



BENTONVILLE CITY COUNCIL AGENDA

**Committee of the Whole
Community Development
Planning Commission Meeting Room**

**Tuesday, July 9, 2013 6:00 p.m.
305 SW "A" Street**

**Regular City Council Meeting
Community Development
Planning Commission Meeting Room**

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**Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: June 25, 2013**

AGENDA

1. Planning:

1a. **First Federal Bank: Bentonville Inn Subdivision, Lot 2, Lot Split, 2307 Southeast Walton Boulevard, Zoned C-2, General Commercial.**

The planning commission voted 6-0 recommending approval.

The applicant has submitted a Lot Split for Lot 2 of Bentonville Inn Subdivision. The 5.7 acre lot will be divided into two separate lots. The new lots will be known as Lot 3 (2.1 ac) and Lot 4 (3.5ac). Lot 3 is currently the site of the vacant hotel and restaurant. Lot 4 is a vacant parcel located off Medlin Lane. A cross access easement is being platted to provide lot 4 access to Southeast Moberly Lane. Right of way is also being dedicated along Medlin Lane per the Master Street Plan.

1b. **Richard and Berkli Binns: Patton Addition, Lot 5, Lot Split, 3705 Southwest 2nd Street, Zoned R-1, Single Family Residential.**

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split for Lot 5 of Patton Addition. The lot split will create two new lots to be known as Lot 7 (2.43ac) and Lot 8 (1ac). Lot 8 is the location of the single family residence. Lot 7 is a vacant parcel. A 20' utility easement is being dedicated along Southwest 2nd Street. All right of way is in conformance with the Master Street Plan.

- 1c. **CHP, LLC: Rezoning Request, R-1, Single Family Residential to R-C2, Central Residential Moderate Density, The northwest corner of Southwest 4th Street and Southwest F Street including 608,610 & 612 Southwest 4th Street and 317 Southwest F Street.**

The planning commission voted 6-0 recommending approval.

A site inspection was completed by the staff indicating that these properties exist as 4 separate parcels existing upon portions of two platted lots with Clarks Addition. This rezoning includes 4 properties with 4 independent single family homes totaling 0.76 acres m/l.

2. Reappointment of Debi Havner to the Planning Commission for a 5 year term to expire on July 1, 2018.
3. Recognition by City Council of the Bentonville First Church located at 301 SW Unity Boulevard. The property was nominated and won the July Commercial Landscaping of the Month award.
- 3a. Fire Department Staff recommends Council accept a grant from the Arkansas Department of Health in the amount of \$17,413.00.
- 3b. Fire Department Staff recommends a budget adjustment in the amount of \$17,413.00 for the purchase of Active Shooter equipment and replacement of two ambulance cots. The funds have to be expended before the Arkansas Department of Health will issue the grant.
4. Approve revised ordinance regulating door to door sales. This item was tabled at the June 11, 2013 meeting. The ordinance has been revised by City Attorney George Spence based on Council comments. Please see attachments.
5. Award bid # 13-18 to Decco Contractors for the 2013 Overlays for the Street, Waste Water, Public Works, and Police Departments.
6. Request that the City Council recognize the retirement of Police Department K-9 Boca, and authorize the ownership of the K-9 to be transferred to his handler, Sergeant Ray Shastid. Sergeant Shastid has been Boca's handler for 5 years and, as the K-9 approaches 10 years of age, it is in both Boca's and the Police Department's best interests that he be retired from service and placed into the private care of his handler and partner, Sergeant Shastid. This retirement and transfer of ownership of Boca also corresponds to Sergeant Ray Shastid's recent promotion to the position of Sergeant and better serves his new duties as a shift supervisor. Likewise, this action also corresponds to a planned reorganization of our current K-9 Program and, as such, will not require the immediate replacement of this K-9.

7. Request a Budget Adjustment in the amount of \$53,646.95. This adjustment is directly related to recent storm damages including a \$295,933.80 loss as a result of a March 9, 2013 lightning strike at the Police Department. This lightning strike made it necessary to replace the entire radio system, security camera system, and interview room camera system, as well as other items including projectors, garage door openers, and electronic door access systems, etc. Affiliated FM Insurance Company has paid \$270,933.80, making the City of Bentonville responsible for the deductible in the amount of \$25,000.00. The remainder of the budget adjustment, \$28,646.95, is related to additional expenses not covered by insurance. These additional expenses include items needed to help prevent a similar lightning damage occurrence as well as items needed to integrate the replacement systems with existing equipment. The most costly of these additional expenses being \$10,376.80 needed to realign, reprogram, re-flash, and perform necessary maintenance to match existing portable and mobile radios to the newly replaced system. Also, included in this remaining amount is \$5,243.68 related to flooding on May 12, 2013 that resulting in engine damage to a 2009 Ford Crown Victoria. When responding to a call on SW D Street, the engine in this vehicle pulled water in through the air intake and required a complete (engine) replacement.