

Bentonville City Council

Meeting Minutes

February 22, 2022

The City Council of Bentonville, Arkansas, met in regular session Tuesday, February 22, 2022, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

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

Mayor Orman called the meeting to order and 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 Burckart to approve the minutes of the February 8, 2022, meeting as presented, second by Council Member Sanchez. 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. Resolution No. 2-22-22 A: A formal resolution to recognize, commend, and congratulate Sergeant Andrew Albers on his retirement from the City of Bentonville Police Department, effective March 1, 2022. This resolution recognizes Andrew Albers for more than 24 years of dedicated and decorated law enforcement service, to include 19 years of service to the Bentonville Police Department. This resolution also wishes Andrew Albers much health, happiness, and continued success in all his future endeavors.

Mayor Orman recognized Andrew Albers and presented him with a framed resolution.

Mayor Orman read the resolution aloud. There was no discussion. Motion carried unanimously (7-0).

2. Planning:

- 2a. Ordinance No. 2022-47: Ordinance accepting a lot split of part of existing Lot 10 Block 16 of Railroad Addition; creating new Lot 12, Block 16 of Railroad Addition to the City of Bentonville, Arkansas; and for other purposes (Project No. LS21-0069).

[Applicant: Robert V. Sanders, III;

Location: 307 SE Henry Street]

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

- 2b(1).Resolution No. 2-22-22 B: A resolution amending the City of Bentonville Future Land Use Map for a specific area from Residential Estate to Office; and for other purposes.

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).

2b(2).Ordinance No. 2022-48: Ordinance changing real estate in the City of Bentonville, Arkansas from its present zoning classification of R-E Residential Estate to C-1 Neighborhood Commercial; and for other purposes (Project No. RZ22-0002).

[Applicant: Calcon Inc.;

Location: 4103 SW 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 (7-0).

2c(1).Resolution No. 2-22-22 C: A resolution adopting revisions to the Future Land Use Map of the City of Bentonville to change real estate from its present land use classification of Residential Estate to General Commercial.

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

2c(2).Ordinance No. 2022-49: Ordinance changing real estate in the City of Bentonville, Arkansas from its present zoning classification of A-1, Agricultural to C-2, General Commercial; and for other purposes (Project No. RZ22-0003).

[Applicant: Lowell-Phillips Company;

Location: SE 28th and SE J Street]

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

3. Utility Board:

- 3a. Bid award to Corgill Construction Inc. for rehabilitation of sanitary sewer manholes throughout the City of Bentonville's sanitary sewer collection system. Corgill's services will be for 2022 and shall not exceed our 2022 budgeted amount of \$70,000. Approved by Utility Board 5-0.

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

- 3b. Staff is requesting City Council to Bid Award a Vac-Con, Inc. through participation in the HGAC Cooperative (Co-op) contract, SC01-21, to purchase one replacement Dual Engine Titan Sewer Cleaning / Hydro Vac Truck with a 12-yard debris tank and 1300-gallon water tank in the amount of \$499,000. Use of a Co-op is allowed pursuant to Arkansas State Statute 19-11-249; Purchasing performed an evaluation of SC01-12, determining that the solicitation was in line with both Arkansas State Statute and the City's Purchasing Policy. This is a budgeted purchase and will be funded out of the Water Utilities Capital account using set-aside funding from Water Utilities 2021 budget and additional funding from the 2022 budget totaling \$500,000. Approved by Utility Board 5-0.

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

4. Bid Award to Superior Automotive Group of Siloam Springs, AR for IFB-22-18 in the amount of \$850,724.55. The bid was for the purchase of (15) 2022 Chevrolet 2wd PPV (9C1) in the amount of \$38,645.00 each, complete upfitting of all emergency equipment in the amount of \$18,069.97 each, warranty for upfitting and installation of equipment for the lifetime of the vehicle.

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

5. Appointment of John Tanner to fill Brian Burke's unexpired term on the Northwest Arkansas International Airport Authority Board of Directors. Term to expire on December 31, 2024.

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

6. Resolution No. 2-22-22 D: A resolution authorizing the assignment of the Chambers/Stone Bentonville Municipal Airport Hangar Ground Lease; and for other purposes.

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).

7. Resolution No. 2-22-22 E: A resolution authorizing the second assignment of the Chambers/Stone Bentonville Municipal Airport Hangar Ground Lease; and for other purposes.

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. Resolution No. 2-22-22 F: A resolution setting a Public Hearing for March 8, 2022, for a Street Right of Way Vacation requested by the City of Bentonville for Lot 6 of Eversole Addition (VAC22-0005).

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).

9. Ordinance No. 2022-50: Ordinance vacating alley right of way of block 5, lot 1 of Gilmore's addition of Bentonville to the City of Bentonville, Arkansas, Benton County Arkansas (VAC21-0013).

Mayor Orman declared a public hearing open for comments. There was no response, so Mayor Orman declared the hearing closed.

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

10. Bid Award to Riggs Cat through participation in the Sourcewell Cooperative (Co-op) contract, 032119-CAT, to purchase one 2022 PM313 Cold Planer (Milling Machine) in the amount of \$436,125.41 plus applicable taxes. Use of a Co-op is allowed pursuant to Arkansas State Statute 19-11-249; Purchasing performed an evaluation of 032119-CAT, determining that the solicitation was in line with both Arkansas State Statute and the City's Purchasing Policy.

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

11. Resolution No. 2-22-22 G: A resolution authorizing payment of the City of Bentonville's 2022 membership fee with the Northwest Arkansas Regional Planning Commission; and for other purposes.

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).

12. Resolution No. 2-22-22 H: A resolution allowing the Mayor and City Clerk to enter into an agreement with Tim Jorgensen for the purchase and installation of a public art piece titled "Found"; and for other purposes.

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).

13. Ordinance No. 2022-51: Ordinance amending the pay plan for the City of Bentonville Transportation Department to provide for new and upgraded positions; authorizing a budget adjustment in the amount of one hundred sixty-nine thousand four hundred and eighty dollars (\$169,480.00); and for other purposes.

Council Member Sooter asked if this will prevent when an entire development is demolished on a property and a sign is displayed on the property. Associate Staff Attorney/Special Deputy Prosecuting Attorney Bonnie Bridges said they should not be able to leave the sign there. This ordinance amendment will impact how the city deals with large-scale development plans.

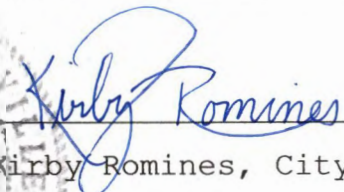
City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (7-0).

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

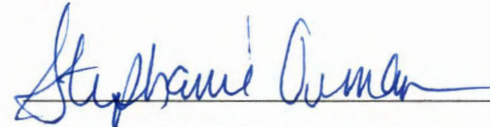
Mayor Orman adjourned the meeting. Motion to adjourn by Council Member Hook, second by Council Member Burckart. Motion passed unanimously. Mayor Orman reminded the council that the previously scheduled State of the City event was moved to April 7.

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

The next Bentonville City Council meeting will be on March 8, 2022.



Kirby Romines, City Clerk



Stephanie Orman, Mayor

