

Bentonville City Council

Meeting Minutes

February 23, 2021

The City Council of Bentonville, Arkansas, met in regular session Tuesday, February 23, 2021, at 6:00 p.m., at the Bentonville Community Center, 1101 Southwest Citizen's Circle, Bentonville, Arkansas.

Present were Council Members Cindy Acree, Octavio Sanchez, Holly Hook, Chris Sooter, Bill Burckart, and Aubrey Patterson. 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 and Gayatri Agnew 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 reminded the council that all votes would be by roll call.

No individuals signed in to speak at the meeting in person, and no individuals joined via Zoom to speak to agenda items.

Mayor Orman called the meeting to order. Collin Schock, a Cub Scout from Pack 525, 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 Acree to approve the minutes of the February 9, 2021 meeting as presented, second by Council Member Sanchez. 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. Information - Preston Newbill presented an update on water loss issue and efforts to correct.

2. Ordinance No. 2021-49: 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.

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).

3. Resolution No. 2-23-21 A: A resolution endorsing the installation of artwork titled "*This is Your Public Library: A Community Collage*" by artist Ziba Rajabi and Bentonville Public Library patrons on public property at the Bentonville Public Library, 405 S Main Street.

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

4. Resolution No. 2-23-21 B: A resolution authorizing the payment of the City's 2021 membership fee with the Northwest Arkansas Regional Planning Commission.

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

5. Ordinance No. 2021-50: Ordinance vacating Street Right of Way located at 203 SE Martin Luther King, Lot 5 of Bentonville Industrial Park to the City of Bentonville, Arkansas, Benton County Arkansas (Project No. VAC20-0036).

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 Acree. There was no discussion. Motion carried (8-0).

6. Resolution No. 2-23-21 C: A resolution setting a public hearing for March 9, 2021 for multiple Drainage and Utility Easement Vacations requested for Walmart Layout Center Subdivision.

City Attorney Spence read the resolution 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. 2-23-21 D: A resolution setting a public hearing for March 9, 2021 for Street Right of Way Vacation requested for 700 SW 16th Street, Lot 5 of the Northwest Prairie Addition (VAC20-0031).

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

8. Bid award to Henard Utility Products, Inc. for the purchase of a (1) Regenerative Air Sweeper (Street Sweeper).

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

9. Ordinance No. 2021-51: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of replacement video processors for traffic signal cameras at certain intersections in the City of Bentonville and waiving the requirement of competitive bidding.

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).

10. Change Order and Final Payment for ARDOT 090473 - Hwy. 102 SW I St. Inters. Impvts. (Bentonville) (S). This Reconciliation Change Order includes Change Orders 3 and 4, thus reducing the overall contract by \$5,011.65 and adding 290 additional days to the project.

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

- 11a. Resolution No. 2-23-21 E: A resolution approving Work Order Number Eleven (11) in the amount of \$41,500.00 with Garver, LLC, for the engineer design and bidding of hangar apron, taxi lane and utility infrastructure improvements corridor number two on the west side of the Bentonville Municipal Airport.

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

- 11b. Budget Adjustment for Work Order Number Eleven (11) in the amount of \$41,500.00 with Garver, LLC, for the engineering design and bidding of Hangar Apron, Taxi Lane, and Utility Infrastructure Improvements Corridor Number Two on the West Side of the Bentonville Municipal Airport. It is anticipated that the cost of this work order will be reimbursed to the City from proceeds of a grant or grants from the Arkansas Division of Aeronautics (ADA).

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

12. Bid Award to APAC Central, Inc., for the Construction of Water Tower Road Phase 1.

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

13. Resolution No. 2-23-21 F: A resolution expressing the support of the City of Bentonville for the Arkansas State Highway Commission's designation of State Highway 549 (Future I-49/Bella Vista Bypass) as a State Scenic Byway.

Council Member Acree asked if this requires anything of the City of Bentonville. Mayor Orman recognized Dennis Birge, Transportation Director, who explained that it does not. The resolution is an expression of goodwill and support.

Council engaged in further discussion on potential restrictions regarding billboards or commercial development along State Highway 549.

