

Bentonville City Council
Meeting Minutes
April 14, 2020

The City Council of Bentonville, Arkansas, met in regular session Tuesday, April 14, 2020, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present at the Community Development Building were Mayor Orman, City Attorney George Spence, City Clerk Linda Spence, city staff Jonathan Rogers, Don Chase and Sergeant Andrew Albers.

Due to the situation related to the Coronavirus, council members Tim Robinson, Chad Goss, Cindy Acree, Chris Sooter, Aubrey Patterson, Bill Burckart, Octavio Sanchez and Jonathan Terlouw attended remotely, as did several members of the city staff and the public. -

There were no public comments or comments from the Council about items on the agenda.

Mayor Orman called the meeting to order. The Mayor led everyone present in the Pledge of Allegiance followed by a moment of silence in support of our armed forces and all those involved in dealing with the COVID-19 crisis.

Motion was made by Council Member Acree to approve the minutes of the March 24th, 2020 meeting as presented, second by Council Member Sanchez. There was no discussion. Motion carried (8-0).

- 1a. Ordinance No. 2020-62: 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. RZ20-04)

[Applicant: Satoko Kato;
Location: 403 Southwest C Street]

City Attorney Spence read the ordinance by title only.

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

- 1b. Ordinance No. 2020-63: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural to R-1, single family residential. (Project No. RZ20-06)

[Applicant: Larry and Elise Kirkpatrick;
Location: 4708 Town Vu Road]

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

- 1c. Ordinance No. 2020-64: 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. RZ20-09)

[Applicant: AP Real Estate and Development, LLC;
Location: 211 Southwest F Street]

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

- 1d. Ordinance No. 2020-65: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of DN-3, downtown high-density residential to DN-4, downtown mixed-use residential. (Project No. RZ20-10)

[Applicant: Bentonville Real Estate Development, LLC;
Location: 402 Southeast G Street]

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

- 1e. Ordinance No. 2020-66: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural to R-O, residential office. (Project No. RZ20-12)

[Applicant: Northwest Baptist Association;
Location: 1712 Southwest 2nd Street]

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

- 1f. Ordinance No. 2020-67: Ordinance accepting a lot split of Lots 214-215 of the Original Town of Bentonville to the City of Bentonville, Arkansas. (Project No. LS20-08)

[Applicant: Bentonville Church of the Nazarene;
Location: 220 Northwest A Street]

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

- 1g. Ordinance No. 2020-68: Ordinance accepting a lot split of Lot 20 Block 2 of Railroad Addition to the City of Bentonville, Arkansas. (Project No. LS20-05)

[Applicant: Loren and Diane Harper;
Location: 109 Southeast 3rd 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).

- 1h. Ordinance No. 2020-69: Ordinance accepting a property line adjustment of Lot 1 of Shellfish Subdivision to the City of Bentonville, Arkansas. (Project No. LS20-12)

[Applicant: Whorton Trustees;
Location: 407 Southwest C 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).

- 1i. Ordinance No. 2020-70: Ordinance accepting a lot split of
Lots 1-2 of Frazier Addition to the City of Bentonville,
Arkansas. (Project No. LS20-13)

[Applicant: Kevin Frazier;
Location: Gaston Road]

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

- 1j. Ordinance No. 2020-71: Ordinance accepting a lot split of
Lots 1-3 of Plaza West Addition to the City of Bentonville,
Arkansas. (Project No. LS20-19)

[Applicant: Coughlin Family, LLC;
Location: Southwest Featherston 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).

- 1k. Ordinance No. 2020-72: Ordinance accepting a property line
adjustment of Lots 19-20 Block 3 of Deming's Addition to the
City of Bentonville, Arkansas. (Project No. LS20-15)

[Applicant: SP Investments, LLC;
Location: 402 and 404 Northwest A Street]

City Attorney Spence read the ordinance by title only.

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

- 1l. Ordinance No. 2020-73: Ordinance accepting a property line adjustment of Lot 16 Block 15 of Deming's Addition to the City of Bentonville, Arkansas. (Project No. PLA20-13)

[Applicant: SMS Investments, LLC;
Location: 208 Northwest 5th 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).

- 1m. Ordinance No. 2020-74: Ordinance accepting a property line adjustment of Lot 1 of JBC Addition to the City of Bentonville, Arkansas. (Project No. PLA20-17)

[Applicant: Jerry and Becky Clark;
Location: 109 Southeast F Street]

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

- 1n. Ordinance No. 2020-75: Ordinance accepting a property line adjustment of Lot 44 of Dickson's Addition to the City of Bentonville, Arkansas. (Project No. PLA20-03)

[Applicant: Mark and Lisa Hufford;
Location: 818 Southwest 2nd 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).

