGH THE FOLLOWING BEARINGS AND DISTANCES;

S 03°00'46"W 442.60 FEET TO A FOUND IRON PIN;
N 88°06'19"W 431.64 FEET TO A FOUND IRON PIN;
N 02°11'53"E 461.64 FEET TO THE POINT OF TERMINATION.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2021 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Kirby Romines, City Clerk/Recorder
City of Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



Agenda Item Form

Date of City Council Meeting	1/26/2020
Department	ENGINEERING
Submitted by	TRACY BILLINGS
Phone	(479) 696-0229

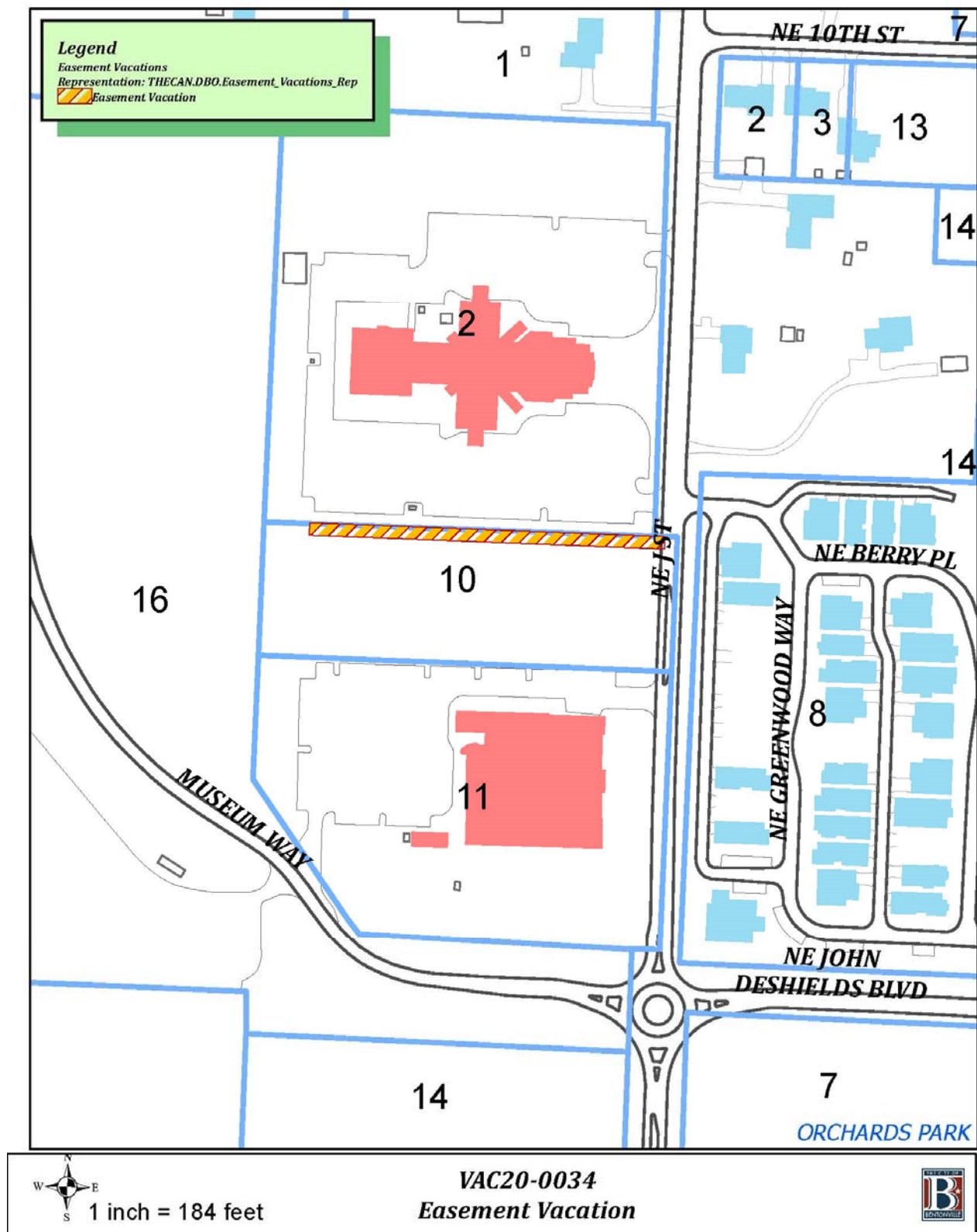
Item Type: Public Hearing and Ordinance					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Public hearing and ordinance vacating a Utility Easement requested for 1005 Museum Way (VAC20-0034).					

Estimated Cost	\$
Is this Item Budgeted?	☐ Yes ☒ No
If no, please explain how item will be funded (briefly explain in space below):	



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ORDINANCE NO _____

**AN ORDINANCE VACATING A UTILITY EASEMENT LOCATED AT 1005
MUSEUM WAY OF CRYSTAL BRIDGES MUSEUM ADDITION TO THE CITY OF
BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS (VAC20-0034).**

WHEREAS, a petition was filed with the City Council of the City of Bentonville, Arkansas, by Alice L. Walton asking the City Council to vacate a utility easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

PORTION OF UTILITY EASEMENT TO BE VACATED:

A PORTION OF A 20 FOOT WIDE UTILITY EASEMENT LOCATED IN A PART OF LOT 10, CRYSTAL BRIDGES MUSEUM ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON LOT SPLIT OF LOT 4 IN PLAT BOOK 2013 AT PAGE 526 OF THE PLAT RECORDS OF BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N87°45'23"W 20.00' FROM AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF SAID LOT 10 AND RUNNING THENCE S01°34'16"W 20.00', THENCE N87°45'23"W 566.08', THENCE N02°30'32"E 20.00', THENCE S87°45'23"E 565.75' TO THE POINT OF BEGINNING, CONTAINING 0.26 ACRES, MORE OR LESS.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described utility easement.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bentonville, Arkansas:

Section 1: The City of Bentonville Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to a utility easement designated as follows:

PORTION OF UTILITY EASEMENT TO BE VACATED:

A PORTION OF A 20 FOOT WIDE UTILITY EASEMENT LOCATED IN A PART OF LOT 10, CRYSTAL BRIDGES MUSEUM ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON LOT SPLIT OF LOT 4 IN PLAT BOOK 2013 AT PAGE 526 OF THE PLAT RECORDS OF BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS

FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N87°45'23"W 20.00' FROM AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF SAID LOT 10 AND RUNNING THENCE S01°34'16"W 20.00', THENCE N87°45'23"W 566.08', THENCE N02°30'32"E 20.00', THENCE S87°45'23"E 565.75' TO THE POINT OF BEGINNING, CONTAINING 0.26 ACRES, MORE OR LESS.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2021 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Kirby Romines, City Clerk/Recorder
City of Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



Agenda Item Form

Date of City Council Meeting	1/26/2020
Department	Engineering
Submitted by	Tracy Billings
Phone	696-0229

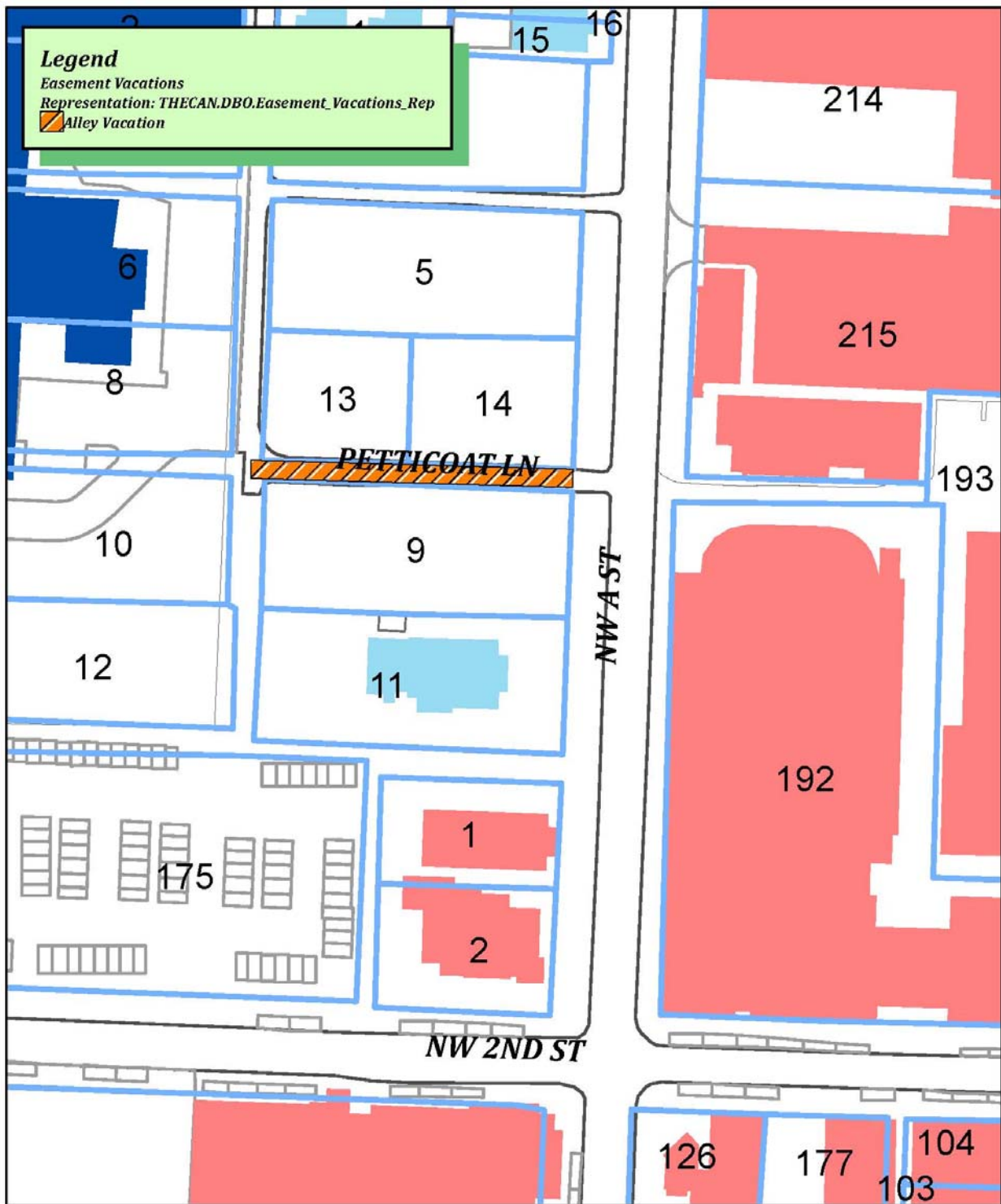
Item Type: Public Hearing and Ordinance					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Public hearing and ordinance vacating Alley Right of Way at Petticoat Lane (VAC20-0035).					

