

Bentonville City Council
Meeting Minutes
June 14, 2016

The City Council of Bentonville, Arkansas, met in regular session Tuesday, June 14, 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 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.

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 May 24, 2016 meeting as presented, second by Alderman Webb. There was no discussion. Motion carried (8-0).

Motion was made by Alderman Sooter to^v 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).

1. Resolution No. 6-14-16 E: Mayor McCaslin read a resolution recognizing Corporal Mike Calnan on his retirement from law enforcement after thirty-one years of service, the last fifteen of which being with the Bentonville Police Department. Mayor McCaslin presented a framed copy of the resolution to Corporal Calnan. Motion to adopt resolution by

Alderman Sooter, second by Alderman Burckart. Motion carried (8-0).

- 2a. Ordinance No. 2016-78: Ordinance accepting a lot split of Lots 206 and 207 Bentonville Original Subdivision to the City of Bentonville, Arkansas.

[Applicant: Moro Development, LLC;
Location: 306 Northeast Blake 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 (8-0).

- 2b. Ordinance No. 2016-79: Ordinance accepting a lot split of Lot 3 Neal's Addition to the City of Bentonville, Arkansas.

[Applicant: Richard and Catherine Grubbs;
Location: 220 and 226 North Walton Boulevard]

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

- 2c. Ordinance No. 2016-80: Ordinance accepting a lot split of Lots 82, 83, 84, 85, 86 and 87 Windemere Woods Phase 1 to the City of Bentonville, Arkansas.

[Applicant: Craig Wimsatt, Christopher Scheibal, Grant Lightle, Thambipillai Kamalanathan, Liam Buckley and Autumn Avenue Property, LLC;
Location: 1702, 1802, 1804, 1808 and 1810 Northwest Autumn Avenue and Peach Orchard Road]

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).

- 2d. Ordinance No. 2016-81: Ordinance accepting a property line adjustment of Lot 13 Block 5 Clark's 2nd Addition to the City of Bentonville, Arkansas.

[Applicant: Mark and Alyson Brittain;
Location: 307 Southwest E 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).

- 2e. Ordinance No. 2016-82: Ordinance accepting a property line adjustment of Lot 3 Blake Addition to the City of Bentonville, Arkansas.

[Applicant: Casa de Hormigas, LLC;
Location: 301 Northeast Blake Avenue]

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).

- 2f. Ordinance No. 2016-83: Ordinance amending Chapter 14 Zoning Code to revise the height, bulk, area and setback requirements in the R-C2 central residential-moderate density zoning district and reducing maximum height allowed in all zoning districts.

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

Alderman Burckart asked how the new rules reducing the maximum height from 40 to 36 feet would affect the capacity of living space a builder would be able to provide in a new home.

Troy Galloway, Community Development Director, stated the revised rules allowed for 2 ½ story structures. He also stated this was a temporary measure and that the rules would continue to be looked at by Houseal Lavigne in their work regarding a comprehensive plan.

There was no further discussion. Motion carried (8-0).

- 2g. Ordinance No. 2016-84: 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]

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).

- 2h. Ordinance No. 2016-85: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification to RC-2, central residential-moderate density.

[Applicant: CHP, LLC;
Location: 304 Southwest Glover Street]

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).

- 2i. Ordinance No. 2016-86: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification to R-C2, central residential-moderate density.

[Applicant: Marrs Developing, LLC;
Location: 305 Southwest D Street]

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).

3. Ordinance No. 2016-87: Ordinance vacating an alley and right-of-way located within Clark's 2nd Addition 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 Burckart, second by
Alderman Sanchez. There was no discussion. Motion carried
(8-0).

4. Resolution No. 6-14-16 A: Resolution authorizing the Mayor and Clerk to enter into an agreement with the Arkansas State Highway and Transportation Department for the relocation of electric lines along Highway 102.

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
(8-0).

5. Resolution No. 6-14-16 B: Resolution authorizing the Mayor and Clerk to enter into an amendment to the agreement with Sand Creek Engineering for additional services related to the Elm Tree Road and Highway 72 intersection improvement project.

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

- 6a. Approval to award Bid No. 16-16 to Hutchens Construction in the amount of \$491,306.86 for the 2016 street overlay program.

