BENTONVILLE CITY COUNCIL AGENDA

Committee of the Whole **Tuesday, December 13, 2016 6:00 p.m.**
Community Development **305 SW "A" Street**
Planning Commission Meeting Room

Regular City Council Meeting **Tuesday, December 13, 2016 6:00 p.m.**
Community Development **305 SW "A" Street**
Planning Commission Meeting Room

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: November 22, 2016

AGENDA

1. Planning:

1a. **Lot Split: Lot 9, Block 3 Demings Addition, Northwest A Street, John Alan Phillips.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create one new lot from un-platted section land. The new lot will be known as Lot 9, (0.44 acres), Block 3 of Deming's Addition. Additional right-of-way will be dedicated along Northwest 'A' Street per the current Master Street Plan. Various utility easements will be dedicated with the plat to serve the new lot. The newly created lot will have direct access to city utilities and a public street.

1b. **Lot Split: Lots 6 & 7, Airport Road Addition; Southwest 28th Street; Airport Road, LLC.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a proposal for a lot split that will create two new lots from one existing lot. The new lots will be known as Lot 6 (0.87 acres) and Lot 7 (0.53 acres) of Airport Road Addition.

1c. **Property Line Adjustment: Lot 20, Hardcastle Estates; 301 Southwest 'O' Street; Gregory & Hadi Dudley.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a property line adjustment that will create one lot from two existing lots. The new lot will be known as Lot 20 (7.89 acres) of Hardcastle Estates.

1d. **Final Plat: Amber Ridge North at Woods Creek; Northeast Saddle Ridge Road; The Meadows at Woods Creek, Inc.**

The Planning Commission voted 7-0, recommending approval.

The applicant has submitted a final plat for 12.72 acres located on Woods Creek Road to be known as Amber Ridge at Woods Creek. Twenty single family lots will be created with platting of this subdivision. Right-of-way and easements will be dedicated with this plat. All public infrastructure has been inspected and accepted by the utility departments.

1e. **General Plan Amendment: Honey Creek Land & Cattle, LLC; Southeast 34th Street & Southeast 'C' Street; From Commercial to High Density Residential.**

The Planning Commission voted 7-0, recommending approval.

Policy LU-23, Housing Types, within the General Plan suggest that the city should encourage the development of a mix of housing types to meet the needs of its residents throughout their lives. The proposed high density residential development will help to create additional density and reduce the impact on the city's infrastructure by utilizing existing public utilities and traffic networks.

1f. **Rezoning: Kerry Laman; Southeast 5th Street; 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.

1g. **Rezoning: KCG BV, LLC; Southwest Buckeye Street; From PUD, Planned Unit Development to R-3, Medium Density Residential.**

The Planning Commission voted 7-0, recommending approval.

The R-3, Medium Density Residential zoning classification is an appropriate designation for this property. According the General Plan, the city should

encourage mixed use developments with equal amounts of medium density residential, commercial and office uses.

2. Reappointment of Jan Holland to the Bentonville Board of Adjustment for a 5-year term. Term beginning January 1, 2017 and expiring December 31, 2021.

3. Reappointment of Rustin Chrisco to the Bentonville Board of Adjustment for a 5-year term. Term beginning January 1, 2017 and expiring December 31, 2021.

4. Appointment of Tregg Brown to the Bentonville Planning Commission to fill Debi Havner's unexpired term that expires July 1, 2018. See attached biography for Mr. Brown.

5. Approval of a resolution declaring a structure to be a nuisance and setting a public hearing for the condemnation of said structure located at 1204 Northeast Fillmore Street.

6. Request City Council approve the change to the City's Personal Policy, Chapter 6, Section 6.2. referring to the Federal Family and Medical Leave Act (FMLA). The enclosed change more closely aligns the City policy with the Federal Regulation Title 29, Part 825 FMLA regulations, specifically as it pertains to the entitlement and duration of Family and Medical Leave.

7. Request the City Council approve the attached changes to the 2017 City Pay Plan. These changes are all part of the recently approved 2017 City Budget, and are reflected within each department's 2017 budget numbers. The attached listing reflects a "Roll-Up" of those changes that will be incorporated into the 2017 Pay Plan.

8. City Council approval of Mayor McCaslin's recommendation to appoint Craig Gilbert and Michelle Malashock and reappoint Courtney Schaefer to the Parks and Recreation Advisory Board.

9. City Council approval of an ordinance waiving competitive bidding for chlorine at the Melvin Ford Aquatic Center, the Fountains at Lawrence Plaza, the fountain at the Downtown Square and the Bentonville Community Center.

10a. Staff recommends Council approval of Change Order No. 1 to the Utility Agreement with the Arkansas State Highway Commission for construction of water line relocations associated with AHTD Project No. CA0902 - Interstate 49 Widening and Interchange Improvements, Hwy 62/102 - Hwy 72. This change order recognizes the bid award to Fochtman Enterprises, Inc. for the water relocations and adjusts the agreement to reflect the actual contract prices.

10b. Staff recommends Council award bid No. 2016-50 to Fochtman Enterprises, Inc. for water line relocations associated with AHTD Job No. CA0902 - Interstate 49 Widening and Interchange Improvements, Hwy 62/102 - Hwy 72 in an amount of $110,170.00. This project qualifies for 96.37% reimbursement from AHTD.

10c. Budget Adjustment to front costs for award of contract to Fochtman Enterprises, Inc. in the amount of $110,170.00 for construction of water utility relocations associated with the Utility Agreement with the Arkansas State Highway Commission for AHTD Project No. CA0902 - Interstate 49 Widening and Interchange Improvements, Hwy 62/102 - Hwy 72.