Estimated Cost	\$
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below):	



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1 inch = 80 feet

VAC20-0035
 Alley Vacation



ORDINANCE NO _____

AN ORDINANCE VACATING ALLEY RIGHT OF WAY OF PETTICOAT LANE
BEING A PART OF THE ORIGINAL TOWN OF BENTONVILLE TO THE CITY OF
BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS (VAC20-0032).

WHEREAS, a petition was filed with the City Council of the City of Bentonville, Arkansas, by CEI Engineering asking the City Council to vacate alley right of way located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

A 12' Alley being a Part of the Original Town of Bentonville, Benton County, Arkansas Plat Book S, Page 75 & 76, being known as, and being described by metes and bounds from an on-the-ground survey based on bearings established using NAD83, performed on 11-6-19 by CEI Engineering Associates, Inc. as follows:

BEGINNING at a found mag nail being the Southeast corner of Lot 14 of Claypool Addition recorded in Plat Book 19, Page 203;

THENCE along the West Right of Way of Northwest A Street, South 02°23'52" West a distance of 12.05 feet to the Northeast corner of Lot 9 of Claypool Addition recorded in Plat Book 5, Page 155;

THENCE along the North boundary line of said Lot 9, N87°41'37" West a distance of 212.98 feet to a found railroad spike being the Northwest corner of said Lot 9;

THENCE leaving said North line, North 02°02'53" East a distance of 12.05 to a found railroad spike at the Southwest corner of Lot 13 of said Claypool Addition;

THENCE along the South boundary line of aforementioned Plat Book 19, Page 203, South 87°41'37" East a distance of 213.06 feet to the POINT OF BEGINNING and containing 2,567 square feet or 0.01 acres, more or less.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described alley right of way easement.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bentonville, Arkansas:

Section 1: The City of Bentonville, Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to an alley right of way designated as follows:

A 12' Alley being a Part of the Original Town of Bentonville, Benton County, Arkansas Plat Book S, Page 75 & 76, being known as, and being described by metes and bounds from an on-

the-ground survey based on bearings established using NAD83, performed on 11-6-19 by CEI Engineering Associates, Inc. as follows:

BEGINNING at a found mag nail being the Southeast corner of Lot 14 of Claypool Addition recorded in Plat Book 19, Page 203;

THENCE along the West Right of Way of Northwest A Street, South $02^{\circ}23'52''$ West a distance of 12.05 feet to the Northeast corner of Lot 9 of Claypool Addition recorded in Plat Book 5, Page 155;

THENCE along the North boundary line of said Lot 9, N $87^{\circ}41'37''$ West a distance of 212.98 feet to a found railroad spike being the Northwest corner of said Lot 9;

THENCE leaving said North line, North $02^{\circ}02'53''$ East a distance of 12.05 to a found railroad spike at the Southwest corner of Lot 13 of said Claypool Addition;

THENCE along the South boundary line of aforementioned Plat Book 19, Page 203, South $87^{\circ}41'37''$ East a distance of 213.06 feet to the POINT OF BEGINNING and containing 2,567 square feet or 0.01 acres, more or less.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas, and recorded in the deed records of the County.

Section 3: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2021, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Kirby Romines, City Clerk/Recorder
City of Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



Agenda Item Form

Date of City Council Meeting	1/12/2020
Department	ENGINEERING
Submitted by	TRACY BILLINGS
Phone	(479) 696-0229

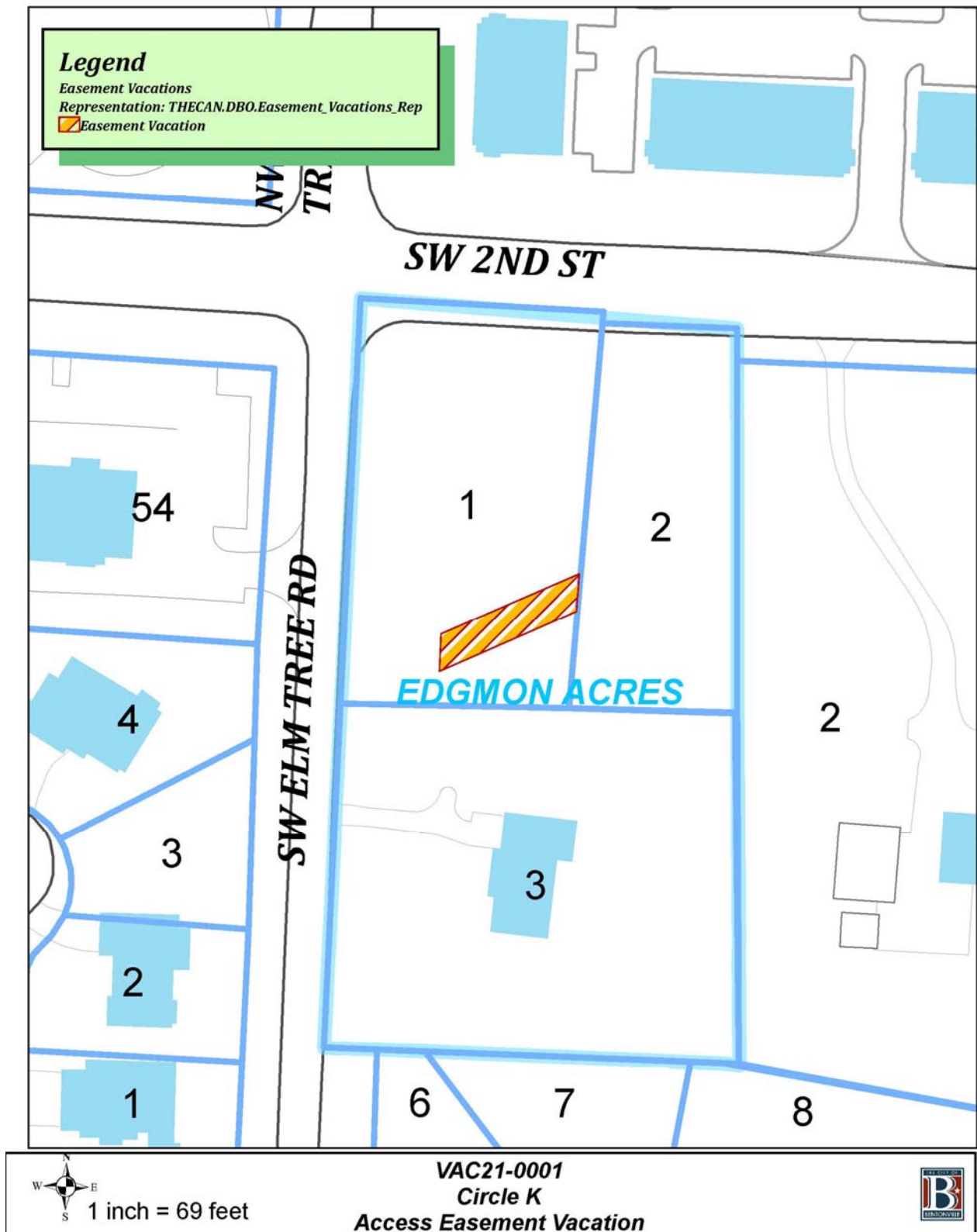
Item Type: Resolution to set public hearing					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☒ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Resolution setting a public hearing for February 9, 2021 for a Utility Easement Vacation requested for 3301 SW 2nd Street (VAC21-0001).					

