

Bentonville City Council
Meeting Minutes
January 10, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, January 10, 2017, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Stephanie Orman, Chad Goss, Tim Robinson, Chris Sooter, James Smith, Bill Burckart, Octavio Sanchez and Jim Webb. Also present were Mayor Bob McCaslin, 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, the Mayor invited public comments. Steve Marquess was recognized and spoke regarding items 2b and 2h and problems arising from building new construction in older existing neighborhoods.

The Mayor then invited questions or comments from the Council about items on the agenda. Alderman Smith spoke regarding implementing new meeting procedures in February.

Mayor McCaslin called the meeting to order at 6:06 p.m. The Mayor led everyone present in the pledge of allegiance followed by a moment of silence in support of our armed forces and public safety personnel.

Motion was made by Alderman Sanchez to approve the minutes of the December 13, 2016 meeting as presented, second by Alderman Burckart. There was no discussion. Motion carried (8-0).

Motion was made by Alderman 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 Alderman Burckart. There was no discussion. Motion carried (8-0).

1. Ordinance No. 2017-1: 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.

[Kyle and Melissa Sanders; Northwest 3rd Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Burckart, second by Alderman Sanchez. There was no discussion. Motion carried (7-0-1), with Alderman Webb abstaining.

- 2a. Ordinance No. 2017-2: Ordinance accepting a lot split of Lots 14, 15, 16, 17 and 18 Block 2 Railroad Addition to the City of Bentonville, Arkansas.

[Applicant: Kathleen Motheral;
Location: 202, 204, 206, 208 and 210 Southeast A Street]

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

- 2b. Ordinance No. 2017-3: Ordinance accepting a lot split of Lots 20 and 21 Block 2 Dunn and Davis Addition to the City of Bentonville, Arkansas.

[Applicant: CalCon Inc. ;
Location: 505 and 507 Southwest C Street]

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

- 2c. Ordinance No. 2017-4: Ordinance accepting a lot split of Lots 25 and 26 3rd East Side Addition to the City of Bentonville, Arkansas.

[Applicant: Kerry Laman; Location: Southeast 5th Street]

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

- 2d. Ordinance No. 2017-5: Ordinance accepting a property line adjustment of Lots 15 and 16 Block 6 Dunn and Davis Addition to the City of Bentonville, Arkansas.

[Applicant: Village at B Street, LLC;
Location Southwest B Street and Southwest 7th Street]

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

- 2e. Ordinance No. 2017-6: Ordinance accepting a final plat of Providence Village Subdivision Phase 1 to the City of Bentonville, Arkansas.

[Applicant: Providence 2016, LLC; Location:
Southwest Nomad Road and Southwest Windmill Road]

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

- 2f. Ordinance No. 2017-7: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-2, duplex and patio home residential to R-ZL, zero lot line.

[Applicant: Buildup Development, LLC and Jamal and
Stephanie Parker; Location: 1111 Southwest Parnell Drive]

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

- 2g. Ordinance No. 2017-8: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1, single family residential to DN-4, downtown mixed-use residential.

[Applicant: Lamplighter Restorations, LLC;
Location: 407 and 409 Southeast 6th Street]

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

- 2h. Ordinance No. 2017-9: Ordinance changing real estate in the
City of Bentonville, Arkansas, from its present
classification of R-1, single family residential to DN-4,
downtown mixed-use residential.

[Applicant: Lamplighter Restorations, LLC;
Location: 408 and 410 Southeast 6th Street]

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

3. Ordinance No. 2017-10: Ordinance authorizing the Mayor and
City Clerk to enter into an agreement with Ozark Regional
Transit (ORT) to provide public transit service within the
City of Bentonville and waiving the requirement of
competitive bidding.

Mayor McCaslin noted that the correct amount of the agreement
was \$125,757. Motion to amend to reflect the correct amount
by Alderman Burckart, second by Alderman Sanchez. Motion
carried (8-0).

City Attorney Spence read the ordinance as amended by title
only. Motion to pass by Alderman Burckart, second by
Alderman Sanchez.

Alderman Orman asked if there was an update about the fire
that occurred the night before at Ozark Regional Transit.
Troy Galloway, Community Development Director, stated that
according to Joel Gardner, Executive Director of ORT, twenty
buses were lost in the fire and that loaner buses from around
the region should be in place in a week to ten days.

Motion to pass ordinance carried (8-0).

4. Ordinance No. 2017-11: Ordinance vacating a utility easement
located at 4001 Northeast Kensington Street within Kensington

Subdivision to the City of Bentonville, Arkansas, Benton County, Arkansas.

[Applicants: Terry and Stephanie Orman]

Mayor McCaslin declared a public hearing open for comments. There was no response so Mayor McCaslin declared the public hearing closed.

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Sanchez, second by Alderman Burckart. There was no discussion. Motion carried (7-0-1), with Alderman Orman abstaining.

5. Resolution No. 1-10-17 A: Resolution authorizing the Mayor and Clerk to enter into a memorandum of understanding with Northwest Arkansas Regional Planning Commission for storm water education.

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

6. Resolution No. 1-10-17 B: Resolution authorizing the Mayor and Clerk to enter into an agreement with the Arkansas Highway and Transportation Department for the upgrade of new traffic signal poles and associated fixtures in connection with the I-49 interchange improvements at Highway 72 and 102.

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

7. Approval to award Bid No. 2016-59 to Jet Custom Screen Printing in the amount of \$19,960 to purchase participant shirts for the Run Bentonville Half Marathon.

Motion to approve by Alderman Burckart, second by Alderman Robinson. There was no discussion. Motion carried (8-0).

8. Ordinance No. 2017-12: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Steam

Explorers for recreational camps and programs for the City of Bentonville Parks and Recreation Department and waiving the requirement of competitive bidding.

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

9. Resolution No. 1-10-17 C: Resolution authorizing the Mayor and City Clerk to enter into an amended professional services agreement with McClelland Consulting Engineers, Inc. for engineering services associated with utility relocation caused by the Arkansas State Highway and Transportation Department's Bella Vista bypass project.

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

10. Approval of change order No. 4 and final reconciliation to Rosetta Construction, LLC for a total decrease of \$205,623.71 for the water, sewer and electric utilities relocation project associated with the AHTD Bella Vista bypass project.

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

11. Resolution No. 1-10-17 D: Resolution authorizing the offering of sales and use tax bonds to finance capital improvements, and prescribing other matters relating thereto.

City Attorney Spence read the resolution by title only.

Alderman Burckart asked whether the funds to be raised by the sale of the bonds had been accounted for in the various studies presented to the Council from time to time, such as the studies establishing impact and capacity fees.

Mayor McCaslin noted that the bonds being authorized were the

tail end of the bonds approved by the citizens in 2007, were for street improvements and police capital needs only, and that the City did not have impact and capacity fees for either of those broad areas.

Alderman Robinson asked whether the specific projects on which the proceeds of the bonds were to be spent would still come before the Council for approval. The Mayor indicated they would.

Motion to pass the resolution by Alderman Burckart, second by Alderman Sanchez. There was no further discussion. Motion carried (8-0).

Mayor McCaslin reminded the Council that he and staff were available to discuss items coming before them as well as other concerns about the City and encouraged council members to take advantage of that opportunity.

Motion to adjourn by Alderman Smith, second by Alderman Robinson. Motion carried (8-0).

Linda Spence
Linda Spence, City Clerk

Bob McCaslin
Bob McCaslin, Mayor

