

Bentonville City Council

Meeting Minutes

August 10, 2021

The City Council of Bentonville, Arkansas, met in regular session Tuesday, August 10, 2021, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Cindy Acree, Octavio Sanchez, Holly Hook, Aubrey Patterson, Bill Burckart, and Chris Sooter. Also present were Mayor Stephanie Orman, City Attorney George Spence, City Clerk Kirby Romines, the press, city staff, and the audience. Council Member Tim Robinson and Council Member Gayatri Agnew attended remotely and participated by Zoom.

Due to the situation related to COVID-19, several members of the city staff and the public attended remotely by Zoom.

No individuals signed in to speak at the meeting in person, and no individuals joined via Zoom to speak to agenda items.

Mayor Orman called the meeting to order. Scarlett Neal, a Girl Scout from Troop 5191, led everyone present in the Pledge of Allegiance, which was followed by a moment of silence in support of our armed forces.

Motion was made by Council Member Sanchez to approve the minutes of the July 27, 2021, meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

Motion was made by Council Member Sooter to suspend the rules regarding the reading of all ordinances on three separate days and further that all ordinances and resolutions be read by title only, second by Council Member Sanchez. There was no discussion. Motion carried (8-0).

[Agenda items 1 through 5 were addressed at the August 9, 2021, Committee of the Whole meeting.]

6. Planning:

6a(1). Resolution No. 8-10-21 A: A resolution amending the City of Bentonville Future Land Use Map for a specific area from Medium-Density Residential to Low-Density Residential (Project No. RZ21-0040).

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

6a(2). Ordinance No. 2021-163: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-ZL, Zero Lot Line to R-1, Single Family Residential (Project No. RZ21-0040).

[Applicant: Sunrise Developers, Inc.;

Location: SW Featherston Road & SW 28th Street]

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

6b. Ordinance No. 2021-164: Ordinance accepting a lot split of Lots 28-30 of Clark's Addition to the City of Bentonville, Arkansas (Project No. LS21-0038).

[Applicant: Rainbow Homebuyers, LLC;

Location: 202 & 204 SW E Street]

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

- 6c. Ordinance No. 2021-165: Ordinance accepting a property line adjustment of Lots 221-224 of Bentonville Original to the City of Bentonville, Arkansas (Project No. PLA21-0021).

[Applicant: 301 SE 2nd LLC;

Location: 301-305 SE 2nd Street]

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

- 6d. Ordinance No. 2021-166: Ordinance accepting a property line adjustment of Lot 13 & 14, Block 5 of Deming's Addition to the City of Bentonville, Arkansas (Project No. PLA21-0025).

[Applicant: Meadow Lake Homes;

Location: 305 NW 5th Street & 408 NW C Street]

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

7. Utility Board:

- 7a. Ordinance No. 2021-167: Ordinance creating and amending certain positions in the Pay Plan for the City of Bentonville, Arkansas.

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

- 7b. Resolution No. 8-10-21 B: A resolution authorizing the Mayor and City Clerk to enter into a Professional Services Agreement with Hawkins-Weir Engineers, Inc. for a feasibility study to address wastewater treatment capacity to accommodate growth in the City of Bentonville.

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

- 7c. Budget Adjustment requested by Staff for City Council approval in the amount of \$43,400.00 to cover costs above budget amount associated with the feasibility study concerning wastewater treatment capacity to address growth in the City of Bentonville. The 2021 budget included \$200,000.00 for the study. The scope of the study expanded from estimates made at time of budget entry and project advertisement. Funding will be from the Wastewater Utilities Reserves. Utility Board approved this item 4-0.

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

- 7d. Budget Adjustment requested by Staff for City Council approval in the amount of \$217,625.13 to cover costs associated with the 48" water main emergency repair contract with Garney Construction. Utility Board approved this item 4-0.

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

8. Resolution No. 8-10-21 C: A resolution setting a public hearing for August 24, 2021, for a Drainage Easement Vacation requested for 103 NW Bodark Cove of White Oak Subdivision (VAC21- 0015).

