

Bentonville City Council

Meeting Minutes

July 12, 2022

The City Council of Bentonville, Arkansas, met in regular session Tuesday, July 12, 2022, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez, Cindy Acree, Gayatri Agnew, Bill Burckart, Chris Sooter, and Holly Hook, 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 Aubrey Patterson 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.

Mayor Orman called the meeting to order. Mikki Williams, a Girl Scout from Pack 5273, 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 June 28, 2022, meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

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

1. Informational - Sidewalk Update - Jim Wheelless

Council Member Agnew and Council Member Burckart asked if the maps presented were public or could be emailed to the council. Mayor Orman explained that at this time, it is internal, but copies could be made upon request. Dan Weese, City Engineer, and the council discussed priority areas for sidewalks, the remaining budget allotted for sidewalk projects, and opportunities to involve smaller contractors in the bidding process.

2. Recognition by City Council of Mark Slaughter, who resides at 605 NW A Street. The property's landscaping was nominated by a Bentonville resident and is the June Residential Landscaping of the Month award winner.

3. Planning:

3a. Resolution No. 7-12-22 A: A resolution adopting a revised Planning Area Map for the city of Bentonville, Arkansas pursuant to Arkansas Code Annotated §14-56-414; and for other purposes.

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 (7-0).

3b. Ordinance No. 2022-143: Ordinance accepting a lot split of Lot 5 of Applegate Subdivision; creating new Lots 52 and 53 of Applegate Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project No. LS21-0075).

[Applicant: Anna, Steven & Belinda Hill;

Location: 1410 A&B Bella Vista Road]

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).

- 3c. Ordinance No. 2022-144: Ordinance accepting a lot split of West ½ of Lot 9, Block 16 of Railroad Addition; creating new Lot 18, Block 16 of Railroad Addition to the City of Bentonville, Arkansas; and for other purposes (Project No. LS22-0025).

[Applicant: Grant Nevill;

Location: 301 SE Henry]

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).

- 3d. Ordinance No. 2022-145: Ordinance property line adjustment of unplatted section land; creating new Lot 1 and Lot 2 of Urban Bentonville Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0012).

[Applicant: Urban Share, LLC;

Location: 805 SE C Street & 402 SE 8th 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).

- 3e. Ordinance No. 2022-146: Ordinance accepting a property line adjustment of part of existing Lot 26 of Crabtree Addition and part of Lots 4, 5, and 6, Block 26 of Deming's 2nd Addition; creating new Lot 1 of Crabtree Addition Phase 2 to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0014).

[Applicant: Katie Christian;

Location: 710 NW B 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).

- 3f. Ordinance No. 2022-147: Ordinance accepting a property line adjustment of Lots 1 and 2 of Stagecoach Subdivision; creating new Lot 3 and Lot 4 of Stagecoach Subdivision in the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0015).

[Applicant: Mark E. Smith and Karen E. Smith;

Location: 3810 N Rainbow Farm Road]

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).

- 3g. Ordinance No. 2022-148: Ordinance accepting a property line adjustment of Lots 1, 3, 5, and 7, Block 7 of Gilmore's Addition; creating new Lots 17 and 18, Block 7 of Gilmore's Addition to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0016).

[Applicant: Randall Hinton Development, LLC;

Location: 521, 525, 529, 535, 537 & 540 SW 5th 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).

- 3h. Ordinance No. 2022-149: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to DN-1, Downtown Low-Density Residential; and for other purposes (Project No. RZ22-0032).

[Applicant: David M & Alyson P. Brittain;

Location: 302 SW E 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).

4. Utility Board:

- 4a. Resolution No. 7-12-22 B: A resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Garver, LLC in the amount of two hundred thirty thousand dollars (\$230,000.00) to update the City of Bentonville's Water Master Plan; amending the 2022 Budget to fund this agreement through a transfer from Water Utilities Reserves to Account No. 503020-43410, Professional Services/Other; and for other purposes.

Council Member Burckart asked about the water loss and the water study analysis. Mike Bender, Public Works Director, explained the timeline of the analysis.

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 (7-0).

- 4b. Resolution No. 7-12-22 C: A resolution authorizing the Mayor and Clerk to enter into an agreement with SWEPCO to modify the delivery point agreement for the point of delivery #7; 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).

5. Resolution No. 7-12-22 D: A resolution approving a change order to the agreement with Racom Corporation pertaining to tower sites and the advanced purchase of portable radios at no additional cost; and for other purposes.

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 (7-0).

6. Ordinance No. 2022-150: Ordinance vacating a utility easement located at Lot 19 Block 2 of Dunn & Davis Addition to the City of Bentonville, Arkansas, Benton County Arkansas (VAC22-0019).

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

7. Resolution No. 7-12-22 E: A resolution setting a public hearing for July 26, 2022, for Street Right of Way requested for 609 SE D Street of Orchards Addition (VAC22-0001).

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. 7-12-22 F: A resolution setting a public hearing for July 26, 2022, for a Utility Easement Vacation requested for Lot 6 of Kingsbury Subdivision Phase 2 (VAC22-0018).

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 (7-0).

9. Resolution No. 7-12-22 G: A resolution setting a public hearing for an Access Easement Vacation requested for 712 Bella Vista Way of Brown Subdivision (VAC22-0020).

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 (7-0).

10. Resolution No. 7-12-22 H: A resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Hight-Jackson Associates, PA for services related to the design of the Street Department building expansion, in the amount of eighty-four thousand five hundred dollars (\$84,500.00); 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).

11. Appointment of Douglas Bryant to the Ozark Regional Transit Board of Directors, filling Shane Stephens' unexpired term. Mr. Bryant's term will expire in October of 2024.

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

12. Ordinance No. 2022-151: Ordinance waiving competitive bidding for the purchase of a Jacobsen AR 331 3 Deck Contour Rotary mower; adjusting the 2022 Budget to appropriate eighteen thousand seven hundred sixty-six dollars (\$18,766.00) into account #105030-47410, Machinery And Equipment, to fund said purchase; providing for the emergency clause; and for other purposes.

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).

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

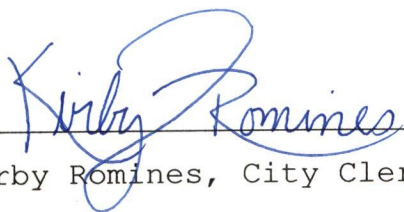
Mayor Orman adjourned the meeting. Motion to adjourn by Council Member Burckart, second by Council Member Hook.

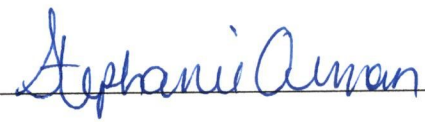
Mayor Orman recognized Stewart Larrabee for public comment. Stewart Larrabee gave public comment regarding the Taxicab Coupon Program for senior and disabled persons in the city of Bentonville.

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

Council Member Burckart asked about the Planning Commission item regarding the flood plain requirement and asked if the topic could be put on an upcoming committee of the whole meeting on August 8th for further discussion.

The next Bentonville City Council meeting will be on July 26, 2022.


Kirby Romines, City Clerk


Stephanie Orman, Mayor