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

Council Member Burckart and Council Member Acree thanked Dennis Birge and Tony Davis, Street Manager, for their hard work on the roads during the previous week's winter weather.

14. Bid Award to Pinnacle Emergency Vehicles, LLC through the participation in the HGAC Cooperative (Co-op) contract, AM10-20 to purchase two Braun Ambulances in the amount of \$569,506.00. Use of a Co-op is allowed pursuant to Arkansas State Statute 19-11-249; Purchasing performed an evaluation of the AM10-20, determining that the solicitation was in line with both Arkansas State Statute

and City Purchasing procedures. This is a budgeted item in the 2021 budget.

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

15. Ordinance No. 2021-52: Ordinance authorizing the Mayor and the City Clerk to purchase drone equipment for the City of Bentonville Fire Department, and waiving the requirement of competitive bidding.

Council Member Burckart asked for further clarification on why this was a single-sourced item when several other companies offer the drone and the heart monitor at various prices.

Deputy Chief Curtis Sharp said that the closest vendor who could also service the drone is in Fayetteville. Fire Chief Brent Boydston explained that Stryker is the only company to offer this specific heart monitor as a new and not a refurbished product.

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

16. Ordinance No. 2021-53: Ordinance authorizing the Mayor and the City Clerk to purchase portable ventilators and associated equipment for the City of Bentonville Fire Department, and waiving the requirement of competitive bidding.

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).

17. Ordinance No. 2021-54: Ordinance authorizing the Mayor and the City Clerk to purchase a Lifepak 15 heart monitor from Stryker Medical for the City of Bentonville Fire Department and waiving the requirement of competitive bidding.

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).

18. Ordinance No. 2021-55: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Challenger Sports Corporation for soccer camp programming for the City of Bentonville Parks and Recreation Department and waiving the requirement for competitive bidding.

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).

19. Ordinance No. 2021-56: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Downtown Bentonville Inc. for event production and related services and waiving the requirement of competitive bidding.

Council Member Hook asked if there will be COVID-19 precautions at Downtown Bentonville Inc (DBI) events since they would also represent the City of Bentonville.

David Wright, Parks & Recreation Director, explained that they would have to follow the Arkansas Department of Health guidelines.

Council Member Acree asked for clarification on what nondomestic water meant and if DBI will manage event calendars. David Wright explained that there are specific water sources that DBI and vendors would need to use to follow Arkansas Department of Health guidelines for consumption. David Wright also said that DBI would manage the event calendar on their website. Mayor Orman mentioned that the Downtown Bentonville Inc. mobile application will also have events listed.

Council Member Sanchez and Council Member Burckart expressed that this is a good partnership for the city.

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).

20. Resolution No. 2-23-21 G: A resolution authorizing the Mayor and Clerk to enter into an agreement with First Employment Staffing to provide temporary staffing services for the City of Bentonville.

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

21. Resolution No. 2-23-21 H: A resolution authorizing the Mayor and Clerk to enter into an agreement with Staffmark to provide temporary staffing services for the City of Bentonville.

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

22. Resolution No. 2-23-21 I: A resolution authorizing the Mayor and Clerk to enter into an agreement with TEC Staffing to provide temporary staffing services for the City of Bentonville.

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

23. Resolution No. 2-23-21 J: A resolution authorizing the Mayor and City Clerk to amend a contract with MSR Design related to the Needs Assessment for Bentonville Public Library.

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

24. Resolution No. 2-23-21 K: A resolution authorizing the Mayor and Clerk to enter into an amendment to the existing contract with Johanson Group for additional services related to the Salary Survey for the City of Bentonville.

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

Mayor Orman adjourned the meeting. Motion to adjure by Council Member Burckart, second by Council Member Soter.

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

Mayor Orman reminded the council of the upcoming Boards & Commissions training on April 9, 2021, and the Ward 1 Neighborhood Meeting on February 26, 2021. The Planning Commission and City Council Joint Work Session rescheduled date will be shared with the council as soon as it is announced.

Mayor Orman also thanked Debbie Griffin and the Bentonville Fire Department for their work on the vaccine clinic, where 503 shots were administered.

The next Bentonville City Council meeting will be on March 9, 2021.



Kirby Romines, City Clerk



Stephanie Orman, Mayor