Estimated Cost	\$
Is this Item Budgeted?	☐ Yes ☒ No
If no, please explain how item will be funded (briefly explain in space below):	



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RESOLUTION NO. _____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas by Elm Tree CK, LLC requesting a utility easement vacation (VAC21-0001) within the City of Bentonville, Arkansas be vacated, which said utility easement is described as follows:

PART OF LOT 1 OF EDGMON ACRES, AS PER PLAT BOOK 16 AT PAGE 63 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT1 OF SAID EDGMON ACRES;
THENCE ALONG THE EAST LINE THEREOF N04°22'24"E 57.96 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHERLY LINE OF A 20 FOOT POWER LINE EASEMENT, AS SHOWN ON PLAT RECORD BOOK 16 AT PAGE 63;

THENCE ALONG SAID SOUTHERLY LINE S66°22'44"W 89.33 FEET TO THE EAST LINE OF A 30 FOOT UTILITY EASEMENT, AS SHOWN ON PLAT RECORD BOOK 16 AT PAGE 63;

THENCE ALONG SAID EAST LINE N02°37'00"E 22.30 FEET THE NORTHERLY LINE OF A 20 FOOT POWER LINE EASEMENT, AS SHOWN ON PLAT RECORD BOOK 16 AT PAGE 63;

THENCE ALONG SAID NORTHERLY LINE N66°22'44"E 90.10 FEET TO THE EAST LINE OF LOT1 OF SAID EDGMON ACRES;

THENCE ALONG SAID EAST LINE S04°22'24"W 22.65 FEET TO THE POINT OF BEGINNING, CONTAINING 1794 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published in and having general circulation in Bentonville, Benton County, Arkansas.

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to close the above described utility easement is set for a hearing on February 9, 2021 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved and adopted the _____ day of _____ 2021 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Kirby Romines, City Clerk
Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Police Department
Submitted by	Chief Jon Simpson
Phone	(479) 271-3173

Item Type: <i>(Check All That Apply)</i>					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action <i>(Enter recommendation in space below):</i>					
Ordinance requesting a waiver of bid to allow for the purchase of Patrol Uniforms from Galls, LLC in Springdale, Arkansas. The 2021 Budget total budget allotment for Police Department Uniform Supplies is \$109,700.00. This includes Dispatch Uniforms, Patrol Uniforms, Bike Team Uniforms, SWAT Uniforms, Bomb Squad Uniforms, Leather Gear, Ballistic Vest and other Soft Uniform items such as coats, jackets, rain gear, hats, and informal uniforms. Patrol Uniforms and Replacement Uniforms account for the largest portion of this expense and represents about \$60,000.00 of this total. Factors such as new employees, employment turnover, and general wear and tear, determine the actual yearly expense related to Patrol Uniforms and replacements. The department currently uses Galls for such uniform and uniform related needs. Being located in Springdale, this provider promotes safety and convenience by allowing local, timely and cost effective uniform measuring, fitting, alterations, and availability. This waiver of bid has been internally reviewed by the City's Purchasing Manager and would not exceed the budgeted amount, duplicating 2020.					

Estimated Cost	\$109,700.00
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded <i>(briefly explain in space below)</i> :	



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Waiver of Bid Request

Date of City Council Meeting	1/26/2021
Department	Police Department
Submitted by	Chief Jon Simpson
Phone	(479) 271-3173

Vendor	Galls, LLC
Total Cost	\$109,700.00
Description of Purchase <i>(This should include a detailed description of the type of material, equipment or service that is being requested including make, model, year & options if applicable. Enter details in space below):</i>	
Dispatch Uniforms, Patrol Uniforms, Bike Team Uniforms, SWAT Uniforms, Bomb Squad Uniforms, Leather Gear, Ballistic Vests and other Soft Uniform items such as coats, jackets, rain gear, hats, and informal uniforms. Items have various descriptions, manufacturers, and product details.	

Justification <i>(Enter justification in space below):</i>
Due to being determined the sole source provider for public safety uniforms and uniform accessories for the City's public safety Departments, as explained in the attached Memos, it is impracticable to solicit bids for the purchase of these items.



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MEMORANDUM

PURCHASING OFFICE

TO: ADMINISTRATION

FROM: Gladys Shoemake, Purchasing Manager

DATE: January 11, 2021

SUBJECT: The purchase of public safety uniforms and uniform accessories.

In 2019, the Purchasing Office conducted an internal review of public safety uniforms and uniform accessory purchases, with the primary goal being to assess the practicality in inviting competitive bids for the purchase of public safety uniforms and accessories.

On March 13, 2020 Purchasing issued a Memo explaining the determination that Galls, LLC was the sole source provider for the City's public safety uniforms; a copy of this Memo is attached.

In January 2021, Purchasing reviewed the information in the March 13, 2020 Memo and consulted with the City's Police and Fire Departments, determining that there had been no change to the information included in the original Memo/found in the original review of public safety uniforms and uniform accessory purchases.

Purchasing will conduct this review annually, to determine if any change has been found and either communicate that change or adjust the recommendation for the purchase of these items.

Please feel free to contact me with any questions.

Gladys Shoemake

(479) 271-3115

gshoemake@bentonvillear.com



MEMORANDUM

PURCHASING OFFICE

TO: ADMINISTRATION

FROM: Gladys Shoemake, Purchasing Manager

DATE: March 13, 2020

SUBJECT: The purchase of public safety uniforms and uniform accessories.

The City currently purchases the majority of public safety uniforms and uniform accessories from Galls, LLC.

In 2019, the Purchasing Office conducted an internal review of public safety uniform and uniform accessory purchases, with the primary goal being to assess the practicality in inviting competitive bids for the purchase of public safety uniforms and accessories.

The following are important factors considered during this review:

- Public safety uniforms consist of non-typical uniform types, such as police (which require expedited alterations and repairs) and fire clothing types, but also require the purchase of various small accessories. Other City Departments, not in the public safety sector, use more standardized uniforms, such as khaki pants or jeans and polo shirts and jackets.
 - Purchasing determined that the various accessories needed by public safety staff, such as holsters for various weapons, make the uniform needs for these Departments unique from other City Departments. Furthermore, these additional needs make it difficult to determine spending thresholds applicable to different procurement methods (bidding, cooperative contract use etc.) due to the different types of the items (ex. purchase of pants/shirts vs. purchase of holsters/belts).
- Galls offers a Springdale, Arkansas location, which allows the public safety Departments to pick up/drop off uniforms according to their availability.
- Galls has consistently been acquiring other local public safety uniform providers, such as Cruise Uniforms (now a Galls company), drastically limiting the vendor pool that would be potential bidders, if bidding these uniform types was determined practical.

- According to the Police Department, Galls/Cruise is the only local provider that allows pick-up and alterations; the Police Department utilizes and relies on these services frequently.
- Some Galls items are available through the Federal Cooperative (Co-Op), GSA, via utilization of Contract GS-07F-0157M. Both Departments utilize this cooperative pricing when applicable.
 - Pursuant to §19-11-249, use of a Co-Op is permitted. When Departments request to purchase from a Co-Op, Purchasing conducts a review of the Co-Op contract to determine if the contract is in line with both Arkansas State Law and City purchasing procedures, as well as if the purchases from the contract can be accurately tracked and verified.
 - Due to the nature of how the Federal Co-Op offerings are organized, and the wide array of available options in public safety uniform accessories, Purchasing determined that it was not feasible to expect public safety departments to accurately track and confirm all pricing offered through the cooperative using solely cooperative contract participation.

Based on the above factors and the nature of public safety uniform needs, Purchasing has determined Galls, LLC to be sole source for the City's public safety uniform purchases.

Pursuant to §14-58-303, the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical, may be waived by ordinance by the City's governing body. In accordance with this Statute, Purchasing recommends that the City's public safety Departments waive competitive bidding for the purchase of these uniforms and accessories from Galls, using GSA Federal Co-Op pricing and alternate cost options offered by Galls to realize cost savings when applicable.

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE MAYOR AND THE
CITY CLERK TO ENTER INTO AN AGREEMENT FOR
THE PURCHASE OF UNIFORMS FOR THE
BENTONVILLE POLICE DEPARTMENT AND WAIVING
THE REQUIREMENT OF COMPETITIVE BIDDING.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement for the purchase of uniforms for the Bentonville Police Department from Galls Uniforms in Springdale, Arkansas in an amount not to exceed the budgeted allotment for uniform supplies.

Section 2: Because having a local provider of uniforms promotes necessary officer safety and efficiency and because Galls Uniforms is the only local vendor of such supplies and has required uniform components readily available, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Fire
Submitted by	Brent Boydston
Phone	(479) 271-5927

Item Type: (Check All That Apply)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☒ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Ordinance requesting a waiver of bid for the purchase of uniforms for the Bentonville Fire Department employees. Due to uniform requirements, Galls LLC is able to supply all of the fire department needs and they have a location in Springdale Arkansas.					

Estimated Cost	85000
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below):	



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Waiver of Bid Request

Date of City Council Meeting	1/26/2021
Department	Fire
Submitted by	Brent Boydston
Phone	(479) 271-5927

Vendor	Galls LLC
Total Cost	\$ 85,000.00
Description of Purchase <i>(This should include a detailed description of the type of material, equipment or service that is being requested including make, model, year & options if applicable. Enter details in space below):</i>	
Uniforms for all Fire Department employees.	

Justification <i>(Enter justification in space below):</i>
Due to being determined the sole source provider for public safety uniforms and uniform accessories for the City's public safety Departments, as explained in the attached Memos, it is impracticable to solicit bids for the purchase of these items.



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MEMORANDUM

PURCHASING OFFICE

TO: ADMINISTRATION

FROM: Gladys Shoemake, Purchasing Manager

DATE: January 11, 2021

SUBJECT: The purchase of public safety uniforms and uniform accessories.

In 2019, the Purchasing Office conducted an internal review of public safety uniforms and uniform accessory purchases, with the primary goal being to assess the practicality in inviting competitive bids for the purchase of public safety uniforms and accessories.

On March 13, 2020 Purchasing issued a Memo explaining the determination that Galls, LLC was the sole source provider for the City's public safety uniforms; a copy of this Memo is attached.

