

Bentonville City Council
Meeting Minutes
March 8, 2016

The City Council of Bentonville, Arkansas, met in regular session Tuesday, March 8, 2016, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Stephanie Orman, John Skaggs, Tim Robinson, Chris Sooter, James Smith, Bill Burckart, Octavio Sanchez, with Jim Webb 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.

Mayor McCaslin recognized a Boy Scout from Troop 525.

Thereafter, Mayor McCaslin called the meeting to order. The Mayor then 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 Sanchez to approve the minutes of the February 23, 2016 meeting as presented, second by Alderman Burckart. There was no discussion. Motion carried (7-0), with Alderman Webb 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 Smith. There was no discussion. Motion carried (7-0), with Alderman Webb absent.

1. Parks and Recreation update for City Council.

David Wright, Parks and Recreation Director, presented an update and answered questions concerning City projects, the Community Center and upcoming events.

- 2a. Ordinance No. 2016-38: Ordinance accepting a property line adjustment of Lot 12 Block 5 Deming's Addition to the City of Bentonville, Arkansas.

[Applicant: Joe and Liane McNabb;
Location: Northwest C Street and Northwest 5th Street
(southeast corner of intersection)]

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 (7-0), with Alderman Webb absent.

- 2b. Ordinance No. 2016-39: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification to D-C, downtown core.

[Applicant: Westwood Holdings, LLC/Moro Development/Buster Properties, LLC; Location: 303 Northeast B Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Burckart, second by Alderman Sooter. There was no discussion. Motion carried (6-0), with Alderman Skaggs voting no and Alderman Webb absent.

3. Resolution No. 3-8-16 A: Resolution setting a public hearing for March 22, 2016, at 6:00 p.m., regarding a petition filed by Food Hub NWA and Community Development Corporation to close and vacate a utility easement within the City of Bentonville, Arkansas.

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

4. Resolution No. 3-8-16 B: Resolution authorizing the Mayor and City Clerk to update a land lease agreement for a hangar site located at the Bentonville Municipal Airport.
[Larry Brantley of Software Strategies, Inc.]

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 (7-0), with Alderman Webb absent.

5. Resolution No. 3-8-16 C: Resolution authorizing the Mayor and City Clerk to update a land lease agreement for a hangar site located at the Bentonville Municipal Airport.
[Chip Gibbons of Point 6 - Hangar 7]

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 (7-0), with Alderman Webb absent.

6. Resolution No. 3-8-16 D: Resolution authorizing the Mayor and City Clerk to update a land lease agreement for a hangar site located at the Bentonville Municipal Airport.
[Chip Gibbons of Point 6 - Hangar 8]

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 (7-0), with Alderman Webb absent.

7. Resolution No. 3-8-16 E: Resolution authorizing the Mayor and City Clerk to enter into a land lease agreement with NWA Hangar, LLC for a hangar site located at the Bentonville Municipal Airport.
[Huey Long of NWA Hangar, LLC]

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 (7-0), with Alderman Webb absent.

8. Resolution No. 3-8-16 F: Resolution authorizing the Mayor and City Clerk to enter into a land lease agreement with Summit Aviation Holdings, LLC for a hangar site located at the Bentonville Municipal Airport.
[Dave Powell of Summit Aviation Holdings, LLC]

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 (7-0), with Alderman Webb absent.

9. Approval of a reconciliation change order for the Bentonville Sidewalk Improvements 2015 project, the final project cost being \$1,793.50 less than the current contract amount.

Motion to approve by Alderman Sooter, second by Alderman Sanchez. There was no discussion. Motion carried (7-0), with Alderman Webb absent.

10. Ordinance No. 2016-40: Ordinance to adopt certain amendments to the Bentonville Electric Utility Department.

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

Alderman Burckart stated that a point needed to be made concerning the balance between safety and cost. He added that no one in the community affected by the changes, builders, was aware of the planned changes. He also stated that the changes should have been sent out for comments to contractors and engineers.

Travis Matlock, Engineering Director, stated that the proposed changes were focused on the provision of safe, reliable power and would, in his view, impose minimal additional costs. He stated that the City began pursuing these updates only recently and that the number of changes was diminishing with each year (27 in 2014, 19 in 2015 and the 4 in 2016).

Alderman Smith asked how our code compared to other cities. Mr. Matlock stated such a comparison could not be made as neighboring cities did not have their own electric utility.

Alderman Orman indicated she was concerned about the ongoing process of change, but was satisfied due to the recency of the standards having been put in place and the dramatic reduction in changes from year to year.

