

Bentonville City Council  
Meeting Minutes  
April 28, 2015

The City Council of Bentonville, Arkansas, met in regular session Tuesday, April 28, 2015, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Stephanie Orman, John Skaggs, Chris Sooter, James Smith, Bill Burckart, Octavio Sanchez and Jim Webb, with Alderman Robinson 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, the Mayor 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 April 14, 2015 meeting as presented, second by Alderman Smith. There was no discussion. Motion carried (7-0), with Alderman Robinson 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 Robinson absent.

1. Presentation of Change Maker awards to recognize businesses that have had a positive impact on the implementation of the North Walton Boulevard Corridor Enhancement Plan.

Mayor McCaslin recognized Shelli Kerr, Planning Services Manager. Ms. Kerr presented an overview of the Change Maker program along with a power point presentation. Mayor McCaslin presented certificates of recognition to representatives of Arby's, Bentonville Church of Christ, Habitat for Humanity of Benton County, Harp's, Las Palmas, Walmart Logistics and Transportation, and to Sam Morrison for the Maxwell-Hinman House. Also awarded a certificate of recognition were Braum's, Bob Morey Auto Body and KFC. Award recipients will also receive a yard sign showing that they are a local Change Maker.

- 2a. Ordinance No. 2015-52: Ordinance accepting a lot split of Lots 1 and 2 of RSB Subdivision to the City of Bentonville, Arkansas.

[Applicant: Richard and Sharon Baker;  
Location: 5578 Southwest Adams Road]

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 Robinson absent.

- 2b. Ordinance No. 2015-53: Ordinance accepting a property line adjustment of Lot 36 Oakbrooke Subdivision Ph. II to the City of Bentonville, Arkansas.

[Applicant: IDGAS, LLC; Location: Northeast Oakbrooke Cove]

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

- 2c. Ordinance No. 2015-54: Ordinance amending Chapter 15, Subdivision Code, to revise street light standards for residential subdivisions, commercial subdivisions and large scale developments.

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 (6-1), with Alderman Burckart voting no and Alderman Robinson absent.

3. Ordinance No. 2015-55: Ordinance vacating a utility easement located in Lot 1 Stuckey Subdivision 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 public hearing closed.

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 (7-0), with Alderman Robinson absent.

4. Resolution No. 4-28-15 A: Resolution setting a public hearing for May 12, 2015, at 6:00 p.m., on a petition filed by Richard and Jennifer Apolskis, requesting a public access easement 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 (7-0), with Alderman Robinson absent.

5. Resolution No. 4-28-15 B: Resolution setting a public hearing for May 12, 2015, at 6:00 p.m., on a petition filed by IDGAS, LLC requesting a public access easement vacation within the City of Bentonville.

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 Robinson absent.

6. Resolution No. 4-28-15 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with Morrison-Shipley Consulting Engineers for engineering services for the Bentonville Municipal Airport.

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

7. Approval to appoint Brian Baldwin to complete an unexpired term on the Airport Advisory Board, term to expire on September 27, 2015.

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

8. Resolution No. 4-28-15 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with Sandcreek Engineering for engineering services associated with the Elm Tree Road/72 intersection improvement project.

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

Alderman Sanchez, Alderman Smith and Alderman Orman commented on how meritorious they thought the project to be.

9. Presentation of the 2015 overlay list.

Mayor McCaslin commented on the communication between the City's Water Department and Street Department. Tony Davis, Street Department Manager, was present to answer questions. Alderman Burckart asked about the overlay project in relation to the Elm Tree Road intersection improvement project. Mr. Davis stated there would be coordination with Sandcreek Engineering to know where to start and stop.

10. Approval of a budget adjustment in the amount of \$2,842.01 for the Police Department to repair a 2009 Chevy Impala that was damaged in a weather-related accident in February 2015.

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

(7-0), with Alderman Robinson absent.

11. Approval of a budget adjustment in the amount of \$2,038.99 for the Police Department to repair a 2010 Crown Vic that was damaged while parked and unoccupied in March 2015.

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

12. Resolution No. 4-28-15 E: Resolution declaring certain property belonging to the City of Bentonville Police Department as surplus property.

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 Robinson absent.

Alderman Burckart asked when the auction was being held. Mayor McCaslin stated that a date had not been selected yet but that the auction would be held at the new utility campus.

13. Approval of change order No. 1 to Forsgren, Inc. in the amount of \$18,540 for the South Lift Station Renovation and South Force Main Construction project, increasing the contract price from \$2,178,210.47 to \$2,196,750.47 and adding seven days to the contract.

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

14. Ordinance No. 2015-56: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Altec for the purchase of telescoping boom (aerial trucks) for the City of Bentonville Electric 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 Burckart.


Alderman Burckart asked if that was a savings from the budgeted amount. Travis Matlock, Engineering Director, stated that the expenditure came in right on budget.

Motion carried (7-0), with Alderman Robinson absent.

15. Approval to award Bid No. 15-23 to the Stuart Irby Company in the amount of \$117,757.50 for 1/0 underground wire.

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

Mayor McCaslin stated there was no further business. Motion to adjourn by Alderman Burckart, second by Alderman Smith. Motion carried (7-0).

  
Linda Spence  
Linda Spence, City Clerk

Bob McCaslin  
Bob McCaslin, Mayor