In January 2021, Purchasing reviewed the information in the March 13, 2020 Memo and consulted with the City's Police and Fire Departments, determining that there had been no change to the information included in the original Memo/found in the original review of public safety uniforms and uniform accessory purchases.

Purchasing will conduct this review annually, to determine if any change has been found and either communicate that change or adjust the recommendation for the purchase of these items.

Please feel free to contact me with any questions.

Gladys Shoemake

(479) 271-3115

gshoemake@bentonvillear.com



MEMORANDUM

PURCHASING OFFICE

TO: ADMINISTRATION

FROM: Gladys Shoemake, Purchasing Manager

DATE: March 13, 2020

SUBJECT: The purchase of public safety uniforms and uniform accessories.

The City currently purchases the majority of public safety uniforms and uniform accessories from Galls, LLC.

In 2019, the Purchasing Office conducted an internal review of public safety uniform and uniform accessory purchases, with the primary goal being to assess the practicality in inviting competitive bids for the purchase of public safety uniforms and accessories.

The following are important factors considered during this review:

- Public safety uniforms consist of non-typical uniform types, such as police (which require expedited alterations and repairs) and fire clothing types, but also require the purchase of various small accessories. Other City Departments, not in the public safety sector, use more standardized uniforms, such as khaki pants or jeans and polo shirts and jackets.
 - Purchasing determined that the various accessories needed by public safety staff, such as holsters for various weapons, make the uniform needs for these Departments unique from other City Departments. Furthermore, these additional needs make it difficult to determine spending thresholds applicable to different procurement methods (bidding, cooperative contract use etc.) due to the different types of the items (ex. purchase of pants/shirts vs. purchase of holsters/belts).
- Galls offers a Springdale, Arkansas location, which allows the public safety Departments to pick up/drop off uniforms according to their availability.
- Galls has consistently been acquiring other local public safety uniform providers, such as Cruise Uniforms (now a Galls company), drastically limiting the vendor pool that would be potential bidders, if bidding these uniform types was determined practical.

- According to the Police Department, Galls/Cruise is the only local provider that allows pick-up and alterations; the Police Department utilizes and relies on these services frequently.
- Some Galls items are available through the Federal Cooperative (Co-Op), GSA, via utilization of Contract GS-07F-0157M. Both Departments utilize this cooperative pricing when applicable.
 - Pursuant to §19-11-249, use of a Co-Op is permitted. When Departments request to purchase from a Co-Op, Purchasing conducts a review of the Co-Op contract to determine if the contract is in line with both Arkansas State Law and City purchasing procedures, as well as if the purchases from the contract can be accurately tracked and verified.
 - Due to the nature of how the Federal Co-Op offerings are organized, and the wide array of available options in public safety uniform accessories, Purchasing determined that it was not feasible to expect public safety departments to accurately track and confirm all pricing offered through the cooperative using solely cooperative contract participation.

Based on the above factors and the nature of public safety uniform needs, Purchasing has determined Galls, LLC to be sole source for the City's public safety uniform purchases.

Pursuant to §14-58-303, the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical, may be waived by ordinance by the City's governing body. In accordance with this Statute, Purchasing recommends that the City's public safety Departments waive competitive bidding for the purchase of these uniforms and accessories from Galls, using GSA Federal Co-Op pricing and alternate cost options offered by Galls to realize cost savings when applicable.

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE MAYOR AND THE
CITY CLERK TO ENTER INTO AN AGREEMENT FOR
THE PURCHASE OF UNIFORMS FOR THE
BENTONVILLE FIRE DEPARTMENT AND WAIVING
THE REQUIREMENT OF COMPETITIVE BIDDING.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement for the purchase of uniforms for the Bentonville Fire Department from Galls Uniforms in Springdale, Arkansas in an amount not to exceed the budgeted allotment for uniform supplies.

Section 2: Because having a local provider of uniforms promotes necessary firefighter safety and efficiency and because Galls is the sole source as the only local vendor of such supplies and has required uniform components readily available, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



Agenda Item Form

Date of City Council Meeting	1/28/2021
Department	Human Resources
Submitted by	Ed Wheeler
Phone	(479) 271-3191

Item Type: (Check All That Apply)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
An ordinance approving the 2021 Pay Plan for the City of Bentonville. The 2021 pay plan incorporates all the budgeted pay adjustments, grade changes, title changes, and new positions.					

Estimated Cost	None
Is this Item Budgeted?	☐ Yes ☒ No
If no, please explain how item will be funded (briefly explain in space below):	



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10 January, 2021

To: Bentonville City Council

From: Human Resources

Subject: Memo Concerning Adoption of the 2021 Pay Plan

1. Staff recommends that the City Council approve the adoption of the 2021 pay plan – replacing the 2020 pay plan.
2. The 2021 pay plan incorporates all the budgeted pay adjustments, grade changes, title changes, and new positions. Periodically throughout the year the City shares this pay plan with various state government agencies, other municipalities, and the media concerning pay range information and for the participation in various salary surveys.

2021 City of Bentonville Pay Plan Changes

Pay Range Adjustments

- Add 1.3% (COLA) to current pay ranges

Existing Position Grade Changes

- Move Chief Court Clerk – Grade 33 to Grade 34
- Move Planning Services Manager – Grade 36 to Grade 35

Existing Position Title Changes

- Change "IT Manager" to "IT Director"
- Change "Line Locator" to "Damage Prevention Specialist"
- Change "Water Distribution Operator" to "Water Distribution Controller"
- Change "Wastewater Lab Pretreatment Technician" to "Pretreatment Coordinator"
- Change "Water Distribution Inspector" to "Cross Connection Control Coordinator"
- Change "Water Distribution Specialist I" to "Water Distribution Specialist Associate"
- Change "Water Distribution Specialist II" to "Water Distribution Specialist Intermediate"
- Change "Water Distribution Specialist III" to "Water Distribution Specialist Senior"
- Change "Wastewater Collection Specialist I" to "Wastewater Collection Specialist Associate"
- Change "Wastewater Collection Specialist II" to "Wastewater Collection Specialist Intermediate"
- Change "Wastewater Collection Specialist III" to "Wastewater Collection Specialist Senior"
- Change One (1) "Recreation Specialist I/II/III" position to a "Marketing & Promotion Specialist I/II/III" position

New Full-Time Positions

- Add One (1) Meter Reader II Position - Grade 17
- Add One (1) Bike & Pedestrian Planner – Grade 33
- Add One (1) Asst. Water Department Manager - Technical Services – Grade 33.
- Convert One (1) Warehouse Worker, Grade 16 to Inventory Crew Leader, Grade 19.
- Convert One (1) PW Maintenance Worker II, Grade 15 to a PW Custodian II, Grade 14.

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING CERTAIN AMENDMENTS
TO THE 2021 PAY PLAN FOR THE CITY OF
BENTONVILLE, ARKANSAS.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That certain amendments to the City of Bentonville Pay Plan should be,
and the same are hereby approved, as attached hereto as Exhibit "A."

PASSED and APPROVED this _____ day of _____, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Administration
Submitted by	Mayor Stephanie Orman
Phone	(479) 271-5966

Item Type: (Check All That Apply)					
☐ Budget Adjustment	☐ Change Order	☒ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Mayor recommends appointment of Holly Hook to the City of Bentonville's Tree and Landscape Committee. Ms. Hook will serve as an ex-officio member and be filling Jon Terlouw's unexpired term that will end 12/31/21.					

Estimated Cost	\$
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below):	



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August 21, 2021

To: City Council Members
From: Mayor Stephanie Orman
Subject: Appointment of Holly Hook to Bentonville's Tree and Landscape Advisory Committee.

I recommend Holly Hook for appointment to serve as the ex-officio member for the City of Bentonville's Tree and Landscape Advisory Committee. Ms. Hook will be filling Jon Terlouw's unexpired term that ends December 31, 2021.

So
Stephanie Orman



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Administration
Submitted by	Mayor Stephanie Orman
Phone	(479) 271-5966

Item Type: (Check All That Apply)					
☐ Budget Adjustment	☐ Change Order	☒ Informational	☐ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Mayor recommends appointment of Gayatri Agnew to the City of Bentonville's Public Arts Advisory Committee. Ms. Agnew will serve as an ex-officio member with her term expiring 12/31/24.					

Estimated Cost	\$
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below):	



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January 21, 2021

To: City Council Members & City Clerk

From: Mayor Stephanie Orman

Subject: Appointment of Gayatri Agnew to the City of Bentonville's Public Arts Advisory Committee.

I recommend Gayatri Agnew for appointment as the ex-officio member to the City of Bentonville's Public Arts Advisory Committee. Ms. Agnew's term will expire on January 31, 2024.

So
Stephanie Orman



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Parks and Recreation
Submitted by	David Wright
Phone	(479) 271.6813

Item Type: <i>(Check All That Apply)</i>					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☐ Resolution	☒ Bid Award
Recommendation/Suggested Action <i>(Enter recommendation in space below):</i> Ordinance approving a bid waiver to Bentonville Youth Baseball for officiating services for Bentonville Parks and Recreation.					

Estimated Cost	\$47,370
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded <i>(briefly explain in space below):</i>	



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Waiver of Bid Request

Date of City Council Meeting	1/26/2021
Department	Parks and Recreation
Submitted by	David Wright
Phone	(479) 271.6813

Vendor	Bentonville Youth Baseball
Total Cost	\$47,370
Description of Purchase <i>(This should include a detailed description of the type of material, equipment or service that is being requested including make, model, year & options if applicable. Enter details in space below):</i>	
Parks and Recreation utilizes a provider for baseball officials for recreational league play. The provider recruits, trains, schedules, and pays the officials for their services. The provider will then invoice BPR for these services. Utilizing this provider reduces the amount of individual contractors Parks and Recreation needs and creates one point of contact for the officials, which makes this process much more efficient.	

