

Bentonville City Council

Meeting Minutes

September 27, 2022

The City Council of Bentonville, Arkansas, met in regular session Tuesday, September 27, 2022, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Octavio Sanchez, Aubrey Patterson, Chris Sooter, Gayatri Agnew, Bill Burckart, and Holly Hook. Also present were City Attorney George Spence, City Clerk Kirby Romines, the press, city staff, and the audience. Council Member Cindy Acree, Council Member Tim Robinson, and Mayor Stephanie Orman 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. Mayor Orman also 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 September 13, 2022, meeting as presented, second by Council Member Hook. There was no discussion. Motion carried (7-0), with Council Member Acree absent.

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), with Council Member Acree now present.

1. Planning:

- 1a. Ordinance No. 2022-184: Ordinance accepting a lot split of existing Lot 4 of Swaffer Subdivision & Lot 8 Medlin Meadows Subdivision; creating new Lot 1 Medlin Meadows Subdivision, Phase 2 to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0013).

[Applicant: Burckart Construction, Inc.;

Location: 416 Fillmore Street]

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 (7-0), with Council Member Burckart abstaining.

- 1b. Ordinance No. 2022-185: Ordinance accepting a property line adjustment of Lot 1 of Westwood Subdivision and Lot 18 of Westside Addition; creating new Lots 1 and 2 of Westwood Subdivision Phase 2 to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0017).

[Applicant: Westwood Development Lot A LLC, Westwood Development Lot B LLC, Westwood/Burrwood Lot C LLC, DeWayne C, and Sherry Goss;

Location: 307 S Walton Blvd.]

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

- 1c. Ordinance No. 2022-186: Ordinance accepting a property line adjustment of part of Lots 10, 11, and 13 of Lincoln and Rice Addition; creating new Lots 21 and 22 of Lincoln and Rice Addition the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0025).

[Applicant: John C and Dawn McDowell;

Location: 102 NE F Street]

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

- 1d. Ordinance No. 2022-187: Ordinance accepting a property line adjustment of the South 20' of Lot 4, and Lots 5, 8, 9, & 12, and the vacated east half of an alley lying to the west of Lot 8 and the north one-half of Lot 9, and also that portion of a vacated 12' alley lying parallel and adjacent to the south line of Lot 5 and parallel and adjacent to the north line of Lot 8 in Block 1 of the Dunn & Davis Addition; creating new Lots 19 and 20 of Dunn and Davis Addition to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0027).

[Applicant: Bville A Street LLC;

Location: NW Corner of SW 6th and SW A Streets]

Council Member Hook asked when this item went to the Planning Commission, and Tyler Overstreet, Director of Planning and Community Development, explained item was approved by Planning Commission at an earlier meeting and was held from City Council pending the finalization of an easement which is now complete. Council Member Sanchez asked if it was the same situation for item 1a, and Tyler Overstreet confirmed that they were waiting on a vacation before it was brought to the council.

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).

- 1e. Ordinance No. 2022-188: Ordinance accepting a property line adjustment of Lots 25 and 29, Block 24, of Deming's 2nd Addition; creating new Lots 33 and 34, Block 24, of Deming's 2nd Addition to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0028).

[Applicant: Casey R and Hannah Roberts;

Location: 702 & 704 NE A 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).

- 1f. Ordinance No. 2022-189: Ordinance accepting a property line adjustment of Lots 4, 5, and 19, Block 2, of Dunn and Davis Addition, creating new Lot 22, Block 2, of Dunn and Davis Addition to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0029).

[Applicant: HOMEX International;

Location: SW 5th and SW 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 (8-0).

- 1g. Ordinance No. 2022-190: Ordinance accepting a lot split of unplatted section land; creating new Lot 1 of Sonic South Walton Addition to the City of Bentonville, Arkansas; and for other purposes (Project No. LS22-0038).

[Applicant: ESCH Family Limited Partnership;

Location: 208 South Walton Boulevard]

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

- 1h. Ordinance No. 2022-191: Ordinance accepting a lot split of unplatted section land; creating new Lots 1 and 2 of Randall Hinton Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project No. LS22-0041).