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

9. Resolution No. 8-10-21 D: A resolution setting a public hearing for August 24, 2021, for a Utility Easement Vacation requested for 1220 NE Buckingham Blvd. of Kingsbury Subdivision PH1 (VAC21- 0016).

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

10. Resolution No. 8-10-21 E: A resolution setting a public hearing for August 24, 2021, for a Utility and Access Easement Vacation requested for 1605/1703 SW 14th Street (VAC21- 0017).

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

11. Resolution No. 8-10-21 F: A resolution setting a public hearing for August 24, 2021, for a Utility Easement Vacation requested for 1507 SW 14th Street (VAC21- 0018).

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

12. Budget adjustment in the amount of \$32,000.00 for the purchase of a fire extinguisher trainer. Request are coming into the fire department for the Community and City employees to get trained in the use of a fire extinguisher. This item was budgeted in 2020, but due to budget cuts, this item was removed.

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

13. Resolution No. 8-10-21 G: A resolution authorizing the Mayor and Clerk to enter into an agreement with Crafton, Tull and Associates for services related to the Master Plan of the expansion and renovation of the Phillips Park Sports Complex.

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

14. Resolution No. 8-10-21 H: A resolution authorizing the Mayor and Clerk to enter into an agreement with Flintco, LLC for pre-construction professional services related to the Quilt of Parks Project.

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

15. Bid Award IFB-21-56 to Decco Ex for the 2021 Parking Lot Maintenance Project at the per unit prices, for an estimated total of \$54,629.50 (based on estimated quantities).

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

16. Bid Award IFB-21-52 to Clean Uniforms, the lowest, most responsive, and responsible Bidder, for uniform and other items (mop heads, rags, mats, etc.) rental and laundering services for the Parks Maintenance Department, per the unit prices attached. The estimated cost for the remainder of 2021 is \$5,211.70 (based

on estimated quantities and subject to change based on final quantities, use of budget protection programs, emblems etc.). The awarded Contract will be for an initial one-year term, renewable annually for a total term not to exceed five years. Though current estimates put this Contract below the \$35,000 threshold, Council approval is being requested due to the potential for the total Contract cost to exceed \$35,000 if all renewal years are executed and dependent on replacement/repair costs over the term of the Contract.

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

- 17a. Ordinance No. 2021-168: Ordinance adopting certain amendments to the City of Bentonville Pay Plan and declaring an emergency.

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

- 17b. Ordinance No. 2021-169: Ordinance amending the City of Bentonville Personnel Policy related to Top Out Pay for long term employees.

Council Member Sanchez and Council Member Hook thanked the department and Debbie Griffin, Community Relations and Economic Development Director, for their work on creating a solution.

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

The following item was added after the August 9 Committee of the Whole meeting.

18. Resolution No. 8-10-21 I: A resolution of the City of Bentonville, Arkansas, honoring the memory of Pea Ridge Police Officer Kevin Apple.

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

Mayor Orman adjourned the meeting. Motion to adjourn by Council Member Burckart, second by Council Member Sooter. Motion passed unanimously.

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

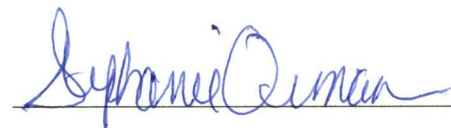
Council Member Hook asked if the Bentonville Together event will still be held in August, and Council Member Burckart stated that it has been postponed to the Spring of 2022. Council Member Robinson asked if the council wanted to continue their discussion on affordable housing. Mayor Orman advised that it would be most effective to wait until the Planning Commission can be included in the discussion to have a productive conversation with both parties present.

Mayor Orman reminded the council of City Hall Selfie Day on August 13 and the September 27 and October 11 Committee of the Whole meetings.

The next Bentonville City Council meeting will be on August 24, 2021.



Kirby Romines, City Clerk



Stephanie Orman, Mayor

