

Bentonville City Council

Meeting Minutes

April 13, 2021

The City Council of Bentonville, Arkansas, met in regular session Tuesday, April 13, 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, Aubrey Patterson, and Gayatri Agnew. 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 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 for public comment or to speak to agenda items.

Mayor Orman called the meeting to order. Ayden Bourquin, 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 Sanchez to approve the minutes of the March 30, 2021 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 April 12, 2021 Committee of the Whole meeting.]

2. Planning:

- 2a. Ordinance No. 2021-86: Ordinance accepting a property line adjustment of Lots 1 & 2 Donald Addition to the City of Bentonville, Arkansas (Project No. PLA21-0008).

[Applicant: Don & Mary A Trustees;

Location: SW Barron Road & South Vaughn 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).

- 2b. Ordinance No. 2021-87: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of DE, Downtown Edge to DC, Downtown Core (Project No. RZ21-0018).

[Applicant: Westpark Properties, LLC;

Location: 408 S Main 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).

- 2c. Ordinance No. 2021-88: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning

classification of R-1, Single Family Residential to DE, Downtown Edge (Project No. RZ21-0020).

[Applicant: Vandiver;

Location: 707 SE C 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).

- 2d. Ordinance No. 2021-89: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Single Family Residential to DE, Downtown Edge (Project No. RZ21-0021).

[Applicant: Matteri;

Location: 305, 307, 309 North Main]

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).

- 2e. Ordinance No. 2021-90: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Single Family Residential to DN-4, Downtown Mixed-Use Residential (Project No. RZ21-0022).

[Applicant: Vandiver;

Location: 701-703 SE 4th 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).

- 2f. Ordinance No. 2021-91: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agricultural to R-2, Duplex and Patio Home Residential (Project No. RZ20-0059).

[Applicant: Pagan, Inc;

Location: SE 28th 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).

Ordinance No. 2021-92: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, Agricultural to R-3, Medium Density Residential (Project No. RZ20-0059).

[Applicant: Pagan, Inc;

Location: SE 28th 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).

- 2g. Ordinance No. 2021-93: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of PUD, Planned Unit Development to PUD, Planned Unit Development (Project No. PUD20-0002).

[Applicant: Wal-Mart Stores, Inc.;

Location: SE 8th Street, SE J Street, SE 14th Street, and Martin Luther King Junior Parkway]

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. Utility Board:

- 3a. Bid award to Hansen's Tree Service in the amount of \$585/hour for green waste grinding at the Compost Facility. The contract

term will be for (3) years, renewable annually thereafter in one-year increments for a maximum term of five years. The Utility Board voted 4-0 in favor of awarding this bid to Hansen's Tree Service on March 23, 2021.

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

- 3b. Bid award for IFB-21-08 to Brenntag Mid-South for Praestol FLX cationic polymer at \$1.85/pound. This product is used in the solids dewatering process at the Bentonville Water Resource Recovery Facility. IFB-21-08 pricing agreement is for a (2) year term, renewable annual option for (3) additional years for a maximum term of (5) years. The Utility Board voted 4-0 on March 23, 2021, in favor of awarding this bid to Brenntag Mid-South.

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

- 3c. Resolution No. 4-13-21 A: A resolution authorizing the Mayor and Clerk to enter into an amendment to the agreement with TOP Engineering to provide construction inspection services for the Bentonville Electric Utilities Department.

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).

4. Resolution No. 4-13-21 B: A resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with BKD, LLC for certain auditing services for the City of Bentonville.

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. Resolution No. 4-13-21 C: A resolution setting a public hearing for April 27, 2021, for a Street Right of Way Vacation requested by Walmart Realty Co. for multiple parcels along SE P Street between SE 5th Street and SE 8th Street (VAC21-0005).

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).

6. Resolution No. 4-13-21 D: A resolution declaring certain property belonging to the City of Bentonville Police Department as surplus property.

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).

7. Bid award to Clark Equipment Co. DBA Bobcat of NWA for a lease in the amount of \$1000 per month on a New Holland B95 Backhoe. This lease is for 24 months and will be a replacement for a Case 580 SN backhoe that was purchased in 2014 and has been plagued with mechanical issues. The cost to finish out the rest of 2021 is \$8,000.

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

8. Reappointment of Aubrey Patterson as the ex-officio member to the Airport Advisory Board. Council Member Patterson's term will expire on December 31, 2024.

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

9. At the Committee of the Whole meeting on Monday, April 12, 2021, the committee voted to remove item 9 from the agenda. Motion to remove by Council Member Sanchez, second by Council Member Burckart. Motion carried (6-1), with Council Member Agnew voting no and Council Member Acree absent.

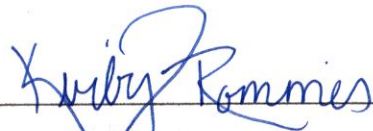
This item was removed from the agenda: A Resolution regarding COVID-19 and mitigation measures (proposed by Council Member Agnew).

Mayor Orman adjourned the meeting. Motion to adjourn passed unanimously.

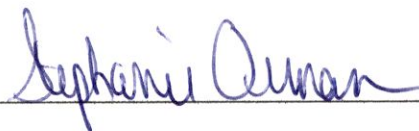
Council members reported on committees and boards they participate in related to the city.

Mayor Orman reminded council that they could view the Ethics Training recording and recommended that council members watch the Planning Commission videos if they are interested.

The next Bentonville City Council meeting will be on April 27, 2021.



Kirby Romines, City Clerk



Stephanie Orman, Mayor