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

- 6b. Approval of a budget adjustment in the amount of \$24,359 to the Street Department overlay budget account.

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

7. Approval of a budget adjustment and scholarship payment from the Arkansas State Library to Courtney Fitzgerald, an employee of the Bentonville Public Library, in the amount of \$1,350.

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

- 8a. Resolution No. 6-14-16 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with the Arkansas State Highway and Transportation Department for the acceptance of a recreational trails program grant award.

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

- 8b. Approval of a budget adjustment in the amount of \$347,775 for the design and construction of the Citizens Park trail.

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

9. Ordinance No. 2016-88: Ordinance adopting certain amendments to the 2016 pay plan for the City of Bentonville, Arkansas.

City Attorney Spence read the ordinance by title only.

Alderman Burckart initiated a discussion by stating he understood some changes were necessary due to modifications to the Federal rules, but questioned the change related to paying for college degrees. Ed Wheeler, Human Resources Manager, stated that the proposal included in the changes was for an "ad pay."

Alderman Burckart stated that the City has a tuition assistance program, but questioned whether this proposal resulted in employees being paid different amounts for the same work. He also questioned why technical certification

programs were not incentivized with "ad pay." Mr. Wheeler stated that certification programs are incentivized, just not in the same fashion, as they are typically required for promotions.

Alderman Orman asked whether the City should not just be paying for performance and how that applied to the City's overall program. Mr. Wheeler stated that the proposed changes would be similar to other "ad pays" the City has and it was intentional that this be kept separate from performance.

Alderman Burckart stated that it was his opinion that pay for City employees should be solely performance based.

Mr. Wheeler stated that the changes provided an additional incentive for employees to get a degree.

Alderman Robinson asked whether an analysis had been done to determine how many side-by-side employees this would affect.

Alderman Sooter stated that while he understood Alderman Burckart's concerns, he thought these changes looked to the City's future and that the changes might make the City a more attractive place to work and help with recruiting.

Alderman Sanchez stated that there was nothing about the changes which would deny opportunity for good performance. He also commented that the current program providing tuition assistance for employees is weak and may need to be examined.

Alderman Webb asked how many employees are taking advantage of the tuition assistance program and Mr. Wheeler stated he could count those employees on one hand.

Alderman Orman stated that she wondered about whether this might cause problems with current employees, but agreed with Alderman Sooter that the changes were appropriate looking to the City's future.

Alderman Burckart stated that there is a place for people with skills and abilities who do not have a degree and that the proposed changes displaced those people.

Mayor McCaslin asked Police Chief Jon Simpson to give his perspective on the proposed changes. Chief Simpson stated that the proposals had come about from discussions about how to attract and retain good employees. He stated that it was his experience that degreed officers were better for the Department. He stated that the Department could teach someone to be an officer, but had a difficult time teaching them broader skills which degreed employees often already had, like problem solving and writing skills.

Chief Simpson also stated that during interviews he sometimes got questions about whether the City provided an incentive for a degree and that in checking around he found many departments do have such incentives. He added that fifteen or sixteen of the Department's current officers do have degrees.

Alderman Burckart stated that he understood and appreciated what the Police Department might need, but that he was trying to look at the proposed rules application across all departments.

Alderman Robinson asked how far reaching the proposed rule was questioning whether it would apply to elected officials. Mayor McCaslin stated it applied to employees only.

Alderman Sanchez indicated that the general movement was in this direction, citing to the fact that in the past those working with computers were selected largely based on experience, but that in today's world a degree was a prerequisite for such positions.

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

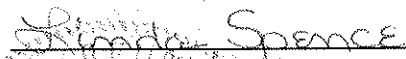
10. Approval of a bid award to Affiliated FM in the amount of \$190,624 to provide property insurance for the City of Bentonville from July 8, 2016 to July 8, 2017.

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

11. Resolution No. 6-14-16 D: Resolution supporting the location, startup and expansion of 4Media Group, a broadcast and digital media company, in Bentonville, Arkansas.

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

Motion to adjourn meeting by Alderman Webb, second by Alderman Sooter. Motion carried (8-0).



Linda Spence, City Clerk



Bob McCaslin, Mayor