Justification <i>(Enter justification in space below):</i>
As the partner organization for our youth baseball program, BYB is currently the only qualified organization to offer this service. Due to this it is impracticable to solicit bids for these services.



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Memo



To: City Council, Mayor Orman
From: Josh Stacey, Recreation Services Manager
Through: David Wright, Parks and Recreation Director
Date: January 12, 2021
Re: Bentonville Youth Baseball- Baseball Officials

Bid waiver in the amount of \$47,370 to Bentonville Youth Baseball (BYB) for the service of providing baseball officials for Parks and Recreation.

Parks and Recreation utilizes a provider for officials for recreational league play. The provider recruits, trains, schedules, and pays the officials for their services. The provider will then invoice BPR for these services. Utilizing this provider reduces the amount of individual contractors Parks and Recreation needs and creates one point of contact for the officials, which makes this process much more efficient.

The agreement attached, allows Parks and Recreation to enter into a contract with BYB for the service of providing officials for youth baseball recreational league play. Due to the demand and number of baseball participants in these programs, the amount of games that need to be officiated is extremely high. Parks and Recreation is anticipating paying BYB \$47,370 for the service of providing officials. This expense is fully recouped through registration fees for this program and is a budgeted item.

If you have any questions regarding this item, please let me know. Please call me at 696.0204, or email jstacey@bentonvillear.com.



Memorandum of Understanding

To: Pamela Hyatt Bentonville Youth Baseball

From: Bentonville Parks and Recreation

Date: 1/21, 2021

Re: Partnership for providing umpires for Bentonville Parks and Recreation baseball league.

This Memorandum of Understanding (MOU) intends to outline the partnership and working arrangement between the Bentonville Youth Baseball (BYB) and Bentonville Parks and Recreation (BPR) for the baseball league operated at Bentonville municipal parks in 2021.

1. The term for this Memorandum of Understanding shall be one (1) year, beginning on January 1, 2021 and ending on December 31, 2021.
2. BPR is responsible for managing baseball programs, including but not limited to the leagues for citizens of Bentonville.
3. BPR will create marketing and registration material for recreational leagues, allowing for input from BYB where it pertains to official's and participant's needs.
4. BPR will create all schedules for games for the baseball programs, allowing for input from BYB where it pertains to official's and participant's needs.
5. BYB will be responsible for providing umpires for league events located in Bentonville public parks.
6. BYB understands that they, nor any of their employees, officials or contractors are employees of the City of Bentonville. BYB is solely responsible for their personnel, including the recruiting, training, evaluation, scheduling and payment of officials for all BPR baseball programs.
7. Officials provided by BYB will be expected to contact BPR for questions regarding the program, assigning, or any other relevant information to successfully officiate the league.

2021 City of Bentonville Memorandum of Understanding (MOU)

8. BYB will ensure that all officials are sanctioned by the appropriate governing body and have insurance that includes, but is not limited to liability insurance and Worker's Compensation insurance as required by Arkansas Statute.

9. Invoicing:

BYB shall submit a signed invoice to the remittance address below bi-weekly on Tuesdays, with exact dates to be determined between BPR and BYB prior to the season start.

Invoice Remittance Address:
City Hall – ATTN: Accounts Payable
117 West Central Ave.
Bentonville, AR 72712

Invoices submitted on time and to the correct address will be paid within 14 days of receipt.

10. BPR agrees to pay the following rates to BYB for officials for the 2021 season(s):

Baseball Tournament Umpire(s)

Umpire Description	Number of Crew (ex. 2 person crew)	All Time Limits (ex. 0-70 minutes)	Payment (Per Game, Per Official)
1 st year MER/MEM	2-person crew	1 game	\$25.00
2-3 rd year MER/MEM	2-person crew	1 game	\$30.00
4-5 year-max MER/MEM	2-person crew	1 game	\$35.00
Level 1 Phillips	2-person crew	1 game	\$37.50
Level 2 Phillips	2-person crew	1 game	\$40.00
Level 3 Phillips	2-person crew	1 game	\$45.00
Level 4 – High School Phillips	2-person crew	1 game	\$50.00

Other Fees/Payments

League UIC Administrative Assigning Fee: \$500 Administrative fee per year plus \$200 per week paid biweekly during the duration of the spring and fall seasons

2021 City of Bentonville Memorandum of Understanding (MOU)

BPR will provide BYB a detailed list of official's games and pay rate for each game, with a total for each official, prior to each bi-weekly payment period.

Total anticipated annual payment to BYB for 2021: \$47,370.00

11. Any changes to the term or total anticipated annual payment of this MOU will require a formal Amendment and may require approval from the Bentonville City Council.
12. In the event that a BYB official is not able to be present during a game, it is the responsibility of BYB to provide and train a substitute official. BYB must notify BPR management of any substitutes in advance for approval from BPR.
13. Payments will be made only for actual league play that occurs. No payments will be made for cancelled games or games that otherwise do not occur.
14. Not an Agent. It is understood that BYB is not acting as an agency for BPR and statutory immunity does not extend to BYB's acts or omission.
15. BYB may be required to maintain insurance, including Workers Compensation as required by Arkansas Statute, and provide proof of such.
16. Upon time of signing this Memorandum of Understanding, BYB shall provide BPR with IRS Form W-9.
17. You indemnify and hold harmless the City and all personnel and officials against any liability resulting from your negligent or wrongful acts, failure or breach of law.
18. All BYB employees or officials providing the services described in this Memorandum of Understanding are required to pass a mandatory background check prior to the start of the season in order to participate.
19. This agreement can be terminated at any time with written notification from the Parks and Recreation Director or the BYB Director.
20. BYB, their employees and officials, are required to display professional etiquette at all times. This Memorandum of Understanding may be voided if any BYB personnel exhibits behavior that is detrimental to the operation of the department.

2021 City of Bentonville Memorandum of Understanding (MOU)

Date: _____

Date: 1/21/2021

Mayor, City Of Bentonville (Signature)


Bentonville Youth Baseball (Signature)

Pamela Hogabe

Bentonville Youth Baseball (Printed Name)

2021 City of Bentonville Memorandum of Understanding (MOU)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT WITH BENTONVILLE YOUTH BASEBALL FOR PROVIDING BASEBALL OFFICIALS FOR THE CITY OF BENTONVILLE PARKS AND RECREATION DEPARTMENT AND WAIVING THE REQUIREMENT FOR COMPETITIVE BIDDING.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement with Bentonville Youth Baseball for providing baseball officials for the City of Bentonville Parks and Recreation Department, as per the Agreement attached hereto as Exhibit A.

Section 2: Because Bentonville Youth Baseball is uniquely qualified to provide these services for sanctioned events in the area, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Parks and Recreation
Submitted by	David Wright
Phone	(479) 271.6813

Item Type: (Check All That Apply)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☐ Resolution	☒ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Ordinance approving a bid waiver to Bentonville Youth Softball League for softball officiating services for Bentonville Parks and Recreation.					

Estimated Cost	\$81,869
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below):	



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Waiver of Bid Request

Date of City Council Meeting	1/26/2021
Department	Parks and Recreation
Submitted by	David Wright
Phone	(479) 271.6813

Vendor	Bentonville Youth Softball League
Total Cost	\$81,869
Description of Purchase <i>(This should include a detailed description of the type of material, equipment or service that is being requested including make, model, year & options if applicable. Enter details in space below):</i>	
Parks and Recreation utilizes a provider for officials and scorekeepers for both tournaments and recreational league play. The provider recruits, trains, schedules, and pays the officials and scorekeepers for their services. The provider will then invoice BPR for these services. Utilizing this provider reduces the amount of individual contractors Parks and Recreation needs and creates one point of contact for the officials and scorekeepers, which makes this process much more efficient.	

Justification <i>(Enter justification in space below):</i>
As the partner organization for our youth softball program, BYSL is currently the only qualified organization to offer this service. Due to this it is impracticable to solicit bids for these services.



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PLEASE RECYCLE



Memo



To: City Council, Mayor Orman
From: Josh Stacey, Recreation Services Manager
Through: David Wright, Parks and Recreation Director
Date: January 12, 2021
Re: Bentonville Youth Softball League- Softball Officials

Bid waiver in the amount of \$81,869 Bentonville Youth Softball League (BYSL) for the service of providing softball officials for Parks and Recreation.

Parks and Recreation utilizes a provider for officials and scorekeepers for both tournaments and recreational league play. The provider recruits, trains, schedules, and pays the officials and scorekeepers for their services. The provider will then invoice BPR for these services. Utilizing this provider reduces the amount of individual contractors Parks and Recreation needs and creates one point of contact for the officials and scorekeepers, which makes this process much more efficient.

The agreement attached, allows Parks and Recreation to enter into a contract with BYSL for the service of providing officials and scorekeepers for youth softball tournaments and recreational league play. Due to the demand and number of softball participants in these programs, the amount of games that need to be officiated is extremely high. Parks and Recreation is anticipating paying BYSL \$81,869 for the service of providing officials and scorekeepers. This expense is fully recouped through registration fees for this program and is a budgeted item.