Alderman Sanchez pointed back to the efforts to impose the standards being important to support the reliability of the system.

Motion passed (5-0), with Alderman Skaggs and Alderman Burckart voting no and Alderman Webb absent.

11. Resolution No. 3-8-16 G: Resolution authorizing the Mayor and Clerk to enter into an agreement with AT&T for the joint use of poles within the City of Bentonville.

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 (7-0), with Alderman Webb absent.

12. Approval for the appointment of Katie Gottlieb to the Bentonville Public Library Advisory Board.

Motion to approve by Alderman Smith, second by Alderman Sooter. There was no discussion. Motion carried (7-0), with Alderman Webb absent.

13. Approval for the appointment of Nathan Pollet to the Bentonville Public Library Advisory Board.

Motion to approve by Alderman Smith, second by Alderman Robinson. There was no discussion. Motion carried (7-0), with Alderman Webb absent.

14. Approval for the appointment of Octavio Sanchez to the Bentonville Public Library Advisory Board as an ex-officio City Council representative.

Motion to approve by Alderman Burckart, second by Alderman Robinson. There was no discussion. Motion carried (7-0), with Alderman Webb absent.

15. Approval for the appointment of Josh Morey to the City of Bentonville Advertising and Promotion Commission, said term to expire December 31, 2019.

Motion to approve by Alderman Smith, second by Alderman Sooter. There was no discussion. Motion carried (7-0), with Alderman Webb absent.

16. Resolution No. 3-8-16 H: Resolution authorizing the Mayor and City Clerk to enter into agreements for ambulance service with Centerton, Cave Springs, Highfill and Benton County.

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

17. Resolution No. 3-8-16 I: Resolution declaring certain property belonging to the City of Bentonville, Arkansas as surplus property.

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 (7-0), with Alderman Webb absent.

18. Approval to award Bid No. 16-06 to Smithey Environmental of Sand Springs, Oklahoma for green waste grinding services at the Bentonville compost facility in an amount of \$450 per hour of on-site service.

Motion to approve by Alderman Burckart, second by Alderman Orman. There was no discussion. Motion carried (7-0), with Alderman Webb absent.

- 19a. Ordinance No. 2016-41: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Pick-It

Construction for flood debris removal 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 (7-0), with Alderman Webb absent.

- 19b. Approval of a budget adjustment in the amount of \$72,000 for removal of flood debris at Bella Vista Lake Park.

Motion to approve by Alderman Smith, second by Alderman Sanchez. There was no discussion. Motion carried (7-0), with Alderman Webb absent.

20. Resolution No. 3-8-16 J: Resolution authorizing the Mayor and Clerk to enter into an agreement with TEC Staffing to provide temporary staffing services for the City of Bentonville.

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 (7-0), with Alderman Webb absent.

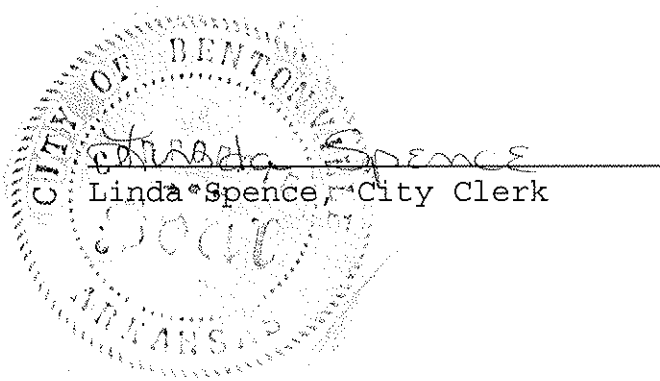
21. Discussion of salaries for elected officials beginning January 1, 2017.

Alderman Sanchez passed out a handout he had prepared analyzing the Bentonville alderman pay against neighboring cities which was discussed briefly by the Council. It was noted that significant to keeping the alderman pay in line was the decision to have the pay increased with City employee COLA increases.

Motion to leave alderman pay the same by Alderman Sanchez, second by Alderman Sooter. Motion carried (7-0), with Alderman Webb absent.

Mayor McCaslin noted the efforts of Camille Thompson, Staff Attorney, and Travis Matlock, Engineering Director, in concluding the agreement approved concerning AT&T use of City electric poles.

Motion to adjourn by Alderman Sooter, second by Alderman Smith.
Motion carried (7-0) with Alderman Webb absent.



Bob McCaslin
Bob McCaslin, Mayor