

Bentonville City Council

Meeting Minutes

July 13, 2021

The City Council of Bentonville, Arkansas, met in regular session Tuesday, July 13, 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, Tim Robinson, Aubrey Patterson, Gayatri Agnew, Bill Burckart, with Chris Sooter 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. Isabella Mendoza, 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 Acree to approve the minutes of the June 22, 2021, meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

Motion was made by Council Member Burckart 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).

1. Planning:

- 1a. Ordinance No. 2021-140: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential (Project No. RZ21-0035).

[Applicant: Constellation Properties, LLC;

Location: 903 NW A 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 (7-0).

- 1b. Ordinance No. 2021-141: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, Medium Density Residential to DN-2, Downtown Medium-Density Residential (Project No. RZ21-0036).

[Applicant: Ray Residential Homes, LLC;

Location: 806 SE G 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).

- 1c. Ordinance No. 2021-142: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential (Project No. RZ21-0037).

[Applicant: Baker;

Location: 602 Bella Vista 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).

- 1d. Ordinance No. 2021-143: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Single Family Residential to DN-1, Downtown Low-Density Residential (Project No. RZ21-0038).

[Applicant: Baker;

Location: NE 2nd Street & NE G 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).

- 1e. Ordinance No. 2021-144: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential (Project No. RZ21-0039).

[Applicant: Square District Properties, LLC;

Location: 1206 & 1208 Fillmore 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).

1f(1). Item Removed.

1f(2). Item Removed.

1g(1). Resolution No. 7-13-21 A: A resolution amending the City of Bentonville Future Land Use Map for a specific area from Medium-Density Residential to General Commercial (Project No. RZ21-0041).

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).

1g(2). Ordinance No. 2021-145: 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. RZ21-0041).

[Applicant: Suroeste 14, LLC;

Location: SW I Street & SW 14th 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).

1h. Ordinance No. 2021-146: 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. PUD21-0001).

[Applicant: Crystal Bridges Museum of American Art;

Location: 507 SE E 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).

1i. Ordinance No. 2021-147: Ordinance accepting a lot split of Lots 1-4, Jones Addition to the City of Bentonville, Arkansas (Project No. LS21-0002).

[Applicant: CHP, LLC;

Location: 409 SW D 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 (7-0).

- 1j. Ordinance No. 2021-148: Ordinance accepting a lot split of Lots 1 & 2, The Aviator Subdivision to the City of Bentonville, Arkansas (Project No. LS21-0031).

[Applicant: Aria Holdings, LLC;

Location: SW Regional Airport Boulevard]

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).

- 1k. Ordinance No. 2021-149: Ordinance accepting a lot split of Lots 26-27, Uptown Village Subdivision to the City of Bentonville, Arkansas (Project No. LS21-0032).

[Applicant: Walmart Real Estate Business Trust;

Location: SW Regional Airport Blvd]

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).

- 1l. Ordinance No. 2021-150: Ordinance accepting a lot split of Lots 1 & 2, Helping Hands Addition to the City of Bentonville, Arkansas (Project No. LS21-0034).

[Applicant: Helping Hands, Inc.;

Location: SW 28th Street and SW D 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).

- 1m. Ordinance No. 2021-151: Ordinance accepting a property line adjustment of Lots 45 & 46 of Lucas Subdivision to the City of Bentonville, Arkansas (Project No. PLA21-0020).

[Applicant: Suroeste 14, LLC;

Location: 1109 SW 14th 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).

2. Utility Board:

- 2a. Ordinance No. 2021-152: Ordinance adopting certain amendments to the City of Bentonville Pay Plan related to the Water Utilities Department and declaring an emergency.

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).

City Attorney Spence 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 (7-0).

- 2b. Resolution No. 7-13-21 B: A resolution authorizing the Mayor and Clerk to enter into an agreement with Power System Engineering, Inc. for AMI procurement consulting services for the City of Bentonville electric system.

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).

- 2c. Budget adjustment using \$52,500.00 from Reserves to pay for agreement with Power System Engineering. Approved at Utility Board 5-0.

