

Bentonville City Council
Meeting Minutes
March 10, 2020

The City Council of Bentonville, Arkansas, met in regular session Tuesday, March 10, 2020, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Tim Robinson, Chad Goss, Cindy Acree, Chris Sooter, Aubrey Patterson, Bill Burckart and Octavio Sanchez, with Jonathan Terlouw absent. Also present were Mayor Stephanie Orman, City Attorney George Spence, City Clerk Linda Spence, the press, city staff and the audience.

At 6:00 p.m., prior to calling the meeting to order, Mayor Orman invited public comments for items on the agenda. There was no response so the Mayor declared the comment period closed.

Mayor Orman called the meeting to order. Brownies from Troop 5518 and Scouts from Troop 525 led everyone present in the Pledge of Allegiance followed by a moment of silence in support of our armed forces.

Motion was made by Council Member Burckart to approve the minutes of the February 25, 2020 meeting as presented, second by Council Member Sanchez. There was no discussion. Motion carried (7-0), with Council Member Terlouw 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 (7-0), with Council Member Terlouw absent.

1. Ordinance No. 2020-46: 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.

[Applicant: Jeff Roth Irrevocable Trust;
Location: Southwest Lee Harris Road]

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 Terlouw absent.

- 2a. Ordinance No. 2020-47: Ordinance changing real estate in the
City of Bentonville, Arkansas, from its present zoning
classification of A-1, agricultural to C-2, general commercial.
(Project No. RZ20-03)

[Applicant: Patton Family Revocable Trust;
Location: 1618 East Centerton Boulevard]

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 Terlouw absent.

- 2b. Ordinance No. 2020-48: Ordinance amending the existing PUD,
planned unit development, for the J3 development as adopted in
Ordinance No. 2017-44.

[Applicant: Applejack, LLC;
Location: Southeast J Street and Southeast 3rd 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 Terlouw absent.

- 2c. Ordinance No. 2020-49: Ordinance accepting a lot split of
Lots 1-2 of KFC Subdivision to the City of Bentonville,
Arkansas. (Project No. LS20-03)

[Applicant: Patton Family Trust;
Location: 1618 East Centerton Boulevard]

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), with Council Member Terlouw absent.

- 2d. Ordinance No. 2020-50: Ordinance accepting a property line adjustment of Lots 1-2 of Old Whayne Subdivision to the City of Bentonville, Arkansas. (Project No. PLA20-05)

[Applicant: STJ Holdings, LLC;
Location: 210 Old Whayne Road]

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), with Council Member Terlouw absent.

- 2e. Ordinance No. 2020-51: Ordinance accepting a property line adjustment of Lot 15 Block 5 of Clark's 2nd Addition to the City of Bentonville, Arkansas.

[Applicant: April Seggebruch;
Location: 308 Southwest D Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

3. Appeal of the Planning Commission's denial of a rezoning from A-1, agricultural, to PRD, planned residential development, requested by Paul and Sue Ollar.

Mayor Orman recognized Bill Watkins, Attorney for the applicant. Mr. Watkins addressed the Council by stating that traffic capacity issues should be addressed during the large scale development process and are not relevant to a determination of whether the proposed PRD is appropriate for that parcel.

Council Member Sanchez and Council Member Robinson expressed concerns related to traffic issues. Council Member Patterson

stated that she was concerned about the lack of public notice regarding the appeal hearing.

Council Member Sanchez made a motion to send the matter back to the Planning Commission to address traffic issues, second by Council Member Acree. There was no further discussion. Motion carried (7-0), with Council Member Terlouw absent.

4. Resolution No. 3-10-20 A: Resolution endorsing the installation of artwork titled "ColorFULL" by Art Club students at Thomas Jefferson Elementary and funded by the Thomas Jefferson Elementary PTO on public property at Park Springs Park.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

5. The resolution referencing artwork titled "Disposable Youth" was removed from the agenda.
6. Resolution No. 3-10-20 B: Resolution endorsing the temporary installation of artwork titled "Universal Inseparability" by Ben Pierce and funded by the Public Art Advisory Committee on public property in Park Springs Park at the southwest corner of Northwest A Street and Tiger Boulevard.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

7. Approval to award Bid No. 20-04 to Corgill Construction, Inc., for an amount not to exceed \$55,000, for rehabilitation of sanitary sewer manholes throughout the City sanitary sewer collection system.

Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

8. Ordinance No. 2020-52: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for pump repair for the McKissic Creek lift station 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 (7-0), with Council Member Terlouw absent.

9. Resolution No. 3-10-20 C: Resolution setting a public hearing for March 24, 2020, on a petition filed by Jared Facizewski requesting an alley right-of-way vacation at 1235 Northeast Monroe Street of W.A. Burks Addition.

City Attorney Spence read the resolution by title only.
Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

10. Approval to award Bid No. 20-12 to Decco Contractors-Paving, Inc., in the amount of \$654,598.25, for the Walton Boulevard and Northwest 3rd Street intersection improvements project.

Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

11. Approval to award Bid No. 20-20 to Hendar Utility Products, in the amount of \$94,611.29, for a Brush Bandit wood chipper.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

12. Approval to award Bid No. 20-18 to Jarraff Industries, in the amount of \$165,677, to purchase a mini-wheeled Jarraff and full-tilt trailer.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

13. Approval to award Bid No. 20-19 to Vermeer Mid-South, in the amount of \$54,248.53, to purchase a walk-behind loader and attachments.

Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

14. Resolution No. 3-10-20 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with Crafton, Tull and Associates Engineers for the design and construction documents for renovations at Old Tiger Stadium Park.

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 (7-0), with Council Member Terlouw absent.

15. Resolution No. 3-10-20 E: Resolution authorizing the Mayor and Clerk to enter into an agreement with CEI Engineering for services related to the future Southwest 28th Street Park.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Acree, second by Council Member Sanchez. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

16. Approval to award Bid No. 20-13 to Mowing and More, LLC, in the amount of \$44,348, to mow two parcels of parkland at Citizens Park and Lake Bentonville.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

17. Ordinance No. 2020-53: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with Eco-Counter, Inc. for the purchase of an electronic trail use tracking device 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 Sooter. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

18. Resolution No. 3-10-20 F: Resolution authorizing the Mayor and Clerk to enter into an agreement with Stephens Investments for municipal advisor 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 Robinson. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

19. Resolution No. 3-10-20 G: Resolution declaring certain property belonging to the City of Bentonville Fire Department as surplus property. [2013 Excellence ambulance]

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 (7-0), with Council Member Terlouw absent.

20. Approval of a budget adjustment for the Fire Department, in the amount of \$15,835, for the purchase of an Aero Clave disinfectant machine.

Motion to approve by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

21. Approval for the appointment of Octavio Sanchez to the City of Bentonville Utility Board, said term to begin March 24, 2020 and to expire December 31, 2023.

Motion to approve by Council Member Sanchez, second by Council Member Patterson. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

22. Ordinance No. 2020-54: Ordinance adopting certain amendments to the pay plan for the City of Bentonville, Arkansas. [2020 part-time pay plan]

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), with Council Member Terlouw absent.

- 23a. Ordinance No. 2020-55: Ordinance creating a position in the pay plan for the City of Bentonville, Arkansas.
[Financial Analyst]

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 (7-0), with Council Member Terlouw absent.

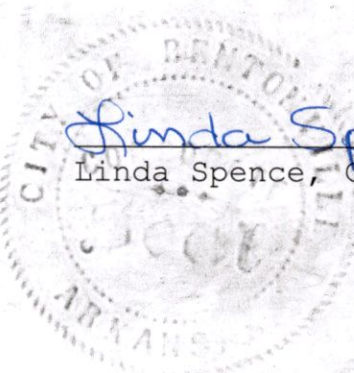
- 23b. Approval of a budget adjustment for the Administration Department, in the amount of \$37,000, to allow for the conversion of a part-time administrative assistant to a Financial Analyst (Grade 20).

Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (7-0), with Council Member Terlouw absent.

Mayor Orman adjourned the meeting.

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

Mayor Orman stated that there was an open position on the Airport Board as Council Member Sanchez was stepping down due to his appointment to the Utility Board. She also announced that Curtis Sharp at the Fire Department would be the City's main point of contact regarding the ongoing coronavirus concerns.



Linda Spence
Linda Spence, City Clerk

Stephanie Orman
Stephanie Orman, Mayor