[Applicant: Spangler Revocable Trust;

Location: 3101 & 3103 S. Walton Blvd]

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).

- 1i(1).Resolution No. 9-27-22 A: A resolution amending the City of Bentonville Future Land Use Map for a specific area Low-Density Residential to Medium-Density Residential; 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).

- 1i(2).Ordinance No. 2022-192: 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. RZ22-0042).

[Applicant: Nikki Littrell/Chen & Ehret Real Holdings LLC;

Location: 1006, 1102, & 1104 Lockheed 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).

- 1j(1).Resolution No. 9-27-22 B: A resolution amending the City of Bentonville Future Land Use Map for a specific area from Residential Estate to Low-Density Residential; and Medium-Density Residential; and for other purposes.

Council Member Sanchez expressed concerns about the traffic in the specific location. Nate Bachelor, who represents the owner, explained that the development would most likely require them to address the immediate concerns of the intersection and widening of the streets.

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).

- 1j(2).Ordinance No. 2022-193: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agricultural to R-1, Low Density Single Family Residential; and R-2, Medium Density Two Family and Townhome Residential; and for other purposes (Project No. RZ22-0044).

[Applicant: 10th Ave Freeze Out LLC;

Location: 4300 Town Vu 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 (8-0).

2. Utility Board:

- 2a. Resolution No. 9-27-22 C: A resolution authorizing the Mayor and Clerk to enter into a professional services agreement with Allgeier, Martin, and Associates, Inc. for engineering services related to a transmission line connection between "G" Substation and "I" Substation in the amount of two hundred fifty-eight thousand nine hundred twenty-five dollars (\$258,925.00); and for other purposes.

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

- 2b. Ordinance No. 2022-194: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Techline for the purchase of certain transformers in the amount of sixty-four

thousand nine hundred forty-seven dollars (\$64,947.00), plus applicable taxes; waiving the requirement of competitive bidding; 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 (8-0).

- 2c. Ordinance No. 2022-195: Ordinance amending section 98-703(C)(6) of the City of Bentonville Municipal Code pertaining to allowed pipe materials within the water utilities specifications; and for other purposes.

Council Member Burckart thanked the Water Department for their work and for adding these materials as options. Council Member Sanchez mentioned the high quality of the materials.

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).

3. Reappointment of Dennis Cherry to the Airport Advisory Board. His current term expires on September 30, 2022. The new term will expire on September 30, 2025.

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

4. Resolution No. 9-27-22 D: A resolution declaring certain property belonging to the City of Bentonville Fire Department as surplus property; authorizing its disposal; 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).

5. Ordinance No. 2022-196: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Superior Auto Group in the amount of forty-nine thousand one hundred fifty-two dollars and ninety-six cents (\$49,152.96) for the purchase of a 2023 Chevrolet Tahoe and required emergency vehicle upfitting; waiving the requirement of competitive bidding; 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 (8-0).

6. Ordinance No. 2022-197: Ordinance amending waiver of bid Ordinance 2022-162 to provide for the purchase of currently leased backhoes by entering into an agreement with John Deere (John Deere Financial), in the estimated cost of six hundred ninety thousand three hundred forty-nine dollars and seventy-five cents (\$690,349.75); and for other purposes.

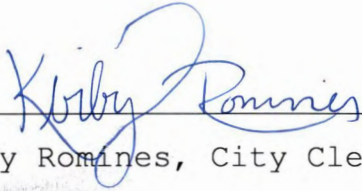
City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

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

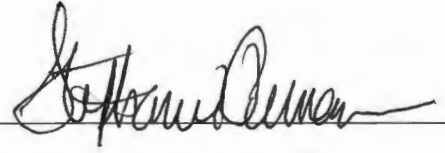
Council members reported on committees and boards they participate in related to the city.

Council members, Mayor Orman, and Tyler Overstreet discussed noise complaints from specific events that occurred the previous weekend, how the noise ordinance is enforced and measured, and what improvements, if any, can be made for future events.

The next Bentonville City Council meeting will be on October 11, 2022.



Kirby Romines, City Clerk



Stephanie Orman, Mayor

