

Bentonville City Council

Meeting Minutes

November 23, 2021

The City Council of Bentonville, Arkansas, met in regular session Tuesday, November 23, 2021, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

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

Several individuals signed in to speak at the meeting in person, and several individuals joined via Zoom to speak to agenda items.

Mayor Orman called the meeting to order. Ayden Bourquin, Cub Scout from Troop 525, 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 November 9, 2021, meeting as presented, second by Council Member Patterson. There was no discussion. Motion carried (7-0).

Motion was made by Council Member Sooter to suspend the rules regarding the reading of all ordinances on three separate days and further that all ordinances and resolutions be read by title only, second by Council Member Sanchez. There was no discussion. Motion carried (7-0).

1. Ordinance No. 2021-241: Ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards.

City Attorney Spence read the original ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

2. Re-appointment of Holly Hook as ex-officio on the Tree and Landscape Advisory Committee. This will be Mrs. Hook's second term that begins January 1, 2022, and expires December 31, 2024.

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

3. Utility Board:

- 3a. Resolution No. 11-23-21 A: A resolution declaring certain property belonging to the City of Bentonville Water Resource Recovery Facility as surplus property.

City Attorney Spence read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

4. Resolution No. 11-23-21 B: A resolution authorizing the Mayor and Clerk to enter into a contract with Stephens Insurance, LLC. for workers compensation coverage for the City of Bentonville.

City Attorney Spence read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

5. Resolution No. 11-23-21 C: A resolution authorizing the Mayor and Clerk to enter into Guaranteed Maximum Price Amendment #1 to the existing agreement with Clinard Construction Management, Inc. related to the Bentonville Fire Department training facility.

City Attorney Spence read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Hook. There was no discussion. Motion carried (7-0).

6. Budget Adjustment related to Salaries and Benefits for the Fire Department mainly resulting from increased overtime related to Covid-19, the corresponding benefits associated with that overtime, and an original budget issue noticed in the LOPFI budget.

Council Member Burckart asked if the ARPA funds could be used for their salaries since ARPA funds have been discussed for other salaries within the City of Bentonville. Jake Harper, Director of Finance and Administration, said they could not use the funds for what covid has caused, but they could be used for the vaccine clinics. They are looking into FEMA funds to help cover those costs, but FEMA could only cover 75% of the costs.

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

7. Resolution No. 11-23-21 D: A resolution authorizing the Mayor and Clerk to enter into agreement with Universal Field Services, Inc. for right of way and easement acquisition services.

City Attorney Spence read the resolution by title only. Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

8. Budget adjustment to accept a grant from the Walton Family Foundation in the amount of \$1,400,000.00 for the construction of street infrastructure improvements to include protected bicycle lanes on NW 3rd and SW 8th streets.

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

9. Ordinance No. 2021-242: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Downtown Bentonville Inc. for event production and related services and waiving the requirement of competitive bidding.

Andrew Heath, Executive Director of Downtown Bentonville Inc, thanked the City of Bentonville for their partnership and shared a video highlighting the 2021 Bentonville Lighting of the Square. Mayor Orman thanked Downtown Bentonville Inc. and the Bentonville Parks and Recreation Department for their work on the downtown lights. Council Member Burckart also expressed his appreciation.

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

10. Ordinance No. 2021-243: Ordinance establishing certain fees for the City of Bentonville Parks and Recreation Department and Community Center.

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

11. Budget Adjustment for Part-time Salaries and Benefits related to increased recreation programming and facility hours as Covid-19 restrictions were lifted.

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

12. Bid award for 750 underground primary wire to the lowest bidder in the amount of \$100,479.96.

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

13. Approve Motion to Authorize Mayor and Clerk to execute Computation and Certification form related to Benton County's 2021 Certification of Assessment Data (Millage Rollback), including future adjustments, if required. This form is necessary in order for the County to adjust tax rates for each city based on the increase in property values from a countywide reappraisal. The computation was prepared by the County Clerk using data and information provided by the Arkansas Assessment Coordination Division. Execution of this form limits the taxes collected based on legal requirements. Please note the memo requests the documents by 11/15/2021; however, the County has allowed additional time to provide for Council approval.

Council Member Patterson asked for clarification on the item. City Attorney Spence explained the legalities and necessity of executing the Computation and Certification form. Council Member Patterson asked how much this would impact each property owner within Bentonville. City Attorney Spence said that it is an adjustment in the mileage, but it would not be much. Council Member Sanchez asked if he understood it correctly and gave an example. City Attorney Spence provided further clarification.

Mayor Orman mentioned that this is an informational item that does need to occur because it is required by statute. City Attorney Spence said they wanted to bring it to the council, so it does not have to come through the body twice.

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

Mayor Orman asked the council if they would like to vote on if they want to meet for the second meeting in December or not since they usually do not have a council meeting during that time.

Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (7-0), which canceled the December 28, 2021, city council meeting.

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

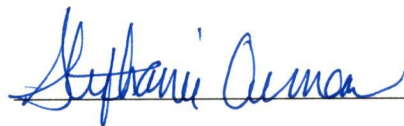
Council members reported on committees and boards they participate in related to the city.

Mayor Orman reminded the council that applications are now open for the Housing committee. Mayor Orman reminded the council that applications are now open for the Housing committee. Council Member Patterson asked what the time commitment would be, and Mayor Orman said there would be one meeting per month.

The next Bentonville City Council meeting will be on December 14, 2021.



Kirby Romines, City Clerk



Stephanie Orman, Mayor