If you have any questions regarding this item, please let me know. Please call me at 696.0204, or email jstacey@bentonvillear.com.



Memorandum of Understanding

To: _____, Bentonville Youth Softball League

From: Bentonville Parks and Recreation

Date: _____, 2021

Re: Softball Partnership for providing a Tournament Director (TD), umpires and scorekeepers for Bentonville Parks and Recreation Programs in 2021.

This Memorandum of Understanding (MOU) intends to outline the partnership and working arrangement between Bentonville Youth Softball (BYSL) and Bentonville Parks and Recreation (BPR) for youth softball programs operated at Bentonville municipal parks.

1. The term for this Memorandum of Understanding shall be one (1) year, beginning on January 1, 2021 and ending on December 31, 2021.
2. BPR is responsible for managing youth softball programs, including but not limited to all sanctioning, scheduling, organizing communication and all aspects of leagues and tournaments, for citizens of Bentonville.
3. BPR will create marketing and registration material for leagues and tournaments, allowing for input and direction from BYSL where it pertains to umpires and participant's needs.
4. BPR will create all schedules for games / tournaments for programs, allowing for input and direction from BYSL where it pertains to umpires and participant's needs.
5. BYSL will be responsible for providing umpires and scorekeepers for softball events located in Bentonville public parks.
6. For league play, BPR is responsible for providing the following information to BYSL no later than the following timelines:
 - a. For league play, BPR will provide the dates of league play to BYSL no later than one month in advance of the beginning of the season.
 - b. For league play, BPR will provide a league schedule no less than one week prior to the beginning of league games.
 - c. For league play, BPR will allow a minimum of 48-hour notice to change in the schedule for reschedules due to inclement weather.
7. BPR anticipates hosting seven (7) softball tournaments in the year 2021.

2021 City of Bentonville Memorandum of Understanding (MOU)

8. For tournament play, BPR is responsible for providing the following information to BYSL no later than the following timelines:
 - a. For tournament play, BPR will provide the dates of tournaments no later than January 31 for spring / summer tournaments and no later than July 31 for fall tournaments.
 - b. For tournament play, BPR will provide tournament start times and anticipated duration no later than the Monday prior to the weekend of the tournament.
 - c. For tournament play, all schedules / brackets will be delivered to BYSL no later than the Thursday prior to the weekend of the tournament.
9. Tournament Director (TD) Responsibilities:
 - a. Assist the BPR representative in team recruitment, tournament layout, scheduling, and theme.
 - b. Be onsite at each tournament from start to finish each day or on a pre-arranged agreed schedule
 - c. Work with the UIC to handle any in-game or scheduling issues
 - d. Collect payments from teams and enter them into the USSSA online system. Then submit payment to the BPR representative once all payments are received.
 - e. Updating standings and recording keeping on the USSSA site
 - f. Carry out any tournament activities or special items such as award ceremonies, competitions, or contests.
 - g. Communicate regularly with the BPR representative giving status updates and informing them of any issues.
 - h. Any other traditional/industry standard TD responsibility not listed.
10. Invoicing:

BYSL shall submit a signed invoice to the remittance address below bi-weekly on Mondays, no later than 4:00 P.M., with exact dates to be determined between BPR and BYSL prior to the season start.

Invoice Remittance Address:
City Hall – ATTN: Accounts Payable
117 West Central Ave.
Bentonville, AR 72712

Invoices submitted on time and to the correct address will be paid within 14 days of receipt.

11. Payment

BPR agrees to pay the following rates to BYSL for officials during the 2021 season:

Youth Fast-pitch Umpire

Age Group Description	Number of Crew (ex. 2 person crew)	All Time Limits (ex. 0-70 minutes)	Payment (Per Game, Per Official)
8U-18U (League)	2-person crew	0-70 minutes	\$35.00
8U-18U (League)	1-person crew	0-70 minutes	\$45.00
8U-18U (Tournament)	2-person crew	60-64 minutes	\$35.00

8U-18U (Tournament)	2-person crew	65-70 minutes	\$38.00
8U-18U (Tournament)	2-person crew	71-80 minutes	\$40.00
8U-18U (Tournament)	2-person crew	81-90 minutes	\$45.00
8U-18U (Tournament)	2-person crew	5 inning no time limit	\$45.00
8U-18U (Tournament)	2-person crew	7 inning no time limit	\$50.00

Scorekeeper

Age Group	Number of Crew	All Time Limits	Payment Per Game
ALL	1-person	ALL	\$12.00

BPR will pay the TD a minimum of \$400.00 per tournament day.

- a. BPR will pay TD a team bonus of \$10.00 per team, per tournament for every team over 40 entered into the tournament.
- b. In the event that Bentonville hosts a Heartland Fast Pitch League tournament, BPR will pay TD \$10.00 per team entered in addition to the \$400.00 per day TD payment. This would replace the team bonus payment (40+ \$10.00 payment).

Other Fees/Payments

- ☐ **Tournament Umpire – In – Chief:** \$35.00 per Game slot
- ☐ **Tournament Administrative Assigning Fee:** \$3.00 per Team
- ☐ **League UIC Administrative Assigning Fee:** \$500 Administrative fee per year plus \$2.00 per game

Total anticipated annual payment to BYSL: \$81,869.00

12. Any changes to the term or total anticipated annual payment of this MOU will require a formal Amendment and may require approval from the Bentonville City Council.
13. Payments will be made only for actual game play/games that occur. No payments will be made for cancelled games or games that otherwise do not occur.
14. BYSL understands that they, nor any of their employees or officials, are employees of the City of Bentonville. BYSL is solely responsible for their employees and officials including the recruiting,

2021 City of Bentonville Memorandum of Understanding (MOU)

training, evaluation, scheduling and payment of umpires and scorekeepers for all BPR softball programs.

15. BYSL will ensure all umpires are sanctioned by the appropriate governing body and have insurance that includes, but is not limited to liability and Worker's Compensation insurance.
16. Upon time of signing this Memorandum of Understanding, BYSL shall provide BPR with IRS Form W-9.
17. BYSL may be required to maintain insurance and provide proof of such.
18. Not an Agent. It is understood that BYSL is not acting as an agency for BPR and statutory immunity does not extend to BYSL's acts or omission.
19. All BYSL employees or officials providing the services described in this Memorandum of Understanding are required to pass a mandatory background check prior to the start of the season In order to participate.
20. In the event that a BYSL umpire or scorekeeper is not able to be present during a game, it is the responsibility of BYSL to provide and train a substitute umpire or scorekeeper. BYSL must notify BPR management of any substitutes in advance for approval from BPR.
21. This agreement can be terminated at any time with written notification from the Parks and Recreation Director or BYSL.
22. You indemnify and hold harmless the City and all personnel and officials against any liability resulting from your, or your employees.
23. BYSL, their employees and officials, are required to display professional etiquette at all times. This Memorandum of Understanding may be voided if any BYSL personnel exhibits behavior that is detrimental to the operation of the department.

[Signature Page Follows]

Signature Page

Softball Partnership for providing umpires and scorekeepers for Bentonville Parks and Recreation Programs in 2021.

Date: _____

Date: _____

Mayor, City Of Bentonville

President, Bentonville Youth Softball League

(Signature)

President, Bentonville Youth Softball League

(Printed Name)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE BENTONVILLE YOUTH SOFTBALL ASSOCIATION FOR PROVIDING OFFICIALS FOR THE CITY OF BENTONVILLE PARKS AND RECREATION DEPARTMENT AND WAIVING THE REQUIREMENT FOR COMPETITIVE BIDDING.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement with the Bentonville Youth Softball Association for providing officials for the City of Bentonville Parks and Recreation Department, as per the Agreement attached hereto as Exhibit A.

Section 2: Because this entity is sole provider of this service for sanctioned events in the area, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Parks and Recreation
Submitted by	David Wright
Phone	(479) 271.6813

Item Type: (Check All That Apply)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Ordinance approving a bid waiver to Arkansas USSSA for soccer officiating services for Bentonville Parks and Recreation.					

Estimated Cost	\$60,825
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below):	



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 PLEASE RECYCLE





Waiver of Bid Request

Date of City Council Meeting	1/26/2021
Department	Parks and Recreation
Submitted by	David Wright
Phone	(479) 271.6813

Vendor	Arkansas United States Speciality Sports Association
Total Cost	\$60,825
Description of Purchase <i>(This should include a detailed description of the type of material, equipment or service that is being requested including make, model, year & options if applicable. Enter details in space below):</i>	
Parks and Recreation utilizes a provider for soccer officials for recreational soccer league play. The provider recruits, trains, schedules, and pays the officials and will invoice BPR for the services. Utilizing this provider reduces the amount of individual contractors Parks and Recreation needs and creates a one point of contact, which makes this process much more efficient.	

Justification <i>(Enter justification in space below):</i>
As the sanctioning organization for our youth soccer program, Arkansas USSSA is the only qualified organization to offer this service. Due to this it is impracticable to solicit bids for these services.



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PLEASE RECYCLE



Memo



To: City Council, Mayor Orman
From: Josh Stacey, Recreation Services Manager
Through: David Wright, Parks and Recreation Director
Date: January 12, 2021
Re: Arkansas USSSA- Soccer Officials

Bid waiver in the amount of \$60,825 to Arkansas United States Specialty Sports Association (USSSA) for the service of providing soccer officials for Parks and Recreation.

Parks and Recreation utilizes a provider for soccer officials for recreational soccer league play. The provider recruits, trains, schedules, and pays the officials and will invoice BPR for the services. Utilizing this provider reduces the amount of individual contractors Parks and Recreation needs and creates a one point of contact, which makes this process much more efficient.

