

Bentonville City Council

Meeting Minutes

May 9, 2023

The City Council of Bentonville, Arkansas, met in regular session Tuesday, May 9, 2023, 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, Beckie Seba, Chris Sooter, Gayatri Agnew, Bill Burckart, and Holly Hook. Also present were Mayor Stephanie Orman, City Attorney Andrew Myers, City Clerk Kirby Romines, the press, city staff, and the audience. Several members of the city staff and the public attended remotely via 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 April 25, 2023, meeting as presented, second by Council Member Burckart. 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).

1. Proclamation presented to recognize "Police Week" in Bentonville, Arkansas.

Chief of Police Ray Shastid thanked the Mayor, council, and the community for their support.

2. Planning:

- 2a. Ordinance No. 2023-112: Ordinance accepting a final plat of Snyder Meadows Subdivision to the City of Bentonville, Arkansas; and for other purposes (Project No. FP22-0007).

[Applicant: Osage RE Holdings, LLC;

Location: Northwest Rainbow Farm Road]

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

- 2b. Ordinance No. 2023-113: Ordinance amending Land Development Code, Sec. 1100.06 Fence and Wall Requirements; allowing for administrative approval of minor height and horizontal modifications up to two feet for fence permits; and for other purposes.

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

- 2c. Ordinance No. 2023-114: Ordinance amending Zoning Code Sec. 601.16 Outdoor and Mobile Food Vendors; requiring a Fire Department inspection prior to commencement of operations of an outdoor or mobile food vendor; and for other purposes.

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

3. Resolution No. 5-9-23 A: A resolution endorsing the installation of artwork titled "Cozy Apple," by artist Gina Gallina, on public property in celebration of Bentonville's 150th anniversary; and for other purposes.

City Attorney Andrew Myers 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).

4. Resolution No. 5-9-23 B: A resolution endorsing the installation of artwork titled "Seeds of the Future," by artist Justin Deister, on public property in celebration of Bentonville's 150th anniversary; and for other purposes.

City Attorney Andrew Myers 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).

5. Ordinance No. 2023-115: Ordinance waiving competitive bidding, for the emergency replacement of sanitary sewer manhole 405-1901 by Crossland Heavy Contractors, Inc., in the amount of one hundred forty-one thousand seventy-one dollars and five cents (\$141,071.05); amending the 2023 Budget to fund this cost; providing for the emergency clause; and for other purposes.

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

City Attorney Andrew Myers 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 (8-0).

6. Ordinance No. 2023-116: Ordinance waiving competitive bidding for the operation and monitoring of two sanitary sewer bypass installations by rain for rent in order to accommodate emergency replacement of sanitary sewer manhole 405-1901, in the amount of

one hundred fifty-six thousand three hundred forty-six dollars and sixty-one cents (\$156,346.61); amending the 2023 Budget to fund this cost; providing for the emergency clause; and for other purposes.

Council Member Burckart, Council Member Sanchez, and Mayor Orman thanked the Water Department for their work and quick response.

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

City Attorney Andrew Myers 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 (8-0).

7. Resolution No. 5-9-23 C: A resolution amending the 2023 Budget to recognize Bentonville Public Library donations and grants in the amount of two thousand three hundred eighty-five dollars (\$2,385.00), and library impact fees in the amount of nine thousand seven hundred sixty-four dollars (\$9,764.00); appropriating the same to various expense accounts; and for other purposes.

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

8. Resolution No. 5-9-23 D: A resolution amending the 2023 Budget to recognize a donation from the Bentonville Library Foundation, in the amount of nine million six hundred ninety-two thousand one hundred sixty-nine dollars (\$9,692,169.00); appropriating twelve million nine hundred sixty thousand nine hundred twenty-one dollars (\$12,960,921.00) to fund the library expansion construction contract; and for other purposes.

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

9. Resolution No. 5-9-23 E: A resolution setting a public hearing for May 23, 2023, for a Drainage Easement Vacation requested for Lot 18 of Rainbow Junction-Bentonville Subdivision (VAC23-0008).

City Attorney Andrew Myers 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).

10. Resolution No. 5-9-23 F: A resolution setting a public hearing for May 23, 2023, for a Utility Easement Vacation requested for Lot 3 of Cross Creek Subdivision Phase 2 (VAC23-0009).

City Attorney Andrew Myers 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. 2023-117: Ordinance waiving competitive bidding for the purchase of one (1) 2023 Ram 1500 Classic Tradesman Quad Cab 4x2 truck; authorizing the Mayor and City Clerk to enter into an agreement, not to exceed thirty-nine thousand seven hundred eighty-six dollars (\$39,786.00), with McLarty Daniel, for this purchase; adjusting the 2023 Budget; providing for the emergency clause; and for other purposes.

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

City Attorney Andrew Myers read the emergency clause on the ordinance. Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

12. Ordinance No. 2023-118: Ordinance amending Chapter 2, Article 2-II of the City of Bentonville Municipal Code; establishing a Finance Committee of the City Council; and for other purposes.

City Attorney Andrew Myers read the ordinance by title only. Motion to approve 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 Acree, second by Council Member Sanchez.

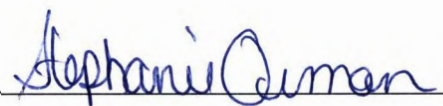
Mayor Orman recognized Kallahan Miller for public comment. Kallahan Miller asked the City of Bentonville to consider a bicycle bypass on Airport Boulevard to Greenhouse Road, Rainbow Curve, and Walton Boulevard. Mayor Orman explained that they would share their request with the correct department and follow up with them after the meeting.

Mayor Orman mentioned to the council that they need to let her know if they would like to serve on the Finance Committee.

The next Bentonville City Council meeting will be on May 23, 2023.



Kirby Romines, City Clerk



Stephanie Orman, Mayor

