

Bentonville City Council
Meeting Minutes
March 22, 2016

The City Council of Bentonville, Arkansas, met in regular session Tuesday, March 22, 2016, at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Stephanie Orman, John Skaggs, Bill Burckart, Octavio Sanchez and Jim Webb, with Tim Robinson, Chris Sooter and James 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 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 March 8, 2016 meeting as presented, second by Alderman Burckart. There was no discussion. Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

Motion was made by Alderman Burckart 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 Sanchez. There was no discussion. Motion carried (6-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent and Mayor McCaslin voting yes to allow the motion to pass.

1a. Ordinance No. 2016-42: Ordinance accepting a final plat of Edgar Estates Block 1, 2 and 3 to the City of Bentonville, Arkansas.

[Applicant: RLP Development;
Location: Southwest Bright Road]

City Attorney Spence read the ordinance by title only.
Motion to pass by Alderman Sanchez, second by Alderman Orman.
There was no discussion. Motion carried (5-0), with
Alderman Robinson, Alderman Sooter and Alderman Smith absent.

- 1b. Ordinance No. 2016-43: Ordinance accepting a property line adjustment of Lot 2 Food Hub, NWA Addition to the City of Bentonville, Arkansas.

[Applicant: Food Hub NWA, LLC;
Location: Southeast 8th 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 (5-0), with
Alderman Robinson, Alderman Sooter and Alderman Smith absent.

- 1c. Ordinance No. 2016-44: Ordinance accepting a property line adjustment of Lots 15, 16 and 17 of Curtis Addition to the City of Bentonville, Arkansas.

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

City Attorney Spence read the ordinance by title only.
Motion to pass by Alderman Orman, second by Alderman Sanchez.
There was no discussion. Motion carried (5-0), with
Alderman Robinson, Alderman Sooter and Alderman Smith absent.

- 1d. Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification to RC-2, central residential moderate density.

[Applicant: Kenneth and Sarah Medlin;
Location: 406 Southeast D Street]

This item was tabled at the request of the property owner.

- 1e. Ordinance No. 2016-45: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification to D-C, downtown core.

[Applicant: Neuebox, LLC; Location: South Main 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 (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

2. Ordinance No. 2016-46: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with Houseal Lavigne Associates to prepare zoning regulations for the downtown neighborhoods of Bentonville 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 (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

3. Approval to accept a grant in the amount of \$2,770 from the Walton Family Foundation to purchase 140 trees for the City of Bentonville 2016 Spring Tree Giveaway.

Motion to approve by Alderman Burckart, second by Alderman Sanchez. There was no discussion. Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

4. Ordinance No. 2016-47: Ordinance vacating a utility easement located in a portion of 20-foot sanitary sewer easement across Lot 1 of Food Hub, NWA Addition to the City of Bentonville, Arkansas, Benton County, Arkansas.

City Attorney Spence read the ordinance by title only.

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

Motion to pass by Alderman Sanchez, second by Alderman Orman. There was no discussion. Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

- 5a. Approval to award Bid No. 16-04 to Wiese USA in the amount of \$49,930.18 for purchase of an Armadillo 9X industrial sweeper for the Wastewater Utilities Department.

Motion to approve by Alderman Burckart, second by Alderman Sanchez. There was no discussion. Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

- 5b. Approval of a budget adjustment increase in the amount of \$3,000 for purchase of a parking lot sweeper for Wastewater Utilities as the bid amount for this item was slightly greater than anticipated.

Mike Bender, Public Works Director, explained the reasons for the budget adjustment.

Motion to approve by Alderman Burckart, second by Alderman Sanchez. Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

- 6a. Approval of Change Order No. 1 to the contract with Flintco, LLC to provide construction management and general contractor services for construction of the City maintenance facility, in the amount of \$18,137,382, increasing the total contract price to \$25,635,142.

Mike Bender presented aerial photographs of the construction site work to date and answered questions. Mayor McCaslin explained the request before Council was to approve the amount of the bids received so that the project could move forward. A discussion was initiated by Alderman Burckart concerning various components of the building package.

Motion to approve by Alderman Sanchez, second by Alderman Webb. Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

- 6b. Approval of a budget adjustment to move funds from various accounts to one account for the City maintenance facility project.

Motion to approve by Alderman Sanchez, second by Alderman Webb. There was no discussion. Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

7. Ordinance No. 2016-48: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Modern Control Access, Inc. for the installation of automatic gates at the City utility building 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 Orman. There was no discussion. Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

- 8a. Resolution No. 3-22-16 A: Resolution authorizing the Mayor and Clerk to enter into an engineering agreement with TRC Engineers, Inc. for a communications master plan for the City of Bentonville.

Alderman Burckart initiated a discussion concerning the parameters and associated costs of the plan. Travis Matlock, Engineering Director, stated that the plan was focused on using City employees, not subcontractors, for installation and maintenance of the fiber infrastructure, and that the costs associated with a three-man crew had been included in the recently adopted rate study plan.

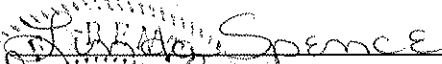
Motion to pass by Alderman Burckart, second by Alderman Orman. Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

- 8b. Approval of a budget adjustment in the amount of \$121,000 to cover cost of agreement with TRC Engineers, Inc.


Motion to approve by Alderman Sanchez, second by Alderman Webb. There was no discussion. Motion carried

(5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.

Motion to adjourn by Alderman Burckart, second by Alderman Webb.
Motion carried (5-0), with Alderman Robinson, Alderman Sooter and Alderman Smith absent.



Linda Spence, City Clerk





Bob McCaslin, Mayor