The agreement attached, allows Parks and Recreation to enter into a contract with Arkansas United States Specialty Sports Association for the service of providing soccer officials for recreational league play. Due to the demand and number of soccer participants in this program, the amount of games that need to be officiated is extremely high. Parks and Recreation is anticipating USSSA paying \$60,825 for this service. This expense is fully recouped through registration fees for this program and is a budgeted item.

If you have any questions regarding this item, please let me know. Please call me at 696.0204, or email jstacey@bentonvillear.com.



Memorandum of Understanding

To: Mike Schmidt, Arkansas United States Sports Specialty Association

From: Bentonville Parks and Recreation

Date: December 18, 2020

Re: Partnership for providing soccer officials for Bentonville Parks and Recreation soccer programs.

This Memorandum of Understanding (MOU) intends to outline the partnership and working arrangement between the Arkansas United States Sports Specialty Association (USSSA) and Bentonville Parks and Recreation (BPR) for youth soccer programs operated at Bentonville municipal parks in 2021.

1. The term for this Memorandum of Understanding shall be one (1) year, beginning on January 1, 2021 and ending on December 31, 2021.
2. BPR is responsible for managing youth soccer programs, including but not limited to the leagues and tournaments for citizens of Bentonville.
3. BPR will create marketing and registration material for recreational leagues and tournaments, allowing for input from USSSA where it pertains to official's and participant's needs.
4. BPR will create all schedules for games and tournaments for the soccer programs, allowing for input from USSSA where it pertains to official's and participant's needs.
5. USSSA will be responsible for providing officials for soccer events located in Bentonville public parks.
6. USSSA understands that they, nor any of their employees, officials or contractors are employees of the City of Bentonville. USSSA is solely responsible for their personnel, including the recruiting, training, evaluation, scheduling and payment of officials for all BPR soccer programs.
7. Officials provided by USSSA will be expected to contact BPR for questions regarding the program, assigning, or any other relevant information to successfully officiate the games.

2021 City of Bentonville Memorandum of Understanding (MOU)

8. USSSA will ensure that all officials are sanctioned by the appropriate governing body and have insurance that includes, but is not limited to liability and Worker's Compensation insurance.
9. For the purpose of defining "seasons" in this Memorandum of Understanding, fall and spring seasons serve as single, separate seasons.
10. Invoicing:
USSSA shall submit a signed invoice to the remittance address below bi-weekly on Tuesdays, with exact dates to be determined between BPR and USSSA prior to the season start.

Invoice Remittance Address:
City Hall – ATTN: Accounts Payable
117 West Central Ave.
Bentonville, AR 72712

Invoices submitted on time and to the correct address will be paid within 14 days of receipt.

11. BPR agrees to pay the following rates to USSSA for officials for the 2021 season(s):

Youth Soccer Official(s)

Description	Number of Crew	Payment per game, per official or marshal
U9	1	\$20.00/game per official
U10	1	\$20.00/game per official
U12	1	\$25.00/game per official
Junior High	1	\$25.00/game per official
Adult	1	\$45.00/game per official

Other Payments:

Youth Field Marshal: \$25.00 per game time period

Adult Field Marshal: \$55.00 per game time period

Coach Trainer: \$25.00 per training session

Referee Assignor: \$6.00 per game scheduled

BPR will provide USSSA a detailed list of official's games and pay rate for each game, with a total for each official, prior to each bi-weekly payment period.

Total anticipated annual payment to USSSA for 2021: \$60,825.00

12. Any changes to the term or total anticipated annual payment of this MOU will require a formal Amendment and may require approval from the Bentonville City Council.
13. In the event that a USSSA official is not able to be present during a game, it is the responsibility of USSSA to provide and train a substitute official. USSSA must notify BPR management of any substitutes in advance for approval from BPR.
14. Payments will be made only for actual game play/games that occur. No payments will be made for cancelled games or games that otherwise do not occur.
15. Not an Agent. It is understood that USSSA is not acting as an agency for BPR and statutory immunity does not extend to USSSA's acts or omission.
16. USSSA may be required to maintain insurance, including Workers Compensation, and provide proof of such.
17. Upon time of signing this Memorandum of Understanding, USSSA shall provide BPR with IRS Form W-9.
18. You indemnify and hold harmless the City and all personnel and officials against any liability resulting from your negligent or wrongful acts, failure or breach of law.
19. All USSSA employees or officials providing the services described in this Memorandum of Understanding are required to pass a mandatory background check prior to the start of the season in order to participate.
20. This agreement can be terminated at any time with written notification from the Parks and Recreation Director or the USSSA Director.
21. USSSA, their employees and officials, are required to display professional etiquette at all times. This Memorandum of Understanding may be voided if any USSSA personnel exhibits behavior that is detrimental to the operation of the department.

Date: _____

Date: Dec 18, 2020

Mayor, City Of Bentonville (Signature)

Director, AR USSSA Sports (Signature)
Mike Schmidt Steve Schmidt

Director, AR USSSA Sports (Printed Name)

2021 City of Bentonville Memorandum of Understanding (MOU)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE ARKANSAS UNITED STATES SPECIALTY SPORTS ASSOCIATION FOR PROVIDING SOCCER OFFICIALS FOR THE CITY OF BENTONVILLE PARKS AND RECREATION DEPARTMENT AND WAIVING THE REQUIREMENT FOR COMPETITIVE BIDDING.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement with the Arkansas United States Specialty Sports Association for providing soccer officials for the City of Bentonville Parks and Recreation Department, as per the Agreement attached hereto as Exhibit A.

Section 2: Because this entity is sole provider of this service for sanctioned events in the area, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



Agenda Item Form

Date of City Council Meeting	1/26/2021
Department	Library
Submitted by	Hadi Dudley
Phone	(479) 271-3194

Item Type: (Check All That Apply)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
An ordinance for City Council approval to waive competitive bidding requirements in the amount of \$35,000.00 to Overdrive, Inc. for ebook purchases for Bentonville Public Library.					

Estimated Cost	\$35,000
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below):	



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www.bentonvillear.com
PLEASE RECYCLE





Waiver of Bid Request

Date of City Council Meeting	1/26/2021
Department	Library
Submitted by	Hadi Dudley
Phone	(479) 271-3194

Vendor	Overdrive
Total Cost	\$ 35,000.00
Description of Purchase <i>(This should include a detailed description of the type of material, equipment or service that is being requested including make, model, year & options if applicable. Enter details in space below):</i>	
Continuation of annual contract and purchasing of digital ebooks and downloadable audios with Overdrive, Inc. under professional services for Technical/Data purchases; this is a budgeted service in FY2021 (fund 10505043310).	

Justification <i>(Enter justification in space below):</i>
Since 2009, Bentonville Public Library and several regional libraries have contracted with Overdrive, Inc., a leading provider in the industry. Renewal of services is required to purchase new titles and access existing materials in the consortium, Advantage and Sora collections. Due to access requirements of the Overdrive platform and collections, as well as the multi-year partnership with other libraries, it is not practical or feasible to advertise for competitive bidding.



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TO: Bentonville City Council, Mayor Stephanie Orman
FROM: Hadi Dudley, Library Director
CC: Gladys Shoemake, Purchasing Manager; Camille Thompson, Staff Attorney; Jake Harper, Finance Director
SUBJECT: An Ordinance to Waive Competitive Bidding
DATE: January 14, 2021

Bentonville Public Library (BPL) seeks City Council approval to waive competitive bidding requirements in the amount of \$35,000 to Overdrive, Inc. for ebook purchases.

Outline of History with Overdrive

- In 2008, BPL agreed to participate with regional library peers in a consortium with Overdrive to purchase ebooks for our communities; the same agreement continues today.
- In 2009, Arkansas Library2Go launched with five (5) participating libraries.
- Throughout the years, many more libraries have joined the regional consortium, totaling nineteen (19) libraries currently.
- State Library's "Library Development District I" (LDD1) membership is the basis for participation which includes public libraries throughout Northwest Arkansas and the Arkansas River Valley.
- With more than 4.25 million downloads since 2009, the consortium is a successful partnership, serving thousands of readers across our shared communities.
- Over half-a-million downloads by Bentonville Public Library patrons recorded since 2009 launch; BPL patrons comprise the second most users and second highest readership in the consortium.
- Consortium collection has provided over 84,000 items, valued at more than \$1.3 million.
- In 2020, BPL expanded our services with Overdrive to provide Sora access to Bentonville Schools and Advantage collections for our patrons. Sora and Advantage services allow city funds to stay local and improve offerings with more ebooks to Bentonville students and BPL readers.

Bid Waiver Justification

- In 2020, City Council approved a similar bid waiver for \$35,000 with Overdrive in response to the COVID-19 pandemic with Ordinance 2020-115.
- In 2020, Bentonville Public Library's Overdrive use was the highest ever at 109,828 downloads.
- This is a planned purchase, approved in the library's FY2021 professional services budget.
- While other ebook vendors exist, BPL and the consortium libraries already have access to a large collection of titles with Overdrive, a leading provider in the industry.
- Due to this, and the multi-year partnership with other libraries, it is not practical or feasible to advertise for competitive bidding.

