

Bentonville City Council

Meeting Minutes

November 8, 2022

The City Council of Bentonville, Arkansas, met in regular session Tuesday, November 8, 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, Tim Robinson, Chris Sooter, Gayatri Agnew, and Bill Burckart. Also present were Mayor Stephanie Orman, City Attorney George Spence, City Clerk Kirby Romines, the press, city staff, and the audience. Council Member Holly Hook joined via 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 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 Sanchez to approve the minutes of the October 25, 2022, meeting as presented, second by Council Member Acree. There was no discussion. Motion carried (8-0).

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 (8-0).

[Agenda item 1 was addressed at the November 7, 2022, Committee of the Whole meeting.]

2. Impact Fee Discussion.

3. Presentation - Representatives from Downtown Bentonville, Inc. are in attendance to present Parks and Recreation Staff with the Telly Award for the presentation of the Christmas Lights on the Square.

4. Ordinance No. 2022-218: 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; 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).

5. Planning:

5a. Ordinance No. 2022-219: Ordinance accepting a property line adjustment of Lots 3 and 4 of Lincoln and Rice Addition creating new Lots 5 and 6 of Lincoln and Rice Addition the City of Bentonville, Arkansas; and for other purposes (Project No. LS22-0049).

[Applicant: Scott A Johnson;

Location: 901 NE 2nd 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).

- 5b. Ordinance No. 2022-220: Ordinance accepting a property line adjustment of Lots 221, 222, 223, & 224 of The Original Town of Bentonville; creating new Lots 227, 228, 229, & 230 to The Original Town of Bentonville to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0031).

[Applicant: Brittany Gillen;

Location: 300 E Central Ave, 301, 303, & 350 SE 2nd 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).

- 5c. Ordinance No. 2022-221: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of DN-2, Downtown Medium-Density Residential to PRD, Planned Residential Development; and for other purposes (Project No. PRD22-0002).

[Applicant: Constellation Properties, LLC;

Location: 903 NW A 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 (8-0).

- 5d. Ordinance No. 2022-222: Ordinance accepting a lot split of part of Lot 12 of Osage Hills Subdivision; creating new Lots 15 & 16 of Osage Hills Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project No. PLA22-0021).

[Applicant: McClelland Consulting Engineers / Mitchell Massey;

Location: SE Corner of Brookside Road and Ginn 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).

6. Resolution No. 11-8-22 A: A resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Tischler Bise to conduct an impact and capacity fee study in the amount of ninety thousand seven hundred ten dollars (\$90,710.00); 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 (7-1), with Council Member Burckart voting no.

7. Resolution No. 11-8-22 B: A resolution endorsing the conceptual design of "Lil' Library in the Park" curated by the Bentonville Public Library and designed by local artist Randy Townsend for installation on public property in Bentonville city parks.

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 (8-0).

8. Resolution No. 11-8-22 C: 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 Robinson. There was no discussion. Motion carried (8-0).

9. Ordinance No. 2022-223: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Superior Auto Group for the purchase of one (1) 2023 Chevrolet Traverse in the amount of thirty-one thousand eight hundred twelve dollars and forty-two

cents (\$31,812.42); 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 Acree. There was no discussion. Motion carried (8-0).

10. Resolution No. 11-8-22 D: A resolution awarding bid IFB 22-84 to MHC Kenworth for the purchase of a dump truck for the City of Bentonville Street Department in the amount of two hundred sixty-five thousand five hundred fifty-nine dollars and nineteen cents (\$265,559.19); approving a budget adjustment in the amount of forty thousand five hundred fifty-nine dollars and nineteen cents (\$40,559.19) to Account 20318- 47410 - Machinery and Equipment; 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).

11. Resolution No. 11-8-22 E: A resolution authorizing the Mayor and City Clerk to enter into a change order to the agreement with NEC, Inc for the construction of certain improvements at the intersection of Walton Boulevard and 12th Street/Tiger Boulevard; approving a budget adjustment in the amount of one hundred fourteen thousand three hundred sixty-five dollars and sixty-one cents (\$114,365.61) from Street Fund Reserves to Account 203810-47380 - Street Construction; and for other purposes.

Council Member Patterson asked about the signal upgrades. Dennis Birge, Transportation Director, explained the reasoning for the adjustments in the equipment.

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

12. Resolution No. 11-8-22 F: A resolution authorizing the Mayor and City Clerk to enter into a grant agreement with the Walton Family Foundation to receive five hundred five thousand four hundred fifty-two dollars (\$505,452.00); 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).

13. Resolution No. 11-8-22 G: A resolution adjusting the 2022 Budget to appropriate grant and other funds into certain accounts for the Razorback Greenway Project at the 1-49 Interchange; 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).

14. Resolution No. 11-8-22 H: A resolution allowing the Mayor and City Clerk to enter into an agreement with CEI Engineering Associates Inc. in the amount of forty-six thousand dollars (\$46,000.00) for the construction administration of the Razorback Greenway I-49 Reroute; and for other purposes.

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 (8-0).

15. Resolution No. 11-8-22 I: A resolution awarding bid IFB 22-70 for the construction of Bentonville Razorback Greenway Improvements (I-49 Reroute) to Milestone Construction Company, LLC. in the amount of one million six hundred ninety-four thousand four hundred fifty-one dollars and seventy-two cents (\$1,694,451.72) (including contingency); and for other purposes.

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 (8-0).

Council Member Patterson asked when construction would be complete on the reroute. Hunter Garrison, Bicycle and Pedestrian Planner, and David Wright, Parks & Recreation Director, explained the potential construction start dates and an estimated competition.

16. Resolution No. 11-8-22 J: A resolution authorizing the Mayor and City Clerk to enter into an amendment to the agreement with Ecological Design Group, Inc. to include pickleball court design and construction management services related to the Creekside Park project; approving a budget adjustment in the amount of seven thousand dollars (\$7,000.00) to Account 105030-47390 - Improvements Other than Buildings; and for other purposes.

Council Member Burckart asked what the amount of the change order would be. David Wright explained that it would be about \$600,000 for eight pickleball courts.

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 (8-0).

17. Ordinance No. 2022-224: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Superior Auto Group for the purchase of one (1) 2022 Ram 1500 truck for the City of Bentonville Parks Department in the amount of forty-four thousand five hundred eighty-five thousand dollars (\$44,585.00); waiving the requirement of competitive bidding; amending the 2022 Budget to appropriate funds for a portion of this purchase and for other purposes.

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 (8-0).

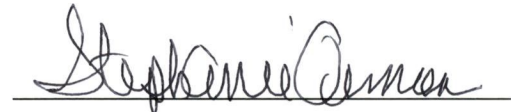
Mayor Orman adjourned the meeting. Motion to adjourn by Council Member Burckart, second by Council Member Acree.

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

The next Bentonville City Council meeting will be on November 22, 2022.



Kirby Romines, City Clerk



Stephanie Orman, Mayor

