



BENTONVILLE CITY COUNCIL AGENDA

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

**Monday, August 22, 2016 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, August 23, 2016 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: August 9, 2016
Presentation of "Good Samaritan" Award to Dan Cervantes**

AGENDA

1. Presentation by Mark Hayes, General Counsel for Arkansas Municipal League.
(Tuesday night only)
2. Planning:
 - 2a. **Lot Split: Lot 17 Block H Orchard's Addition, Rita Gail & Michael David Smith, 407 Southeast 'C' Street, Zoned R-1.**

The planning commission voted 6-0 recommending approval.

The applicant has submitted a lot split for property located at 407 Southeast 'C' Street in a R-1, Single Family Residential zoning district. The plat as provided by the applicant indicates the creation of one new lot that will be known as Lot 17 (0.23 acres), Block H of Orchards Addition. Five feet of additional right-of-way is being dedicated along Southeast 'C' Street per the current master street plan. Public water and sewer access is available along Southeast 'C' Street.

- 2b. **Rezoning: Lamplighter Restoration LLC, (West) Southeast 'D' Street and Southeast 6th Street, 511 SE D Street, Rezoning from R-3 Medium Density to R-C2, Central Residential-Moderate Density.**

The planning commission voted 6-0 recommending approval.

The intent of the R-C2 zoning designation is to allow for the redevelopment within the downtown area. The R-C2 district allows for a variety of housing types and lifestyles while encouraging traditional design. The area is appropriate for a transitional zone between single family residential and higher density residential or commercial and industrial zones. The rezoning request is consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Downtown Mixed Use Residential.

- 2c. **Rezoning: Lamplighter Restoration LLC, (East) Southeast 'D' Street and Southeast 6th Street, 511 SE 'D' Street, Rezoning from R-3 Medium Density Residential to R-C2, Central Residential Moderate Density.**

The planning commission voted 6-0 recommending approval.

The intent of the R-C2 zoning designation is to allow for the redevelopment within the downtown area. The RC-2 district allows for a variety of housing types and lifestyles while encouraging traditional design. The R-C2 designation is appropriate for this location and is consistent with all land use principles and policies. The rezoning request is consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Downtown Mixed Use Residential.

- 2d. **Land Use Map Amendment: Aurora Partners LLC, South Morningstar Road, Agriculture to Low Density Residential.**

The planning commission voted 6-0 recommending approval.

The proposed land use map amendment is located where two proposed arterial streets intersect. The proposed subdivision is located within the city's planning boundary. Public utilities will be extended with the development. As public utilities are extended the land use and residential densities should be adjusted to utilize the existing utility infrastructure.

3. Approval of an ordinance repealing and replacing Title 14, Zoning Code, Article 801 Signs and Billboards and adopting Article 802 Signs on City Property and Public Right-of-Way.
- 4a. Requesting Council approval of a resolution authorizing the Mayor and Clerk to enter into a professional services agreement with Sungard for the implementation of TRAKiT Software in the amount of \$307,680.00. TRAKiT Land Management Software is tightly linked with a GIS-centric data base and will automate permitting, manage inspections, regulate land uses, track projects, and offer payment processing. Additional cost associated with this contract is travel and lodging expenses in an amount estimated at \$20,000.00. See attached memo and supporting documents.
- 4b. Requesting Council approval of a budget adjustment in the amount of \$477,680.00 for implementation of TRAKiT Land Management Software. This includes \$307,680.00 for software, \$20,000.00 for associated travel and lodging expenses, and \$150,000.00 for necessary hardware.

5. Approval of the installation of a two-day temporary piece of artwork, titled "Truth Booth" by artist Hank Willis Thomas and the Cause Collective, on public property located at Lawrence Plaza. The fee, installation, maintenance and removal of the artwork is funded by Crystal Bridges Museum of American Art and Visit Bentonville. The Public Art Advisory Committee recommended approval on August 9, 2016 by a vote of 3-0.
6. Approval of the installation of a permanent piece of artwork, titled "Triumph" by artist Hunter Brown, on public property located at the roundabout at the intersection of SW F Street and SW Ranch Road. The purchase, installation and maintenance of the artwork are funded by Keith Richardson Development of the Pointe at Bentonville. The Public Art Advisory Committee recommended approval on August 9, 2016 by a vote of 3-0.
7. Council approval of a resolution authorizing the Mayor and Clerk to enter into Supplemental Agreement #4 for professional services with Burns & McDonnell Engineering for additional services and scope of work for Title 1 services (\$239,173.29) and Title 2 services (\$554,918.62) on the 8th Street Improvements Project for a total of \$794,091.91. See attached memo and supporting contract documents. This supplemental agreement has been reviewed and approved by the AHTD and FHWA.
8. Award Bid #16-30 to Dean Crowder Construction in the amount of \$1,718,652.45 for relocation of water and sewer services on the 8th Street project (AHTD #090376). See attached memo, letter of recommendation to award bid, engineers estimate, and bid tabulation.
9. Staff recommends Mayor and City Council approve the change order to the Burns and McDonnell contract for the design of the 8th Street Overhead Electric Utility Relocation in the amount of \$376,950.00.
10. Recommend Mayor and City Council award bid #16-28 for 1/0 underground wire to the lowest bidder as shown on the attached bid tabulation in the amount of \$76,087.50.
11. Fire Department Staff recommends a budget adjustment in the amount of \$8,195.00 to purchase hazardous material monitoring equipment.
12. Fire Department Staff recommends increasing ambulance charges. The last increase in ambulance charges was 2009. This proposed increase will help offset the increase in personnel cost, cost of ambulances, and equipment experienced since 2009.
13. Fire Department Staff recommends Council approve a resolution adopting the Benton County Mitigation Plan. Executive Summary is attached. Full plan is available through Fire Chief or City Hall.
14. A resolution for the Mayor and City Clerk to assign an airport ground lease from Newhouse Properties, LLC to 6F Aviation. Said lease is known as Suite #3 2501 SW "I" Street.