Contact with questions at 479-271-3194 or hdudley@bentonvillear.com. --- Hadi S. Dudley

Attachments: Exhibit A

- Overdrive Library Participation Form – NWA Digital Consortium, signed 11/5/2008
- Overdrive / Sora Library Consent Form, signed 06/22/2020
- Overdrive Advantage 2.0 Enrollment Form, signed 7/14/2020

Schedule "C"
Library Participation Form – Northwest Arkansas Digital Consortium

1. In consideration of participation in the Consortium, lending digital materials, Participating Library agrees to abide by the terms and conditions of the Agreement and all Schedules.
2. Participating Libraries shall pay OverDrive an Annual Fee for joining and ongoing services provided to the Northwest Arkansas Digital Consortium. The Annual Fee shall include any and all services relating to use of the Application Services including the DLR System License, configuration and customization of website services, third party software licenses, hosting, bandwidth, and maintenance of the application services and staff training. **After the first renewal term (after a period of four (4) years from Effective Date), the Annual Fee is subject to change.** The Annual Fee shall be based upon Participating Library's Legal Service Area Population as reported by the then current information available at the National Center for Education Statistics (NCES): <http://nces.ed.gov/surveys/libraries/librarysearch/>

Annual Fees for 2008 - 2012

			Please check one:
Tier 1	Legal Service Area Population up to 25,000	\$3,000 per year	☐
Tier 2	Legal Service Area Population of 25,001 – 55,000	\$6,000 per year	☒
Tier 3	Legal Service Area Population of 55,001 – 100,000	\$9,000 per year	☐

3. Arkansas public libraries with Legal Service Area Populations under 100,000 shall be eligible to join Consortium, on a quarterly basis. Any current OverDrive customer (standalone system) shall not be eligible to join Consortium. The Northwest Arkansas Digital Consortium shall be comprised of a minimum of five (5) Participating Libraries with a maximum of fifteen (15) Participating Libraries. Notwithstanding the foregoing, OverDrive shall have sole discretion to approve any and all new libraries that seek to join Consortium.
4. The Annual Fee collected during each year shall be allocated as follows: one-third (1/3) towards configuration, system fees, and maintenance, and two-thirds (2/3) toward selection of Content for the shared collection. At any time during the term of this Agreement, Consortium and/or Participating Libraries may select additional Content subject to standard terms and pricing. Consortium and/or Participating Libraries shall make payments to OverDrive for Content selections within 30 days of receipt of invoice.
5. All Participating Libraries that join Consortium after go-live shall pay OverDrive a one-time Participation Fee of **Fifteen Hundred Dollars (\$1,500) per Participating Library**. Such Participation Fee shall be waived for Participating Libraries that join Consortium before go-live. Such fee, if applicable, shall be due and payable directly to OverDrive within 30 days of receipt of invoice. The Participation Fee shall include in whole or in part, fees for testing, staff training, and integration of Participating Library into the Consortium Website.
6. Participating Library shall include a direct hyperlink and/or logo linked to the DLR service from Participating Library's home page and other appropriate sub-pages. Such link or logo shall be featured no less prominently than other electronic resources or services including but not limited to NetLibrary, Recorded Books, and MyLibraryDV.
7. Participating Library acknowledges it may incur additional license fees or costs related to MARC records, SIP or similar protocol for patron authentication. All such fees shall be at Participating Library's own expense, and are not included in the Annual Fee.
8. Participating Library acknowledges that if Participating Library withdraws from Consortium prior to the expiration of Agreement with OverDrive, all content, products, and services that have been purchased with the Participating Library's monetary and in-kind contributions to Consortium shall remain with Consortium.

[signature page follows]

Accepted and agreed this 5 day of Nov 2008 by:

Bentonville Public Library
("Participating Library")

By (signature):

Name (Print): Bob MacAslin

Title: Mayor of Bentonville

Please fill out the following with the appropriate contacts:

Billing Contact(s)

Name(s), email address, and billing address of contacts to receive billing:

Name: Hadi Dudley Name: _____
Email: hdudley@bentonvillear.com Email: _____
Address: 405 S. Main ST Address: _____
Bentonville AR 72712

ILS Change Contact(s)

Names(s) and email address of contacts allowed to request ILS changes for your library:

Name: Debra Hobbs Name: _____
Email: dhobbs@bentonvillear.com Email: _____

Collection Contact(s)

Name(s) and email address of contacts who will work on collection management:

Name: Heather Hays Bullock Name: Sue Ann Pikel
Email: hhays@bentonvillear.com Email: spekel@bentonvillear.com

Promotional Materials Contact(s)

Name(s) and email address of contacts to work with our Partner Services Team on promotion:

Name: Heather Hays Bullock Name: _____
Email: hhays@bentonvillear.com Email: _____



Library Consent Form

LIBRARY INFORMATION

Name of Public Library/Participating Library/Consortium ("Library"): **Bentonville Public Library**

OverDrive-Hosted Website URL: (ex: mylib.overdrive.com) **https://lib2go.overdrive.com/**

PRIMARY CONTACT

Name: **Hadi Dudley**

Title: **Library Director**

Telephone: **479-271-3194**

Email: **hdudley@bentonvillear.com**

Public Library Connect (PLC) enables students in designated schools within the library's service area to directly access their OverDrive digital collection.

Terms and Conditions:

- The undersigned consents to allowing students from designated schools and/or school districts ("Participating School") to utilize student IDs or school or district sign on credentials to be authenticated and borrow Digital Content from the Library's OverDrive Digital Collection.
- Access for students using PLC is provided to the Library at no cost and does not require any Library integration or other ILS changes.
- Titles checked out by students using PLC will be reported in the Library's Marketplace Checkout report under "Borrowed from: Sora."
- Participating Schools using PLC shall be limited to schools or districts within Library's legal service area and are subject to OverDrive approval. Each Participating School shall execute a consent form to agree to the terms of Library's service agreement with OverDrive.
- The term of PLC shall run concurrent with the Library's OverDrive agreement. In the event of termination or expiration of Library's OverDrive agreement, Participating Schools will no longer have access to PLC.

Sign us up!

On behalf of Library, my signature below indicates acceptance of the above Terms and Conditions, as well as authority for my library to enter into this agreement.

By: (signature)

Title: **Mayor**

Name: (Print) **Stephanie Orman**

Date: **6/22/20**

Please complete this consent form and email to connect@overdrive.com or return by fax to +1 216-573-6889.



One OverDrive Way, Cleveland, OH 44125 • P: 1+ 216-573-6886 F: 1+ 216-573-6889

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OverDrive® Advantage 2.0 Enrollment Form

Shared Collection Information

Name of Shared Collection: Arkansas Library 2 Go

URL of Shared Collection: www.lib2go.overdrive.com

Participating Library Information

Participating Library Name: Bentonville Public Library

Sample Library Card Number (for testing purposes): 20296000061820 PIN (If Applicable): 1234

Participating Library Accounting Contact

Name: Vira Kousol Email: vkousol@bentonvillear.com

Telephone: 479-271-6771 Fax: 479-271-6775

Address: 405 South Main Street City Bentonville State AR ZIP 72712

Participating Library Collection Development Contact

Name: Heather Hays Email: hhays@bentonvillear.com

Telephone: 479-271-5976 Fax:

☐ OverDrive sends emails about promotions, new products and services. By checking this box, you consent to receiving OverDrive's communications and promotional emails to your Primary Contact email address. These emails also include an easy method to manage your subscription(s), including unsubscribing to future emails.

Terms and Conditions:

- Participating Library must be a current OverDrive customer and participating in an OverDrive consortium or shared collection and have the ability to authenticate library patrons as part of an individual library.
- Participating Library must set up a separate account with OverDrive and will be invoiced separately for their titles.
- Participating Library acknowledges fees or costs related to MARC records, SIP or similar protocol for patron authentication are not included, and shall be at Participating Library's own expense.

Advantage Enrollment Fee:

- The Advantage Enrollment Fee is **\$250 USD**. This fee will be applied as an OverDrive Advantage **content credit**. Participating Library has access to purchase additional content at any time, as long as account is in good standing.

Advantage Collection Development Requests (Please check or complete all that apply):

- Popular Titles _____ Please specify subjects: _____
- High Consortium Holds _____
- Other (Please specify): _____

Acknowledgement and Acceptance:

- Participating Library requests to be invoiced an amount of \$ 0.00 USD (in addition to \$250 Advantage Enrollment Fee) for a deposit on account with OverDrive for future content collection purchases.
- Participating Library will be invoiced in the amount of **\$250 USD** for the OverDrive Advantage Enrollment Fee and agrees to be bound by the OverDrive Advantage Terms and conditions.

Bentonville Public Library

Date:

07/14/2020

(Participating Library Name)

By Signature:

Name (Print): Mayor Stephanie Orman
for Hadi Dudley, Library Director

Email: hdudley@bentonvillear.com

Please complete this Enrollment Form and return by fax (216-573-6889) or email (collectionteam@overdrive.com)

For more information on OverDrive Advantage, please contact collectionteam@overdrive.com

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO PURCHASE EBOOKS FOR BENTONVILLE PUBLIC LIBRARY FROM OVERDRIVE, INC. AND WAIVING THE REQUIREMENT OF COMPETITIVE BIDDING.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to purchase ebooks for Bentonville Public Library from Overdrive, Inc. in an amount not to exceed \$35,000.00 as set forth in the attached Exhibit A.

Section 2: Because this purchase is related to expenditures made by Bentonville Public Library to digitally serve patrons with ebooks; and, because the library has a multi-year consortia partnership with several regional libraries; and, its existing large collection of titles is already accessible; and, BPL offers expanded services for local students and readers with Overdrive, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this _____ day of _____, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK