



**Revised Agenda:
Adding items 2i, 2j, 2k, 2l,
& 2m.**

BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, January 9, 2018 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, January 9, 2018 6:00 p.m.
305 SW "A" Street**

**Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from Alderman on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: December 12, 2017
Swear in Police Officers: Joseph Brown & Chris Isbell**

AGENDA

1. Ozark Regional Transit Annual Report – Jeff Hatley, Mobility Manager/Public Information Officer.
2. Planning:
 - 2a. **Lot Split: Lots 1 & 2 of Daniel Subdivision, Maurice F. & Pamela W. Willis, South Morningstar Road & Sears Road, A-1, Agricultural.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split of a 110.1-acre tract of land, two new lots to be known as Lots 1 (+/- 76.07 acres) and 2 (+/- 29.1 acres) of Daniel Subdivision. Lot 1 is fronted on both South Morning Star Road and Sears Road, while Lot 2 is fronted on South Morning Star Road. Per the Master Street Plan Requirements, 45 feet of right-of-way from centerline will be dedicated along both South Morning Star Road and Sears Road. A 20-foot utility easement will be dedicated behind the city right-of-way per this plat.

- 2b. **Lot Split: Lots 24 & 25, Block 6 of Clark's 2nd Addition, Cadence Group LLC, 327 & 329 SW D St., R-C2, Central Residential-Moderate Density.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a proposal for a lot split of Lot 23, Block 6 of Clark's 2nd Addition, creating two new lots that will be known as Lots 24 (+/- .1 acres) & 25 (+/- .1 acres), Block 6 of Clark's 2nd Addition. Per the Master Street Plan requirements, no new right-of-way is needed along SW D Street. A 20-foot utility easement along the western property line will be dedicated per the plat.

- 2c. **Property Line Adjustment: Lots 210 & 211 Bentonville Original, Massey Properties, LLC , 201 W Central Ave., DC, Downtown Core.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will adjust the common property line of three existing lots, creating two new lots. The new lots will be known as Lot 210 (+/- 0.24 acres) & Lot 211 (+/- 0.45 acres) of Bentonville Original. Per the requirements of the Master Street Plan, additional right-of-way will be dedicated along W Central Avenue, SW A Street and SW 2nd Street. Both of the new lots will have access to public utilities and a public street.

- 2d. **Property Line Adjustment: Lot 8 of Williams/Dean Subdivision, Richard L. Grubbs , 1501 SE J St., C-2, General Commercial.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will remove the common lot line between Lots 6 & 7 of Williams/Dean Subdivision, creating Lot 8 (+/- 1.65 acres).

506.87 square feet of right-of-way will be dedicated per the plat along SE Evergreen Street. A 20-foot utility easement will be dedicated per the plat.

- 2e. **Rezoning: Amanda & Chris Conway, 309 SW 4th St., From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation and is consistent with the Future Land Use Plan.

- 2f. **Rezoning: Martin Elzey, 9601 Glen Road, From A-1, Agricultural to R-2, Duplex and Patio Home Residential.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as Medium Density Residential (MDR). The R-2, Duplex and Patio Home Residential zoning is an appropriate zoning district for this designation and is consistent with the Future Land Use Plan.

- 2g. **Rezoning: Coughlin Family Revocable Living Trust, Southwest Featherston Road, From A-1, Agricultural to R-3, Medium Density Residential.**

The Planning Commission voted 6-0, recommending approval.

The Future Land Use Plan depicts this property as High Density Residential (HDR). The R-3, Medium Density Residential zoning is an appropriate zoning district for this designation and is consistent with the Future Land Use Plan.

- 2h. **Property Line Adjustment: Lot 7, Block 5 of Braithwaite Park Addition & Lot 58 of Hanover Subdivision, Marvin Gray, 1 Stonehenge Dr., R-E, Residential Estate & R-1, Single-Family Residential.**

The Planning Commission voted 6-0, recommending approval.

The applicant has submitted a property line adjustment that will create Lot 7, Block 5 (+/- 2.2 acres) of Braithwaite Park Addition and Lot 58 (+/- 1.7 acres) of Hanover Subdivision.

No utility easements are to be dedicated per this plat. Sufficient right-of-way exists along Stonehenge Drive. The applicant has requested a waiver for the right-of-way dedication requirements (26' from centerline) along Saddleworth Place, however.

- 2i. **Property Line Adjustment: Lots 1, 2, 3 & 4 of Citizens Bentonville Subdivision, Specialized Real Estate Group, SE 3rd Street SE J Street & East Central Avenue, PUD, Planned Unit Development.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a property line adjustment that will adjust the lot lines of 10 existing lot within Howards Addition, East Acres Addition, Angel Floro Addition and three un-platted parcels that will create four new lots. The new lots will be known as Lot 1 (+/- 7.73 acres), Lot 2 (+/- 1.33 acres), Lot 3 +/-0.82 acres) and Lot 4 (+/-0.98 acres) of Citizens Bentonville Subdivision. Per the requirements of the current Master Street Plan, additional right-of-way is being dedicated along SE 3rd Street and SE J Street. Multiple utility and drainage easements of varying widths are being dedicated with the plat to allow public utilities to serve future development. This property line adjustment is in conjunction with the J3 Apartments large scale development that was approved on May 2, 2017.

- 2j. **Property Line Adjustment: Lot 13 of Railroad Addition, Robert & Shelly Stoker, 302 SE 2nd St., R-1, Single Family Residential.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a property line adjustment that will create Lot 13 (+/- .5 acres) of Railroad Addition. Per the plat, .07 acres of right-of-way will be dedicated along SE 2nd Street and SE B Street.

- 2k. **Property Line Adjustment: Lots 22 & 23 of The Bluff's Subdivision, Paul & Rebecca Esterer, 2822 Palisades Circle, A-1, Agricultural.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a property line adjustment that will adjust the lot line of Lots 20 & 21 of the Bluffs Subdivision, creating Lots 22 (+/- 4.06 acres) and 23 (+/- 2.5 acres) of the Bluffs Subdivision. A variable width utility easement is being dedicated per the plat to allow utility access to an existing public sewer main.

- 2l. **Rezoning: Mud Puddle Investments, LLC, 806 NW A St., From R-1, Single Family Residential to DN-2, Downtown Medium-Density Residential.**

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Medium-Density Residential (D-MDR). The DN-2, Downtown Medium-Density Residential zoning is an appropriate zoning district for this designation and is consistent with the Future Land Use Plan.

- 2m. **Final Plat: Ellington Village Subdivision.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a final plat of 8.73 acres consisting of thirty-nine new, buildable lots and will be known as Ellington Village Subdivision. Minimum lot size is approximately 6,409 square feet. All public infrastructure has been inspected and accepted by the appropriate departments and all non-bondable items have been completed.

3. Council approval of an agreement with Ozark Regional Transit Service in the amount of \$127,757.00 to provide transit service to Bentonville citizens in calendar year 2018 and waiving the requirement of competitive bidding.
4. Appointment of Tim Robinson to the Public Art Advisory Committee as an ex-officio member representing City Council.
5. City Council approval of an ordinance waiving competitive bid and authorizing the Mayor and City Clerk to enter into an agreement for services with Downtown Bentonville, Inc.
6. Parks and Recreation is requesting approval to enter into an agreement with Challenger Sports facilitate the Camp Soccer summer camp at Citizens Park.
7. Parks and Recreation Staff seeks City Council's approval of a bid award to Challenger Teamwear in an amount not to exceed \$49,445.00 for the purchase of uniforms for the 2018-2019 season. Challenger Teamwear was chosen through the RFP selection process.

8. City Council approval of an ordinance waiving competitive bidding for Lego - based recreational camps and activities for Parks and Recreation.
9. Parks and Recreation is requesting City Council approval of an ordinance authorizing the Mayor and City Clerk to enter an agreement with Arkansas United States Specialty Sports Association for the service of providing umpires for youth baseball tournaments for Parks and Recreation and waiving the requirement for competitive bidding.
10. Parks and Recreation is requesting City Council approval of an ordinance authorizing the Mayor and City Clerk to enter an agreement with Bentonville Youth Softball Association for the service of providing umpires and scorekeepers for the youth softball league for Parks and Recreation and waiving the requirement for competitive bidding.
11. Parks and Recreation is requesting City Council approval of an ordinance authorizing the Mayor and City Clerk to enter an agreement with Arkansas State Soccer Association for the service of providing soccer officials for Parks and Recreation and waiving the requirement for competitive bidding.
12. Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Amanda McBee for the service of teaching instructional recreation and wellness classes for Parks and Recreation.
13. Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Jami Bernards for the service of teaching instructional swim lessons for Parks and Recreation.
14. Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Megan Ross for the service of teaching instructional swim programming for Parks and Recreation.
15. Parks and Recreation is requesting City Council approval of a resolution authorizing the Mayor and City Clerk to enter an agreement with Ozark Tennis Academy for the service of providing tennis programming and instruction for Parks and Recreation programs and events in 2018.
16. City Council approval of an ordinance establishing fees for 2018 for the Parks and Recreation Department.
17. Parks and Recreation is requesting City Council approval of an ordinance authorizing the Mayor and City Clerk to enter into an agreement for the purchase of finisher hoodies for the 2018 Run Bentonville Half Marathon.
18. Recommend awarding the bid for city wide boring services for the 2018 year to both Big M Ranch, Inc. and Hickman Trenching Company per the price breakdown attached.

19. Request for a waiver of bid to allow for the purchase of Patrol Uniforms from Cruse Uniforms in Springdale, Arkansas. The 2018 Budget total budget allotment for Police Department Uniform Supplies is \$107,700.00. This includes Dispatch Uniforms, Patrol Uniforms and Replacements, Bike Team Uniforms, SWAT Uniforms, Bomb Squad Uniforms, Leather Gear and Replacements, and other Soft Uniform items such as coats, jackets, rain gear, hats, and informal uniforms. Patrol Uniforms and Replacement Uniforms accounts for the largest portion of this expense and represents about \$55,000.00 of this total. Factors such as employee turnover and general wear and tear, determine the actual yearly expense related to Patrol Uniforms and Replacement. The department currently uses Cruse Equipment in Springdale for such uniform and uniform related needs. Being located in Springdale, this provider promotes safety and convenience by allowing local, timely and cost effective uniform measuring, fitting, alterations, and availability. The next closest similar provider is located in Carthage, MO. This waiver of bid would not exceed the budgeted amount and duplicates last year's, and previous year's, waiver.
20. This is a request for the approval of two City of Bentonville Animal Services related items, designated as Item (A) and Item (B). Previous discussions have made Council aware of the pending Animal Services agreement with the City of Centerton. See attached contract and addendum, Item (A). This 3-year contract is effective May 1st, 2018 and will allow time for the City of Centerton to make all necessary upgrades to their existing facility. Per the aforementioned contract, see also budget adjustment request, Item (B). This budget adjustment, in the amount of \$250,000.00, combined with existing 2018 budgeted funds in the amount of \$115,000.00, will fulfill the yearly fees set forth in the attached contract until 2021 (\$300,000), as well as the projected 2018 fees charged per animal (\$100) to likewise be paid to the City of Centerton. Finally, the amount will also cover any foreseeable 2018 costs incurred by the City of Bentonville during the transition of services to the City of Centerton. Note that future funds budgeted for Animal Services needs in 2019 and 2020 would be approximately \$40,000.00 per year (based upon an estimate of 400 dogs delivered yearly).
21. City Council approval of a budget adjustment, in the amount of \$3,500.00, to recognize receipt of a grant from the Arkansas Alternative Dispute Resolution Commission for a pilot mediation program.
22. Staff requests waiver of bidding for purchase of a Model ES-354 PWTech screw press in an amount not to exceed \$549,100.00. During the three year development of our Bio-solids Master Plan, two dewatering technologies and three manufacturers were tested and considered for replacement of outdated equipment. The results of those studies are attached.
23. A resolution that recognizes the opioid epidemic in the United States of America and in Arkansas; and to engage in litigation as a member of the Municipal Legal Defense Program (MLDP) against those entities and people responsible for this societal crisis. Mark Hayes, Director of Legal Services for the Municipal League, advises that the opioid litigation will be against manufacturers and distributors, not pharmacies and physicians. The service will be provided at no cost, as part of the City's membership in the Municipal Legal Defense Program.