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

- 3a. Resolution No. 7-13-21 C: A resolution authorizing the Mayor and Clerk to enter into an agreement with Garver, LLC for certain services related to the Municipal Airport.

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 (7-0).

- 3b. Budget adjustment accepting funds awarded from FAA grant for the design of the KVBT Airport Runway Widening, design of Runway Vertical/Visual Guidance System - PAPIs, and design of Runway Vertical/Visual Guidance System - REILS.

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

- 4a. Bid Award to Banner Fire Equipment Inc. through participation in the HGAC Cooperative (Co-op) contract, FS 12-19 JF-01. Use of a Co-op is allowed pursuant to Arkansas State Statute 19-11-249.

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

- 4b. Budget adjustment recognizing \$800,000.00 in revenue via a The Runway Fund at Fidelity Charitable at the recommendation of Steuart Walton grant and allocating \$865,000.00 in expenses to purchase an Aircraft Rescue Firefighting Vehicle (ARFF) for the Bentonville Municipal Airport.

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

Mayor Orman thanked the donor for the Aircraft Rescue Firefighting Vehicle.

5. Ordinance No. 2021-153: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for service and updates related to hazardous material monitors and detection 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 Acree. There was no further discussion. Motion carried (7-0).

6. Resolution No. 7-13-21 D: A resolution declaring certain property belonging to the City of Bentonville Fire Department as surplus property.

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).

7. Ordinance No. 2021-154: Ordinance vacating a Utility Easement located at 3913 NE Kensington of Kensington Subdivision Phase 1 to the City of Bentonville, Arkansas, Benton County Arkansas (Project No. VAC21-0011).

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 further discussion. Motion carried (7-0).

- 8a. Resolution No. 7-13-21 E: A resolution authorizing the Mayor and Clerk to enter into Supplemental Agreement number 7 to the agreement for professional engineering services with Burns and McDonnell Engineering Company, Inc. related to the 8th Street Project.

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 (7-0).

- 8b. Budget Adjustment for the increased funds associated with 8th Street additional design work.

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

- 9a. Resolution No. 7-13-21 F: A resolution allowing the Mayor and Clerk to enter into a Revised Professional Services Agreement with O.R. Colan Associates, LLC for acquisition services of public improvements required by the development of the Walmart Global Home Office project.

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 (7-0).

- 9b. Budget Adjustment accepting funds for the revised property acquisition agreement with ORC.

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

- 10a. Resolution No. 7-13-21 G: A resolution authorizing the Mayor and Clerk to Enter into an amended agreement with Garver, LLC. to provide additional professional services for the Master Street Plan.

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).

- 10b. Budget adjustment in the amount of \$59,600.00 for an amended agreement with Garver, LLC to provide additional professional services for the Master Street Plan.

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

11. Resolution No. 7-13-21 H: A resolution expressing the willingness of the City of Bentonville to utilize Federal-aid Surface Transportation Block Grant Program - Attributable (STBG-A) (FFY 2022) funds administered by the Northwest Arkansas Regional Planning Commission (NWARPC) to begin environmental and initial design to improve the intersection of SW Regional Airport Blvd. and S. Vaughn Rd.

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 (7-0).

12. Resolution No. 7-13-21 I: A resolution authorizing the Mayor and Clerk to enter into an agreement with Jacobs Engineering Group Inc., for engineering and project services for Rainbow Curve Improvements.

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 (7-0).

13. Resolution No. 7-13-21 J: A resolution authorizing the Mayor and Clerk to enter into an agreement with Jacobs Engineering Group Inc., for engineering and project services for South Walton and SW 5th Intersection.

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).

14. Resolution No. 7-13-21 K: A resolution authorizing the Mayor and Clerk to enter into an agreement with Jacobs Engineering Group Inc., for engineering and project services for SW 14th and Been Intersection.

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 (7-0).

15. Resolution No. 7-13-21 L: A resolution authorizing the Mayor and Clerk to enter into an agreement with Crafton, Tull & Associates, Inc., for engineering and project services for N 8th & Main Drainage.

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

16. Resolution No. 7-13-21 M: A resolution authorizing the Mayor and Clerk to enter into an agreement with Crafton, Tull & Associates, Inc., for engineering and project services for SW 7th & C Lateral.

