

Bentonville City Council
Meeting Minutes
May 27, 2014

The City Council of Bentonville, Arkansas, met in regular session Tuesday, May 27, 2014, at 6:00 p.m., at the Community Development Building, Planning Commission meeting room, 305 SW A Street, Bentonville, Arkansas.

Present were council members Mary Baggett, Chris Sooter, Roger Thomas, Shane Perry, Leah Williams, Bill Burckart, Burton Head and Jim Grider. Also present were Mayor Bob McCaslin, City Attorney George Spence, City Clerk Linda Spence, the press, city staff and the audience.

Mayor McCaslin called the meeting to order at 6:00 p.m. 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 Baggett to approve the minutes of the May 13, 2014 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 Grider. There was no discussion. Motion carried (8-0).

- 1a. Ordinance No. 2014-52: Ordinance accepting a property line adjustment of Lot 23 Howard's Addition and Lots 3 and 4 Angel Floro Subdivision to the City of Bentonville, Arkansas.

[Applicant: Angel and Teresita Floro; Location: 101 Angel Floro Drive]

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

- 1b. Ordinance No. 2014-53: Ordinance accepting a property line adjustment of Lot 20 of West Park Square to the City of Bentonville, Arkansas.

[Applicant: The BARK Group, LLC (Parcel No. 01-09670-000) and Viatrol Associates (Parcel No. 01-09669-000)]

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

- 1c. Ordinance No. 2014-54: Ordinance accepting a lot split of Lots 2 and 3 Walmart Links Subdivision to the City of Bentonville, Arkansas.

[Applicant: Walmart Real Estate Business Trust; Location: 1703 and 1803 East Central Avenue]

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Grider, second by Alderman Sooter. There was no discussion. Motion carried (7-0-1), with Alderman Perry abstaining.

- 1d. Ordinance No. 2014-55: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to R-O, residential office.

[Applicant: Angel and Teresita Floro; Location 101 Angel Floro Drive]

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

- 1e. Ordinance No. 2014-56: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to R-C2, central residential moderate density.

[Applicant: James Martin; Location 407 Southwest 3rd Street]

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

2. Ordinance No. 2014-57: Ordinance vacating a utility easement located at Lot 126 Chapel Hill Subdivision 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 Grider, second by Alderman Williams. There was no discussion. Motion carried (7-0-1), with Alderman Burckart abstaining.

3. Resolution No. 5-27-14 A: Resolution setting a public hearing for June 10, 2014, at 6:00 p.m., regarding a petition filed by David and JoAnne Covington, Trustees, requesting a drainage easement vacation in the Overland Place Subdivision within the City of Bentonville, Arkansas.

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

4. Resolution No. 5-27-14 B: Resolution setting a public hearing for June 10, 2014, at 6:00 p.m., regarding a petition filed by David and JoAnne Covington, Trustees, requesting a utility, access and drainage easement vacation in the Overland Place Subdivision within the City of Bentonville, Arkansas.

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

5. Approval to award Bid No. 14-25 in the amount of \$569,532.13 to Arco for construction of the Northeast 2nd Street drainage project and approval of a budget adjustment in the amount of \$76,500.

Alderman Thomas asked for an explanation of the relationship between the City and Sandcreek Engineering. Mike Churchwell, Transportation Director, responded that Sandcreek was the consulting engineer on this project and that on this project they were engaged to prepare a preliminary concept and budget estimate. The Mayor added that while Sandcreek assists, the bid package is put out by the City and the bids are opened by City staff. Mr. Churchwell added that Sandcreek then checks the bids for errors and makes recommendations.

Alderman Thomas asked if the lowest bid is selected unless there is a reason not to. Mr. Churchwell indicated that the lowest bid was accepted, and George Spence, City Attorney, added that the City accepts the lowest responsible bid.

Motion to approve by Alderman Grider, second by Alderman Burckart. Motion carried (8-0).

6. Ordinance No. 2014-58: Ordinance authorizing the Mayor and the City Clerk to purchase a pump for the Wastewater Department and waiving the requirement of competitive bidding.


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

7. Ordinance No. 2014-59: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Mission Communications, LLC for certain alarm services for the City of Bentonville wastewater system and waiving the requirement of competitive bidding.

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

The Mayor commented about recent media indicating sales tax receipts were off from 2013, reminding the Council that the important figure to compare to was the budget number, which the receipts still exceeded.

Motion was made by Alderman Grider to adjourn the meeting, second by Alderman Burckart. Motion carried (8-0).



Linda Spence, City Clerk



Bob McCaslin, Mayor