11. Staff requests Council approval of a resolution authorizing the Mayor and City Clerk to enter into an amended lease agreement with Arkansas Affordable Homes LLC to extend the lease term until August 31, 2017.

12a. Staff requests City Council approval of a resolution authorizing the Mayor and City Clerk to enter into an amended professional services agreement with GTS, Inc. for material testing services for the construction of the City Maintenance Facility site work located on SW 28th Street for an additional amount of $35,687.00 not to exceed a total of $113,887.00. Services include soils/subgrade testing, concrete/asphalt pavement testing, masonry, steel observation/testing.

12b. Staff requests Council approval of a budget adjustment in the amount of $35,687.00 to cover costs for additional/remaining material testing for construction of the new City Maintenance Facility.

13. Staff recommends Council to waive the competitive bidding requirements for the purchase of a leak detection system for a total cost of $44,516.13. This Leak Detection System will utilize our existing meter reading mesh network by communicating from leak loggers placed in predetermined locations on our distribution system. This system will enable us to find existing leaks on our distribution system that we aren't aware of and reduce our unaccounted for water. This is an additional area to our existing Leak Detection system and is a budgeted item within our 2016 budget.

14. Fire Department Staff recommends declaring 2008 Ford F-450 Ambulance (VIN 1FDXF47R68ED75412) surplus and selling it to Beaver Lake Fire Department for $25,000.00.

15. City council approval of a Resolution allowing the Mayor and City Clerk to enter into an agreement with Morrison Shipley Engineers for engineering and design services for the North Main Sidewalk project. The cost of this contract is $37,760.00 which will come from the Engineering Department professional services account (010-1630-463.32-10).

16. A resolution setting a public hearing for January 10, 2017 for a Utility Easement Vacation requested by Terry & Stephanie Orman at 4001 NE Kensington Ave.

17. Recommend the Mayor and City Council award the 1-year blanket bid for electric material to the lowest bidder as shown on the attached bid tabulation in the amount of $763,366.96. Items will be ordered on an 'as needed' basis.

18. Recommend the Mayor and City Council award the 1-year blanket bid for 3 phase transformers to the lowest bidder as shown on the attached bid

tabulation in the amount of $387,197.52. Items will be ordered on an 'as needed' basis.

19. Recommend the Mayor and City Council award the 1-year blanket bid for 1 phase transformers to the lowest bidder as shown on the attached bid tabulation in the amount of $295,087.72. Items will be ordered on an 'as needed' basis.

20. Recommend the Mayor and City Council award the 1-year blanket bid for pole mount transformers to the lowest bidder as shown on the attached bid tabulation in the amount of $170,370.95. Items will be ordered on an 'as needed' basis.

21. Recommend the Mayor and City Council award the 1-year blanket bid for switchgears to the lowest bidder as shown on the attached bid tabulation in the amount of $52,701.00. Items will be ordered on an 'as needed' basis.

22. Recommend the Mayor and City Council award the 1-year blanket bid for water/sewer material to the lowest bidder as shown on the attached bid tabulation in the amount of $306,027.80. Items will be ordered on an 'as needed' basis.

23. Recommend the Mayor and City Council award the 1-year blanket bid for street materials to the lowest bidder as shown on the attached bid tabulation in the amount of $214,025.00. Items will be ordered on an 'as needed' basis.

24. Recommend the Mayor and City Council award the 1-year blanket bid for janitorial supplies to the lowest bidder as shown on the attached bid tabulation in the amount of $47,261.50. Items will be ordered on an 'as needed' basis.

25. Recommend the Mayor and City Council award bid #16-57 for 750 underground wire to the lowest bidder as shown on the attached bid tabulation in the amount of $74,655.00. Items will be ordered on an 'as needed' basis.

26. Recommend the Mayor and City Council award the bid for the steel/wood poles and transmission materials for the electric relocation for 8th Street to Dis-Tran in the amount of $417,201.00.

27. An ordinance authorizing the Mayor and City Council waive the requirements of competitive bidding and enter into an agreement with Mueller for electric meters per the City of Bentonville's specifications in the amount of $280,981.50. This is a 'Single Source' item in the State of Arkansas.

28. An ordinance authorizing the Mayor and City Council waive the requirements of competitive bidding and enter into an agreement with Mueller for water meters less than 2" per the City of Bentonville's specifications in the amount of $215,764.00. This is a 'Single Source' item in the State of Arkansas.

29. An ordinance authorizing the Mayor and City Council waive the requirements of competitive bidding and enter into an agreement with HD Supply Waterworks

for SENSUS brand water meters 2" and larger per the City of Bentonville's specifications in the amount of $93,090.00. This is a 'Single Source' item in the State of Arkansas.

30. An ordinance authorizing the Mayor and City Council waive the requirements of competitive bidding and enter into an agreement with Holophane Ornamental Lighting for the City of Bentonville's standardized approved lighting. Prices to remain the same January through December, 2017 for the amount of $488,645.00.

31. A resolution authorizing the Mayor and City Council to enter into a contract with Osmose to provide pole restoration services to the City of Bentonville Electric Department for an amount not to exceed $31,000.00.

32. Staff recommends Council approval of a resolution authorizing the Mayor to execute a Deed of Release with the FAA for the release of 0.9 AC at the Bentonville Municipal Airport.

33. Staff recommends Council approval of a resolution authorizing the Mayor to enter into a Real Estate Transaction Agreement with Lonesome Tree Properties, LLC to exchange 0.9 AC located at the Bentonville Municipal Airport for 6.39 AC adjacent to the Airport, a 12.42 AC avigation easement at the north end of the runway, and a $130,000.00 purchase price to be used for future development at the Airport.