

Bentonville City Council
Meeting Minutes
January 28, 2020

The City Council of Bentonville, Arkansas, met in regular session Tuesday, January 28, 2020, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Tim Robinson, Chad Goss, Cindy Acree, Chris Sooter, Aubrey Patterson, Bill Burckart, Octavio Sanchez and Jonathan Terlouw. Also present were Mayor Stephanie Orman, City Attorney George Spence, City Clerk Linda Spence, the press, city staff and the audience.

At 6:00 p.m., prior to calling the meeting to order, Mayor Orman invited public comments. There was no response so the Mayor declared the comment period closed.

Mayor Orman called the meeting to order. The Mayor recognized three Cub Scouts from Pack 525 who 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 January 14, 2020 meeting as presented, second by Council Member Sanchez. There was no discussion. Motion carried (8-0).

Motion was made by Council Member Sooter 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 (8-0).

1. Danielle Semsrott, Senior Planner, introduced Michael Mayers of Mars, Inc. Mr. Mayers presented Mayor Orman with a certificate of recognition from Better Cities for Pets.

- 2a. Ordinance No. 2020-16: Ordinance accepting a property line adjustment of Lot 14 Block 26 of Deming's 2nd Addition to the City of Bentonville, Arkansas. (Project No. PLA19-30)

[Applicant: Todd Renfrow;
Location: 727 Northwest A 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 (8-0).

- 2b. Ordinance No. 2020-17: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of C-1, neighborhood commercial to C-2, general commercial. (Project No. RZ19-38)

[Applicant: Bella Terra, LLC;
Location: Southwest Regional Airport Boulevard]

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 (8-0).

- 2c. Ordinance No. 2020-18: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-3, medium density residential to DC, downtown core. (Project No. RZ19-39)

[Applicant: 211, 213, 215 Northwest A, LLC;
Location: 215 Northwest A 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 (8-0).

- 2d. Ordinance No. 2020-19: 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. RZ19-42)

[Applicant: Bella Vista Church of Christ;
Location: 989 Northwest McNelly Road]

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 (8-0).

- 2e. Ordinance No. 2020-20: 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. RZ19-43)

[Applicant: CJIC Properties, LLC;
Location: 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 (8-0).

- 2f. Ordinance No. 2020-21: 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. RZ19-44)

[Applicant: Tylluan, LLC;
Location: Tiger Boulevard]

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 (8-0).

- 2g. Ordinance No. 2020-22: Ordinance changing real estate in the
City of Bentonville, Arkansas, from its present zoning
classification of undesignated to DN-2, downtown medium-density
residential. (Project No. RZ19-45)

[Applicant: Jocz Trust;
Location: Tiger Boulevard]

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 (8-0).

- 2h. Ordinance No. 2020-23: Ordinance changing real estate in the
City of Bentonville, Arkansas, from its present zoning
classification of R-1, single family residential to DE,
downtown edge. (Project No. RZ19-46)

[Applicant: Pensco Trust Company, LLC;
Location: 204 Southeast 6th 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 (8-0).

- 2i. Ordinance No. 2020-24: Ordinance changing real estate in the
City of Bentonville, Arkansas, from its present zoning
classification of R-1, single family residential to DN-4,
downtown mixed-use residential. (Project No. RZ19-47)

[Applicant: Matthew Whitley and Kristal Witten;
Location: 309 Southeast G Street and 805 Southeast 4th 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 (8-0).

- 2j. Ordinance No. 2020-25: Ordinance changing real estate in the
City of Bentonville, Arkansas, from its present zoning
classification of A-1, agricultural to C-3, central commercial.
(Project No. RZ19-48)

[Applicant: Bertschy Trust;
Location: 1908 Southeast J 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 (8-0).

- 2k. Ordinance No. 2020-26: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-C2, central residential - moderate density to DN-4, downtown mixed-use residential. (Project No. RZ19-49)

[Applicant: Bentonville Academy of Music, LLC;
Location: 523 Southeast 6th Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (8-0).

- 2l. Ordinance No. 2020-27: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of DN-2, downtown medium-density residential to PRD, planned residential development. (Project No. RZ19-04)

[Applicant: Hurricane WA, LLC;
Location: 614 Bella Vista Road]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (8-0).

3. Ordinance No. 2020-28: Ordinance vacating an alley right-of-way at 407 Southwest C Street of Scrogan Subdivision to the City of Bentonville, Arkansas, Benton County, Arkansas. (Project No. VAC19-43)

[Applicant: Terry Ging;
Location: 407 Southwest C Street]

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 discussion. Motion carried (8-0).

4. Ordinance No. 2020-29: Ordinance vacating a drainage and utility easement located at Lot 1 of Williamsburg Heights to the City of Bentonville, Arkansas, Benton County, Arkansas. (Project No. VAC19-42)

[Applicant: Cameron Smith;
Location: Lot 1 Williamsburg Heights Subdivision]

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 discussion. Motion carried (8-0).

5. Resolution No. 1-28-20 A: Resolution authorizing the Mayor and City Clerk to enter into an amended agreement with Morrison-Shipley Engineers, Inc. for professional services for the South Main Street project.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (8-0).

6. Resolution No. 1-28-20 B: Resolution authorizing the Mayor and City Clerk to execute an amendment to an airport land lease agreement for a hangar site located at the Bentonville Municipal Airport.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

7. Resolution No. 1-28-20 C: Resolution authorizing the Mayor and City Clerk to execute approval of an assignment of an airport land lease agreement for a hangar site located at the Bentonville Municipal Airport.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (8-0).

8. Resolution No. 1-28-20 D: Resolution declaring certain property belonging to the City of Bentonville Police Department as surplus property. (2009 Chevy Impala)

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

9. Approval of a budget adjustment in the amount of \$12,795 for the Police Department to accept and recognize two vehicle insurance settlements from the Arkansas Municipal League.

Motion to approve by Council Member Acree, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

10. Approval of a budget adjustment, in the amount of \$800, for the Wastewater Department to recognize a \$500 donation from Garver Engineering and a \$300 donation from Hawkins Weir Engineers, Inc., to cover expenses incurred hosting the January training session of the Northwest District of AWW and WEA.

Motion to approve by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (8-0).

11. Approval to appoint Kevin Butler, Tom Butrynski, David Gray, Fred Johnson and Rinkey Singh to the City of Bentonville Utility Board.

Motion to approve by Council Member Sanchez, second by Council Member Acree. There was no discussion. Motion carried (8-0).

12. Ordinance No. 2020-30: Ordinance authorizing the Mayor and City Clerk to enter into an agreement for the purchase of signal hardware for the upgrade of traffic signals in the City of Bentonville and waiving the requirement of competitive bidding.

City Attorney Spence read the ordinance by title only.

Council Member Acree asked the reason why competitive bidding was being waived and it was stated that the supplier was the sole source.

Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (8-0).

13. Ordinance No. 2020-31: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of replacement traffic signal cameras for certain intersections in the City of Bentonville 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 Robinson. There was no discussion. Motion carried (8-0).

14. State of the City report by Mayor Orman.

Mayor Orman adjourned the business portion of the meeting.

Mayor Orman recognized Tara Fleming and London Harris and presented each with a Spirit of Bentonville award. She also recognized City employee Theresa Yorek for her suggestion leading to the City establishing a new community relations program.

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

Linda Spence

Linda Spence, City Clerk

Stephanie Orman

Stephanie Orman, Mayor

