

Bentonville City Council
Meeting Minutes
January 24, 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, Bill Burckart, Octavio Sanchez and Jim Webb, with Alderman Smith absent. 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, Mayor McCaslin invited public comments. There was no response so the Mayor declared the comment period closed. The Mayor then invited questions or comments from the Council about items on the agenda and there were none.

Thereafter, Mayor McCaslin 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 Alderman Burckart to approve the minutes of the January 10, 2017 meeting as presented, second by Alderman Webb. There was no discussion. Motion carried (7-0), with Alderman Smith absent.

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 (7-0), with Alderman Smith absent.

- 1a. Ordinance No. 2017-13: Ordinance accepting a property line adjustment of Lots 8 and 9 Loeshe Subdivision to the City of Bentonville, Arkansas.

[Applicant: Wedekind Properties, LLC;
Location: 701 Northeast 8th Street]

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

- 1b. Ordinance No. 2017-14: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1, single family residential to R-O, residential office.

[Applicant: Cate Family, LLC;
Location: 1303 Southwest B Street]

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

- 1c. Item removed from the agenda at the request of the Planning Department. [Rezoning request by Rohit Dharmadhikari]

- 1d. Ordinance No. 2017-15: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of C-2, general commercial to R-4, high density residential.

[Applicant: Honey Creek Land and Cattle, Inc.;

Location: Southeast 34th Street and Southeast 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 (7-0), with Alderman Smith absent.

- 1e. Item removed from the agenda at the request of the Planning Department. [Rezoning request by MSB Holdings, LLC]

- 1f. Ordinance No. 2017-16: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1, single family residential to DN-2, downtown medium-density residential.

[Applicant: Roth Family Partnership, VGP, LLC and Marvin and Becky Cawthon; Location: 905, 907 and 909 North Main Street]

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), with Alderman Smith absent.

- 1g. Ordinance No. 2017-17: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present

classification of A-1, agricultural to R-1, single family residential.

[Applicant: Kyle and Melissa Sanders;

Location: Northwest 3rd Street]

City Attorney Spence read the ordinance by title only.

Motion to pass by Alderman Sanchez, second by

Alderman Sooter. There was no discussion. Motion carried (6-0-1), with Alderman Smith absent and Alderman Webb abstaining.

2. Issue Resolved: Condemning and removing a structure located at 1204 Northeast Fillmore Street.
3. Ordinance No. 2017-18: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with Boyette Strategic Advisors for services related to the Bentonville Blueprint and waiving the requirement of competitive bidding.

City Attorney Spence read the ordinance by title only.

Alderman Burckart asked about how this proposed contract compared to the services being provided in connection with the Bentonville Community Plan currently underway.

Troy Galloway, Community Development Director, explained that the agreement before the Council related to economic development, including planning for some specific areas like the north Bentonville corridor, while the contract related to developing the community plan was broader.

Alderman Orman asked whether the action items in the proposed agreement were not already part of the Bentonville Blueprint and questioned why the City was paying an additional \$35,000 for something that seemed repetitive. Mr. Galloway stated that pursuing this contract with Boyette had always been part of the overall plan which also included the Blueprint.

Alderman Orman also asked whether the recruiting program for the City now was burdened by a conflict of interest with Bella Vista as the City employee conducting that program had recently been appointed to the City Council for Bella Vista. Mr. Galloway stated that the employee was fully engaged in recruitment for Bentonville and had been for some time and that there were no issues with him serving in both roles.

Alderman Orman asked for more detail about what economic projects had come in that would not have but for the existing programs. Mr. Galloway stated that such would be hard to quantify, adding that the overall goal was to provide a welcoming, attractive community. Alderman Orman indicated a desire to see something more tangible about the City's efforts. Alderman Burckart stated that he would like to have a review of the action items which had been established to determine a status.

At this point, Alderman Smith entered the meeting.

Motion to pass ordinance by Alderman Sanchez, second by Alderman Burckart. Motion carried (7-0-1), with Alderman Smith abstaining.

4. Resolution No. 1-24-17 A: Resolution setting a public hearing for the 14th day of February, 2017, at 6:00 p.m. on a petition filed by HFA Creative Solutions requesting an alley right-of-way vacation within the City of Bentonville, Arkansas.

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

5. Ordinance No. 2017-19: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Admiral Moving Service, Inc. and waiving the requirement of competitive bidding.

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).

6. Resolution No. 1-24-17 B: Resolution authorizing the Mayor and Clerk to enter into an offer and acceptance for the sale of real property to Matthew and Stacie Pabst.

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

7. Ordinance No. 2017-20: 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 Alderman Burckart, second by Alderman Webb. There was no discussion. Motion carried (8-0).

8. Ordinance No. 2017-21: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with the City of Rogers for animal services and waiving the requirement of competitive bidding.

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).

9. Ordinance No. 2017-22: Ordinance adopting revisions to the personnel policy for the City of Bentonville, Arkansas.

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).

10. Approval of a budget adjustment and scholarship payment from the Arkansas State Library to Courtney Fitzgerald for the fall 2016 semester and the 2017 academic year.

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

11. Approval for the appointment of Betsy Batey to the Bentonville Public Library Advisory Board, said term to run from February 2017 through December 2021.

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

12. Approval to award Bid No. 16-05 to J. Johnson Construction Company, Inc. in the amount of \$943,158.75 for construction of the Elm Tree/Highway 72 intersection improvements project.

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

- 13a. Resolution No. 1-24-17 C: Resolution authorizing the Mayor to enter into an agreement with CEI Engineering Associates for design and engineering services for AHTD Job No. 090473, Highway 102/Southwest I Street intersection improvements (Bentonville) (S).

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).

- 13b. Approval of a budget adjustment in the amount of \$9,004 to help fund the design of AHTD Job No. 090473.

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

14. Approval to increase the vehicle count for the Fire Department by three utilizing two 2008 Chevrolet Impalas from the Police Department and repurposing a 2008 Ford F450.

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

15. Ordinance No. 2017-23: Ordinance authorizing the Mayor and the City Clerk to enter into a contract for the renewal of the City of Bentonville Community Center's HVAC maintenance service and waiving the requirement of competitive bidding.

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 (8-0).

- 16a. Approval of Change Order No. 1 and final reconciliation to Crossland Heavy Contractors for an increased amount of \$7,888 and an additional seven calendar days for the McKissic lift station headworks improvement project.

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

16b. Approval of a budget adjustment in the amount of \$7,888 to cover the increased cost of Change Order No. 1 for additional rock excavation for the McKissic lift station headworks improvement project.

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

17. State of the City report by Mayor McCaslin.

Motion to adjourn meeting by Alderman Burckart, second by Alderman Webb. Motion carried (8-0).

Linda Spence

Linda Spence, City Clerk

Bob McCaslin

Bob McCaslin, Mayor

