

Bentonville City Council  
Meeting Minutes  
March 28, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, March 28, 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, 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 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 14, 2017 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).

1a. Ordinance No. 2017-53: Ordinance accepting a property line adjustment of Lot 4 Neal's Center Subdivision to the City of Bentonville, Arkansas.

[Applicant: Richard and Catherine Grubbs;  
Location: 220, 260 and 230 North Walton Boulevard]

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).

- 1b. Ordinance No. 2017-54: Ordinance accepting a property line adjustment of Lot 1 Groundhog Addition to the City of Bentonville, Arkansas.

[Applicant: North Arkansas Wholesale Company, Inc. ;  
Location Southeast C Street and Southeast 10<sup>th</sup> 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).

- 1c. Ordinance No. 2017-55: 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: 206 Southeast 6<sup>th</sup> Street]

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

- 1d. Ordinance No. 2017-56: 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: Joseph Kupillas;  
Location: 3700 East Central Avenue]

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  
(8-0).

- 1e. Ordinance No. 2017-57: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-0, residential office to R-1, single family residential.

[Applicant: Buddy Verneti;  
Location: 3702 East Central Avenue]

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).

2. Ordinance No. 2017-58: Ordinance vacating a utility easement located at Hidden Springs Subdivision Phase 1 at 2411 Northwest Rita Way to the City of Bentonville, Arkansas, Benton County, Arkansas.

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

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

3. Ordinance No. 2017-59: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Novatech for the purchase of certain remote terminal unit equipment for the City of Bentonville Electric Utilities Department 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).

4. Ordinance No. 2017-60: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with AZZ Switchgear Systems for the purchase of substation relay panels for the

City of Bentonville Electric Utilities Department 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).

5. Ordinance No. 2017-61: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Hooten Equipment Company for the removal of underground fuel storage tanks 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).

6. Approval of a bid award for outside contracting services to Team Fishel.

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

7. Resolution No. 3-28-17 A: Resolution authorizing the Mayor and Clerk to enter into a development agreement with Wal-Mart Stores, Inc.

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

8. Approval of a change order to the materials contract with Dis-Tran in the amount of \$45,158.54.

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

9. Ordinance No. 2016-62: Ordinance adopting certain amendments to the pay plan for the City of Bentonville, Arkansas.

City Attorney Spence read the ordinance by title only.

Alderman Burckart asked Ed Wheeler, Human Resources Manager, to further outline the reasoning behind the proposed changes. He also indicated his support for the change. Mr. Wheeler indicated problems with recruiting people with specialized skills and the lack of a facilities maintenance department as reasons for the proposed changes.

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

10. Approval to award Bid No. 17-07 in the amount of \$23,472.06 to Honda of Russellville to purchase a utility task vehicle for the Fire Department to use on the trail system.

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

- 11a. Resolution No. 3-28-17 B: Resolution authorizing the Mayor and City Clerk to enter into a utility agreement with the Arkansas State Highway Commission for preliminary engineering services associated with Arkansas State Highway Commission Project No. BB0903 - Interstate 49/Highway 71B interchange improvements.

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

- 11b. Resolution No. 3-28-17 C: Resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with CEI Engineering for preliminary engineering associated with Arkansas State Highway Commission Project No. BB0903 - Interstate 49 improvements at Highway 71B interchange.

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

11c. Approval of a budget adjustment in the amount of \$37,700 to front costs for preliminary engineering associated with the utility agreement with the Arkansas State Highway Commission for Project No. BB0903 - Interstate 49 improvements at the Highway 71B interchange.

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

12. Approval to award Bid No. 17-06 in the amount of \$3,834,483 to ARCO Excavation and Paving, Inc. for 8<sup>th</sup> Street water and sewer relocations (SE D Street to Moberly Lane) and pedestrian tunnels (8<sup>th</sup> Street and J Street intersection).

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

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

  
Linda Spence, City Clerk

  
Bob McCaslin, Mayor