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 (7-0).

17. Resolution No. 7-13-21 N: A resolution authorizing the Mayor and Clerk to enter into an agreement with Crafton, Tull & Associates, Inc., for engineering and project services for SW Gator Blvd.

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

18. Resolution No. 7-13-21 O: A resolution authorizing the Mayor and Clerk to enter into an agreement with Crafton, Tull & Associates, Inc., for engineering and project services for Moberly Ln - 28th to Walton.

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 (7-0).

19. Resolution No. 7-13-21 P: A resolution authorizing the Mayor and Clerk to enter into an agreement with Volkert, Inc., for engineering and project services for SW 28th - Featherston to I.

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

20. Resolution No. 7-13-21 Q: A resolution authorizing the Mayor and Clerk to enter into an agreement with Volkert, Inc., for engineering and project services for Tiger Overpass.

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).

21. Resolution No. 7-13-21 R: A resolution authorizing the Mayor and Clerk to enter into an agreement with Volkert, Inc., for engineering and project services for SW Regional Airport & SW I.

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

22. Resolution No. 7-13-21 S: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for East Battlefield Impvts.

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

23. Resolution No. 7-13-21 T: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for Walton and Central Intersection.

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 (7-0).

24. Resolution No. 7-13-21 U: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for NW 2nd and G Street.

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 (7-0).

25. Resolution No. 7-13-21 V: A resolution authorizing the Mayor and Clerk to enter into an agreement with CEI Engineering Associates for engineering and project services for Greenhouse Regional Detention.

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 (7-0).

26. Resolution No. 7-13-21 W: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for NW Tiger and G Street.

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 (7-0).

27. Resolution No. 7-13-21 X: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for NW 4th and D Street.

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

28. Resolution No. 7-13-21 Y: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for NW Trails End and C Street.

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 (7-0).

29. Resolution No. 7-13-21 Z: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for Opal Road Improvements.

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 (7-0).

30. Resolution No. 7-13-21 AA: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for SE 10th and C Street.

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 (7-0).

31. Resolution No. 7-13-21 BB: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for SW 10th and F Street Collection.

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

32. Resolution No. 7-13-21 CC: A resolution authorizing the Mayor and Clerk to enter into an agreement with Olsson Inc., for engineering and project services for SW 2nd and O Street.

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 (7-0).

- 33a. Resolution No. 7-13-21 DD: A resolution authorizing the Mayor and Clerk to enter into an amended agreement with FTN, Ltd. for the Little Osage Tributary 2 (LOT2) project.

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 (7-0).

- 33b. Budget Adjustment to pay for Amendment 4 with FTN, Ltd. for the Little Osage Tributary 2 (LOT2) project.

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

- 34a. Resolution No. 7-13-21 EE: A resolution authorizing the Mayor and Clerk to enter into an agreement with CEI Engineering for the design of the Razorback Greenway Realignment Project.

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 (7-0).

- 34b. Budget adjustment in the amount of \$190,675.00 to recognize the revenue and allocate expenses for the design services of the Razorback Greenway realignment project at Highway 102 / P Street.

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

35a. Resolution No. 7-13-21 FF: A resolution authorizing the Mayor and Clerk to enter into an amendment to the agreement with CR Crawford for additional services related to the City of Bentonville Animal Services Building.

Council Member Sanchez expressed his support for the Animal Services Building.

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).

35b. Budget adjustment in the amount of \$3,568,512.00 for the construction of the City of Bentonville Animal Services Center.

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


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

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

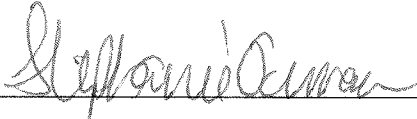
Council Member Patterson asked Ellen Norvell, the Community Development Director, if they could add public comments for planning items to the City Council meeting agendas. Ellen explained that they had been included in the past if it is a written comment, but they will make sure they are included in the future.

Mayor Orman notified council that there would be a Committee of the Whole meeting on September 27, 2021, at 6:00 pm.

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



Kirby Romines, City Clerk



Stephanie Orman, Mayor