15. A resolution for the Mayor and City Clerk to enter into a Ground Lease Agreement with WTS Aviation, LLC for a hangar at 2250 SW Aviation Street, Bentonville Municipal Airport.
16. Reappoint Mr. Chris Faulhaber to the Airport Advisory Board for a three year term that expires on September 30, 2019.
- 17a. 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 \$31,000.00 not to exceed a total of \$78,200.00. Services include soils/subgrade testing, concrete/asphalt pavement testing, masonry, steel observation/testing.
- 17b. Staff requests Council approval of a budget adjustment in the amount of \$31,000.00 to cover costs for additional/remaining material testing for construction of the new City Maintenance Facility.
18. Staff requests Council to waive the competitive bidding requirements for the emergency repair of the auxiliary motor on our 2009 International Vac-Con combination sewer truck. The auxiliary motor experienced a mechanical failure that caused the motor to stall after a short period of time. An oil analysis was performed and it was determined that the main bearings were failing and would require the motor to be replaced. We are requesting to waive competitive bidding since Hugg and Hall is a certified Duetz motor repair shop.
19. Request a budget adjustment in the amount of \$378,000. This amount will purchase, equip, and provide set up for seven (7) 2016 Chevrolet Tahoes and also replace seven (7) cameras. These Tahoes will replace seven (7) total 2010 Ford Crown Vics that are scheduled for replacement in the 2017 Budget. A local dealer (Superior in Siloam Springs) has 7 vehicles available that will meet our specifications and are police pursuit vehicle Tahoes (PPV) with fully selectable 4 wheel drive. These 4WD PPV Tahoes are identical in capability to our present 2WD Tahoes but have all weather capabilities and can be available to the City at 2016 State Bid prices (approximately \$35,886 base, \$37,176 as equipped, per vehicle). The cost per vehicle reflected in this adjustment, at \$48,000, is \$3,000 above the 2015 budgeted amount per vehicle (\$45,000), which allows for an approximate \$37,000 vehicle cost and a \$11,000 equipment and set up cost and includes seven (7) car cameras (\$42,000). Considering an estimated cost increase next year of 4% for the vehicles only, the early purchase of these vehicles would represent a cost saving to the city of about \$10,460. Additionally, due to the upgrade to 4 wheel drive vehicles with speed rated capabilities, this purchase would also increase the safety and capabilities of our police department with more all-weather capable vehicles that still retain better handling and stopping characteristics. See attached memorandum.
20. This is a request to declare one (1) no longer in service police department vehicle as surplus property. This vehicle, City of Bentonville Unit # 2010-65, a 2008 model Dodge Durango, VIN 1D4HB38N58F148266, was replaced in the

2015 budget. This Durango was previously used as a marked patrol car, assigned to the school resource officer program and is equipped with a lightbar, siren, console, gun rack and other law enforcement specific items that would ordinarily require removal prior to any transfer of ownership. However, upon approval and being declared as surplus, this vehicle can be transferred to the Highfill Police Department with lightbar, siren, and other law enforcement specific equipment intact. The Highfill Police Department would use this police vehicle, as equipped, to patrol their city and answer calls for service. Transferring ownership in this manner represents a responsible and safe disposition of police equipped vehicles and also saves the city the costs associated with the removal and proper disposal of law enforcement only equipment that cannot be transferred to another vehicle. Transferring this vehicle also saves costs associated with prolonged storage of these vehicles awaiting auction. Additionally, this transfer encourages local partnerships, supports law enforcement and public safety in Northwest Arkansas and provides assistance to our neighboring city, Highfill. See also attached letter from City of Highfill Chief of Police, Blake Webb.