

Bentonville City Council  
Meeting Minutes  
June 9, 2020

The City Council of Bentonville, Arkansas, met in regular session Tuesday, June 9, 2020, at 6:00 p.m., at the Bentonville Community Center, 1101 Southwest Citizens Circle, Bentonville, Arkansas.

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

Due to the situation related to COVID-19, several members of the city staff and the public also attended remotely by Zoom. Mayor Orman reminded Council that all votes would be by roll call.

Several members of the public in attendance at the meeting in person spoke to agenda items 5 and 6. Those speaking in regard to Item 5 were: Rick Rachel, Will Kellstrom, Mike Fall, Dana McKasson, Phyllis Campbell, William Samuel and Leslie Brown. Those speaking in regard to Item 6 were Nate Bachelor and Andy Green.

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.

Motion was made by Council Member Acree to approve the minutes of the May 26, 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).

June 8, 2020 - Committee of the Whole Meeting:

1. Quilt of Parks presentation by David Wright, Parks and Recreation Director.

June 9, 2020 - City Council Meeting:

2. June 2020 Residential Landscaping of the Month award.

Danielle Semsrott, Senior Planner, explained the background of the award and recognized Bob and Shelly Stoker as the winners for the month of June, 2020.

3. Ordinance No. 2020-101: Ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville and assigning same to wards.

[Applicant: H-Street Partners, LLC;  
Location: Southwest H 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).

- 4a. Resolution No. 6-9-20 A: Resolution adopting revisions to the Future Land Use Map of the City of Bentonville to change real estate from its present land use classification of commercial, medium-density residential and residential estate to high-density residential. (Project No. GPA20-02)

[Applicant: G&I Properties, LLC;  
Location: 1507 Southwest 14<sup>th</sup> Street]

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

- 4b. Ordinance No. 2020-102: Ordinance accepting a lot split of Lots 5-6 of Northwest Prairie Addition to the City of Bentonville, Arkansas. (Project No. LS20-26)

[Applicant: Northwest Arkansas Trailblazers;  
Location: 1701 Northwest F Street]

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).

- 4c. Ordinance No. 2020-103: Ordinance accepting a property line adjustment of Lot 11, Block 2 of Pritchard's Addition to the City of Bentonville, Arkansas. (Project No. PLA20-25)

[Applicant: Eric Holland;  
Location: 703 Northwest 6<sup>th</sup> 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).

- 4d. Ordinance No. 2020-104: Ordinance accepting a property line adjustment of Lot 11, Block 4 of Young's Addition to the City of Bentonville, Arkansas. (Project No. PLA20-29)

[Applicant: G Street Holdings Partners, LLC;  
Location: 802 Southeast 3<sup>rd</sup> 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).

- 4e. Ordinance No. 2020-105: Ordinance accepting a lot split of Lots 24-25 of Clarks Addition to the City of Bentonville, Arkansas. (Project No. LS20-14)

[Applicant: AP RE 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).

5. Ordinance No. 2020-106: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural to PRD, planned residential development. (Project No. PRD19-03)

[Applicant: Paul and Sue Ollar;  
Location: SW Regional Airport Boulevard and Greenhouse Road]

City Attorney Spence stated that some of the Council members seemed to be very concerned about traffic being addressed and suggested the Council might move to approve the rezoning conditioned on a traffic study being completed and that no occupancy of any development on the property could proceed until the recommended traffic improvements were made.

Council Member Patterson asked for clarification on what changes were made between the first and second submission of this item from the Planning Commission. Ellen Norvel, Interim Planning and Services Building Director, stated that there was an additional extension to the highway added and the number of units was reduced from 300 to 276.

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Acree. There was no further discussion. Motion carried (5-3), with Council Member Acree, Council Member Patterson and Council Member Sanchez voting no.

6. Ordinance No. 2020-107: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to DN-1, downtown low-density residential. (Project No. RZ20-07)

[Applicant: Stratford Assets I, LLC;  
Location: 502 Northwest 3<sup>rd</sup> Street]

Council Member Terlouw asked for clarification on any differences between R-1 and DN-1 zoning. Mrs. Novell stated that the differences were in setbacks and garage location.

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no further discussion. Motion carried (6-2), with Council Member Acree and Council Member Sanchez voting no.

7. Resolution No. 6-9-20 B: Resolution setting a public hearing for June 23, 2020, on a petition filed by the City of Bentonville requesting a street right-of-way vacation and to establish a utility easement at Lot 22 of Railroad Addition.

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).

8. Resolution No. 6-9-20 C: Resolution setting a public hearing for June 23, 2020, on a petition filed by Eric Heller requesting an access and utility easement vacation for 1805 Southwest Riverstone.

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

- 9a. Ordinance No. 2020-108: Ordinance amending the pay plan for the City of Bentonville, Arkansas pertaining to certain grades within the Bentonville Electric Department.

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).

- 9b. Approval of a budget adjustment for the Electric Department, in the amount of \$165,100, to pay for the pay plan adjustment.

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

10. Approval of a bid award to Banner Fire Equipment, Inc., in the amount of \$644,250, for replacement of Engine 1.

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

11. Resolution No. 6-9-20 D: Resolution authorizing the Mayor and Clerk to enter into an amendment to the agreement with Hight Jackson for related architectural services.

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).

- 12a. Approval to award Bid No. 20-40 to Flintco, LLC, in the amount of \$1,755,410, for the Bentonville Administrative Services Building remodel project.

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

- 12b. Approval of a budget adjustment for the Administration Department, in the amount of \$1,950,000, for the West Plaza Building renovation project.

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

13. Resolution No. 6-9-20 E: Resolution authorizing the Mayor and City Clerk to enter into an amended professional services agreement with CEI Engineering Associates, Inc. for services associated with the design and construction of the Nomad Creek Interceptor in southwestern Bentonville.

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).

- 14a. Resolution No. 6-9-20 F: Resolution authorizing the Mayor and the City Clerk to enter into a development agreement with Aurora Development Company, LLC for the design and installation of the Nomad Creek Interceptor in southwestern 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).

- 14b. Approval to award Bid No. 20-03 to Brothers Construction, in the amount of \$1,566,773, for the construction of the Nomad Creek Interceptor in southwestern Bentonville.

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

- 14c. Approval of a budget adjustment for the Water/Sewer Department in the amount of \$700,000 to recognize a contribution of \$280,000 toward the project from Aurora Development Company, LLC and \$420,000 from wastewater reserves to fund construction of the Nomad Creek Interceptor.

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

15. Ordinance No. 2020-109: Ordinance establishing the terms of council members in the event the City reaches a population of 50,000.

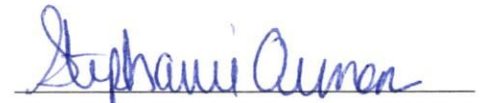
City Attorney Spence explained that since the Council had previously agreed to decide the question of which position would be extended by two years by a coin flip, heads would be for position one and tails would be for position two. The result of the coin flip was tails.

City Attorney Spence read the ordinance extending the terms for the four Position 2 seats 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. Gavin Olsen was recognized during the public comment period.

  
Linda Spence, City Clerk

  
Stephanie Orman, Mayor