10. Ordinance No. 2020-76: Ordinance accepting a property line adjustment of Lot 1 of Ferguson Addition to the City of Bentonville, Arkansas. (Project No. PLA20-19)

[Applicant: Ferguson Family Trust;
Location: 111 Southeast F 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).

2. Ordinance No. 2020-77: Ordinance vacating a drainage and utility easement located at Livingston Square Subdivision to the City of Bentonville, Arkansas, Benton County, Arkansas. (VAC20-04)

[Applicant: Jamal Parker;
Location: Livingston Square]

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 Goss. There was no discussion. Motion carried
(8-0).

3. Resolution No. 4-14-20 A: Resolution setting a public hearing for April 28th, 2020, on a petition filed by CEI Engineering on behalf of Walmart requesting a street right-of-way vacation at Southeast 10th Street.

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

4. Resolution No. 4-14-20 B: Resolution setting a public hearing for April 28th, 2020, on a petition filed by CEI Engineering on

behalf of Mud Puddle Investments requesting utility easement vacations for Lot 3 of Presley Place Subdivision.

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

5. Resolution No. 4-14-20 C: Resolution setting a public hearing for April 28th, 2020, on a petition filed by CEI Engineering on behalf of Roth Family, Inc. requesting utility easement vacations for Lots 1 and 2 of Presley Place Subdivision.

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

6. Resolution No. 4-14-20 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with the Arkansas Department of Transportation for the addition of stamped concrete to the CA0903 project.

City Attorney Spence read the resolution by title only.

Council Member Acree asked how the decision was made to use stamped concrete on this project. Dennis Birge, Transportation Director, stated that the City had used this type of concrete previously on other projects and that its use would allow a low maintenance, higher quality and more consistent look at both Exit 93 and Exit 85. He added that it would be consistent with what the City of Rogers was using at those locations.

Motion to pass by Council Member Goss, second by Council Member Sooter. There was no further discussion. Motion carried (8-0).

7. Approval for the appointment of Aubrey Patterson to the City of Bentonville Airport Advisory Board, said term to end on January 1, 2021.

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

8. Resolution No. 4-14-20 E: Resolution authorizing the Mayor and Clerk to enter into an enterprise license agreement with ESRI for GIS software applications.

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 to award Bid No. 20-28 to Multi-Craft Contractors, in the amount of \$186,477, for repairs to the grit chamber at the Water Resource Recovery Facility.

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

10. Resolution No. 4-14-20 F: Resolution authorizing the Mayor and City Clerk to enter into an agreement for interconnection of municipal water systems with the City of Rogers, Arkansas by and through the Rogers Waterworks and Sewer Commission of the City of Rogers, Arkansas.

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).

11. Approval to award Bid No. 20-27 to American Air Conditioning and Mechanical, Inc., in the amount of \$9,800.25, for annual HVAC planned/preventive maintenance services at the Bentonville Municipal Complex, and this agreement is renewable annually upon mutual agreement for a maximum of three years.

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

12. Resolution No. 4-14-20 G: Resolution of the City of Bentonville authorizing "The Standard" as the provider for the City of Bentonville's deferred compensation plan.

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).

13. Ordinance No. 2020-78: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of uniforms for the Bentonville Police Department 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. Resolution No. 4-14-20 H: Resolution authorizing the Mayor and Clerk to enter into an agreement with Saltus Technologies, LLC for the purchase of digiTICKET user licenses for the City of Bentonville.

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

15. Approval to award Bid No. 20-32 to Altec Industries, Inc., in the amount of \$153,378, for the Parks and Recreation Department to purchase an AT41 aerial lift truck.

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

16. Approval to award Bid No. 20-35 to CalCon, Inc. for 1.5 and 2 inch conduit installation on an as-needed basis by the Electric Department, actual amount to be determined based on usage.

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

17. Approval to award Bid No. 20-36 to Forsgren, Inc. for 3 inch and larger conduit/pipe installation on an as-needed basis by the Electric Department, actual amount to be determined based on usage.

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

18. Approval of a change order for the Electric Department, in the amount of \$34,460, for TOP Engineers to do construction management and construction observation associated with the installation of new city fiber from the Utility Campus to Substation F.

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

19. Resolution No. 4-14-20 I: Resolution temporarily suspending certain sign requirements in the City of Bentonville, Arkansas.

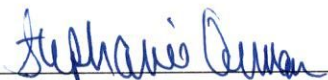
City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

Mayor Orman adjourned the meeting.

Council members reported on committees and boards they participate in related to the City. There were no public comments.




Linda Spence, City Clerk


Stephanie Orman, Mayor