

Bentonville City Council

Meeting Minutes

August 9, 2022

The City Council of Bentonville, Arkansas, met in regular session Tuesday, August 9, 2022, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez, Aubrey Patterson, Cindy Acree, Chris Sooter, Gayatri Agnew, Bill Burckart, and Holly Hook. 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 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. Adair McIntosh, a Cub Scout from Troop 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 July 26, 2022, meeting as presented, second by Council Member Hook. 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).

[Agenda item 1 was addressed at the August 8, 2022, Committee of the Whole meeting.]

2. Recognition by the City Council of Naveen Nandyala, who resides at 4400 SW Rhinestone Road. The property's landscaping was nominated by a Bentonville resident and is the July Residential Landscaping of the Month award winner.

3. Planning:

- 3a. Ordinance No. 2022-159: Ordinance accepting a lot split of existing Lot 8, Block 2, T.J. Holland's Subdivision; creating new Lots 18, 19, 20, 21, 22, and 23 Block 2, T.J. Holland's Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project No. LS21-0010).

[Applicant: NFD, LLC;

Location: SW 4th & SW B 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 (7-0).

- 3b. Ordinance No. 2022-160: Ordinance accepting a lot split of existing Lots 10 and 17, Southside Subdivision; creating new Lots 23, 24, 25, 26, 27, 28, 29, 30, and 31, Southside Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project No. LS21-0063).

[Applicant: Hurricane WA, LLC;

Location: SE 7th & SE 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).

4. Resolution No. 8-9-22 A: A resolution amending the City of Bentonville Future Land Use Map for a specific area from Low-Density Residential to Medium-Density Residential; and for other purposes.

Mayor Orman recognized Tim Sorey and Johnny Haney for public comment. Tim Sorey and Johnny Haney spoke in favor of the appeal and asked for approval of the rezonings for agenda items four and five. The city council engaged in a lengthy discussion regarding the surrounding properties and their zonings.

Council Member Hook expressed concern about changing the Master Plan and explained that several of their constituents expressed concern and gave push back for this rezoning.

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 (6-1), with Council Member Hook voting no.

Council Member Robinson joined the meeting via Zoom.

5. Ordinance No. 2022-161: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Low Density Single Family Residential to R-2, Medium Density Two Family and Townhome Residential; and for other purposes (Project No. RZ22-0034).

[Applicant: Haney Enterprises, LLC;

Location: SE 7th & SE B 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 (7-1), with Council Member Hook voting no.

6. Utility Board:

- 6a. Resolution No. 8-9-22 B: A resolution awarding bid IFB 22-72 to Kootz Electric Company, Inc., for the expansion of Bentonville Electric Utility "I" Substation; approving a budget adjustment in the amount of one million seventy thousand eight hundred dollars and seventy-one cents (\$1,070,800.71) from Electric Department Reserves to account #503010-47210, Plants and Buildings; and for other purposes.

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).

- 6b. Ordinance No. 2022-162: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Stribling Equipment, for the purchase of currently leased backhoes, in the estimated cost of six hundred ninety thousand three hundred forty-nine dollars and seventy-five cents (\$690,349.75); waiving the requirement of competitive bidding; authorizing a budget adjustment for this purchase; and for other purposes.

Council Member Sanchez expressed their support for purchasing said equipment since it is in excellent condition and has only been used by the City of Bentonville.

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. Resolution No. 8-9-22 C: A resolution allowing the Mayor and City Clerk to enter into an amendment to the agreement with

Tyler Technologies, to add a data and insights public safety analytics software package; and for other purposes.

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).

8. Resolution No. 8-9-22 D: A resolution authorizing the Mayor and City Clerk to enter into a memorandum of understanding with the Bentonville School District related to the School Resource Officer Program; and for other purposes.

Council Member Sooter asked if there was a new requirement or new funding from the State of Arkansas to have school resources officers in every school. Mayor Orman expressed the staffing challenges of that potential requirement but that that topic is only in discussion at the state level and not required at this time.

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. 8-9-22 E: A resolution amending the 2022 Budget for the purpose of receiving and expending the five-thousand-dollar (\$5,000.00) stipend for eligible full-time law enforcement officers; and for other purposes.

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).

10. Resolution No. 8-9-22 F: A resolution awarding bid IFB 22-73 to McLarty Daniel Buick GMC of Bentonville, Arkansas for the Police Department's fleet maintenance contract, in an approximate amount of ninety thousand dollars (\$90,000.00) plus annual renewals; 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 (8-0).

11. Ordinance No. 2022-163: Ordinance amending the Bentonville Community Center membership fees; and for other purposes.

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

12. Resolution No. 8-9-22 G: A resolution authorizing the Mayor and City Clerk to enter into a change order with Design Workshop, Inc., in the amount of one hundred twenty thousand dollars (\$120,000.00); for the design of the A Street Promenade; 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 (8-0).

13. Ordinance No. 2022-164: Ordinance vacating two Access Easements and one Utility Easement located in 3809 SW Crocket to the City of Bentonville, Arkansas, Benton County Arkansas (VAC22-0010).

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 (8-0).

14. Resolution No. 8-9-22 H: A resolution setting a public hearing for August 23, 2022, for vacating Street Right of Way and establishing

a Utility Easement requested by Diana Gibson at 729 NE A Street, Demings 2nd Addition (VAC22-0008).

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).

15. Resolution No. 8-9-22 I: A resolution setting a public hearing for August 23, 2022, to vacate a Drainage and Utility Easement located at Demings 2nd Addition, Block 24 Lot 27 at 201 NE 7th Street (VAC22-0022).

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).

16. Resolution No. 8-9-22 J: A resolution authorizing the Mayor and City Clerk to enter into an agreement with Pinnacle Consulting Management Group, Inc., for property acquisition services for SE Walton Boulevard and SE Medical Center Parkway, in the amount of fifty thousand one hundred dollars (\$50,100.00); and for other purposes.

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

17. Resolution No. 8-9-22 K: A resolution authorizing the Mayor and Clerk to accept the transfer of certain property from the Arkansas Department Of Transportation to facilitate current and future City of Bentonville Transportation projects; and for other purposes.

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

Council Member Sanchez congratulated the City of Bentonville Transportation Department.

18. Resolution No. 8-9-22 L: A resolution approving a change order to the agreement with Flintco, LLC, for additional work related to the Bright Road Extension Project, in the amount of two hundred ninety-seven thousand four hundred thirty-one dollars (\$297,431.00); and for other purposes.

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

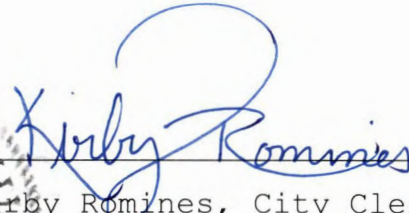
Council Member Burckart mentioned the Floor Elevation discussion that was had at the Committee of the Whole meeting on August 8th, 2022. The council engaged in further lengthy discussion on the topic. Council Member Burckart made a motion to place the Floor Elevation item on the next City Council meeting agenda, second by Council Member Acree. There was no further discussion. Motion carried (5-3), with Council Member Sanchez, Hook, and Patterson voting no.

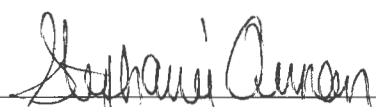
Mayor Orman adjourned the meeting. Motion to adjourn by Council Member Agnew, second by Council Member Patterson.

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

Mayor Orman reminded the council of the City Hall Selfie Day.

The next Bentonville City Council meeting will be on August 23, 2022.

  
  
Kirby Romines, City Clerk

  
Stephanie Orman, Mayor