

Bentonville City Council

Meeting Minutes

June 8, 2021

The City Council of Bentonville, Arkansas, met in regular session Tuesday, June 8, 2021, at 6:00 p.m., at City Hall, 305 S.W. A Street, Bentonville, Arkansas.

Present were Council Members Cindy Acree, Octavio Sanchez, Holly Hook, Chris Sooter, Tim Robinson, Aubrey Patterson, and Gayatri Agnew with Council Member Bill Burckart absent. Also present were Mayor Stephanie Orman, City Attorney George Spence, City Clerk Kirby Romines, the press, city staff, and the audience.

Due to the situation related to COVID-19, several members of the city staff and the public attended remotely by Zoom.

Several individuals signed in to speak at the meeting in person, and several individuals joined via Zoom to speak to agenda items or answer questions if needed.

Mayor Orman called the meeting to order. Thea Cochran, a Girl Scout from Troop 5273, 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 May 25, 2021, meeting as presented, second by Council Member Sooter. There was no discussion. Motion carried (7-0).

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 (7-0).

[Agenda item 1 was addressed at the June 7, 2021, Committee of the Whole meeting.]

2. Planning:

- 2a. Ordinance No. 2021-119: Ordinance accepting a lot split of Lots 1 & 2 of Isabell Addition to the City of Bentonville, Arkansas (Project No. LS21-0018).

[Applicant: N & J Family Properties, LLC;

Location: 10313 Haxton 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).

- 2b. Ordinance No. 2021-120: Ordinance accepting a lot split of Lots 1 & 2 of AJ Subdivision to the City of Bentonville, Arkansas (Project No. LS21-0023).

[Applicant: Hurricane WA, LLC;

Location: 604 Bella Vista Road]

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).

- 2c. Ordinance No. 2021-121: Ordinance accepting a lot split creating Lot 2 of Hollie Addition to the City of Bentonville, Arkansas (Project No. LS21-0024).

[Applicant: Hollie A Paul Trustee;

Location: 405 Trails End Lane]

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

- 2d. Ordinance No. 2021-122: Ordinance amending the Zoning Code of the Bentonville Municipal Code to allow public and reserved parklets and adopting an application fee and encroachment agreement fee.

Council Member Acree asked for clarification regarding businesses adjacent to those who have reserved parklets and if the parklet usage will be ADA compliant. Ellen Norvell, Community Development Director, stated that they will be able to sign a letter of support and that reserved parklets will have to be ADA compliant as stated in the agreement.

Council engaged in a lengthy discussion on agreement details such as the length of the agreement, adding a second signature to the agreement, and adding clarification on specific details within the agreement.

Mayor Orman recognized those in attendance for public comment. Graham Cobb and Andrew Heath spoke in favor of the item.

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).

- 2e. Resolution No. 6-8-21 A: A Resolution adopting revisions to the Future Land Use Map of the City of Bentonville to change real estate from its present land use classification of Residential Estates to Medium Density Residential.

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 (7-0).

- 2f. Ordinance No. 2021-123: 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. RZ21-0029).

[Applicant: Tara Ridge;

Location: 3809 SW Crockett 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 (7-0).

3. Utility Board

3a. Ordinance No. 2021-124: Ordinance amending certain fees regarding sales at the Bentonville Compost Facility.

Council Member Patterson asked if there is a shortage or issue with the compost because several people have let her know that they have not been able to pick up compost because they have been out.

Mike Bender, Public Works Director, explained that landscape companies have been buying in bulk and that screened compost availability is sometimes dependent on the weather. Mike Bender also mentioned that they would make sure to notify the public via their website, social media, or on the facility gates if they are out of compost.

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

3b. Bid award #IFB-21-20 to Clean Uniforms, for uniform and laundry services, per the attached Bid Tabulation. This is a one-year contract, renewable annually for a maximum term of 5 years (contingent upon annual budget approval). On May 25, 2021, the Utility Board voted 5-0 to accept this Bid Award. This is a 2021 budget expense.

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

- 3c. Ordinance No. 2021-125: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Mission Communications LLC. for certain alarm services for the City of Bentonville Water Resource Recovery Facility wastewater system 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 Robinson. There was no further discussion. Motion carried (7-0).

- 3d. Resolution No. 6-8-21 B: A Resolution authorizing the Mayor and City Clerk to enter into an agreement with the City of Cave Springs, Arkansas for the sale of water to be served within the City of Cave Springs' water service area.

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 (7-0).

- 3e. Resolution No. 6-8-21 C: A Resolution authorizing the Mayor and Clerk to purchase certain customers and facilities from Carroll Electric Cooperative.

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 (7-0).

- 3f. Budget adjustment to move \$207,843.95 from Underground Primary to Improvements Other than Electric to purchase CECC infrastructure and accounts on N. Rainbow Farms Rd. Approved at Utility Board 5-0.

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

- 3g. Bid award for IFB 21-30 for Electric Control Cabinet to Beckwith Electric for \$42,915.00. Approved at the Utility Board 5-0.

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

- 3h. Bid award for IFB 21-31 for Licensed Radios to Logic, Inc. for \$26,310.00. Approved at Utility Board 5-0.

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

4. Ordinance No. 2021-126: Ordinance vacating a utility easement located at 801 SW 41st Street of Eversole Addition to the City of Bentonville, Arkansas, Benton County Arkansas (Project No. VAC21-0009).

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 Sooter. There was no discussion. Motion carried (7-0).

5. Ordinance No. 2021-127: Ordinance vacating a utility easement located at 224 North Main Street of Bentonville original to the City of Bentonville, Arkansas, Benton County Arkansas (Project No. VAC21-0010).

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 Robinson. There was no discussion. Motion carried (7-0).

6. Resolution No. 6-8-21 D: A Resolution authorizing the Mayor and Clerk to enter into an agreement of understanding with Northwest Arkansas Community College for irrigation line relocation.

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 (7-0).

7. Budget adjustment of \$14,317.00 for repair to brick-and-mortar deterioration cracks of City Hall at 305 SW "A" Street. Brick and mortar deterioration of cracks discovered during rain event with substantial leaks and ceiling tile damage in Planning Department on 2nd floor of City Hall.

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

- 8a. Bid Award to Epoxy Coating Specialists through a competitive bid IFB 21-25 to purchase the installation of a new epoxy flooring at the Bentonville Community Center in the amount of \$115,577.00. This item was budgeted for \$101,000.00 in 2021, but bid prices came in higher than anticipated. A budget adjustment for \$14,577.00 is submitted to allow the project to move forward.

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

- 8b. Budget Adjustment in the amount of \$14,577.00 for the Epoxy floor project at the Bentonville Community Center. This item was budgeted for \$101,000.00 in 2021, but bid prices came in higher

than anticipated. This budget adjustment for \$14,577.00 is submitted to allow the project to move forward.

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

Mayor Orman adjourned the meeting. Motion to adjourn by Council Member Acree, second by Council Member Sooter. Motion passed unanimously.

Mayor Orman reminded the council of the Arkansas Municipal League Annual Conference. Council Member Acree asked for the City of Bentonville's social media statistics and engagement. Debbie Griffin, Community Relations and Economic Development Director, gave details on social media performance.

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

Mayor Orman recognized those who were in attendance for public comment. Andrew Heath, Downtown Bentonville Inc. Director, thanked the City of Bentonville for their partnership and updated the council on their event attendance and future plans for 2021.

Council Member Acree and Council Member Hook asked Andrew Heath about vendor applications and the September 2021 First Friday details.

The next Bentonville City Council meeting will be on June 22, 2021.



Kirby Romines, City Clerk



Stephanie Orman, Mayor

