

Bentonville City Council  
Meeting Minutes  
July 8, 2014

The City Council of Bentonville, Arkansas, met in regular session Tuesday, July 8, 2014, at 6:00 p.m., at the Community Development Building, 305 SW A Street, Bentonville, Arkansas.

Present were council members Mary Baggett, John Skaggs, Roger Thomas, James Smith, 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 June 24, 2014 meeting as presented, second by Alderman Head. There was no discussion. Motion carried (7-0).

Motion was made by Alderman Grider 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).

1. Approval of a budget adjustment to accept a grant of up to \$200,000 from the Walton Family Foundation to be used to construct a ten foot wide trail on the west side of North Walton Boulevard that will connect to the trail on Southwest I Street.

Mayor McCaslin explained approval of this item would include the approval of a budget adjustment in the amount of \$569,153. He stated that in order to use the \$200,000 grant the \$569,153 must be spent. He further stated that also included in this is a \$225,000 grant from the Northwest Arkansas Regional Planning Commission. He also stated this would mean a one million dollar project would cost the City approximately \$569,000.

In response to a question from Alderman Grider about the availability of the \$200,000, the Mayor explained that amount would be available after the money is spent. He added that this amount represents the difference from building a five foot sidewalk to making it a ten foot trail. Ben Peters, City Engineer, indicated

the initial plan for the North Walton trail was to build a six foot walkway and that this money will help pay for a ten foot trail.

Mayor McCaslin also informed the council that approval of this budget adjustment does not mean the money will be spent this year, it may be spread over the next two years.

Motion to approve by Alderman Grider, second by Alderman Baggett.  
Motion carried (7-0).

2. Resolution No. 7-8-14 A: Resolution setting a public hearing for July 22, 2014 at 6:00 p.m. regarding a petition filed by Daniel Marley requesting a right of way be vacated within the City of Bentonville, Arkansas.

City Attorney Spence read the resolution by title only. Motion to pass by Alderman Baggett, second by Alderman Burckart. There was no discussion. Motion carried (7-0).

3. Resolution No. 7-8-14 B: Resolution authorizing the Mayor and Clerk to enter into an amendment to the existing contract with Crafton, Tull and Associates for additional services related to the sidewalk project on Southeast 6th Street.

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 (7-0).

4. Approval of a bid award to Diamond C Construction in the amount of \$132,384.28 for construction of a five foot sidewalk along Southeast 6th Street between South Main Street and Southeast E Street.

Motion to approve by Alderman Grider, second by Alderman Baggett.  
There was no discussion. Motion carried (7-0).

5. Approval of a reconciliation change order in the amount of \$58,836.70 for completion of the Northwest 2nd Street improvement project.

Motion to approve by Alderman Burckart, second by Alderman Grider.  
There was no discussion. Motion carried (7-0).

6. Approval to reappointment Joe Haynie to the Planning Commission for a five year term to expire July 1, 2019.

Motion to approve by Alderman Baggett, second by Alderman Grider. There was no discussion. Motion carried (7-0).

7. Ordinance No. 2014-80: Ordinance to adopt certain revisions to the Bentonville Electric Utility Department net metering ordinance.

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 (7-0).

8. Approval of a budget adjustment from Parks and Recreation in the amount of \$11,025 to recognize a donation from the Walton Family Foundation to plant one hundred London Plane Trees at Slaughter Pen Mountain Bike Park.

Motion to approve by Alderman Grider, second by Alderman Burckart. There was no discussion. Motion carried (7-0).

9. Selection of a new alderman for Ward 2, Position 2.

Mayor McCaslin stated the same process would be followed for selection of the new alderman as was used two weeks ago. He stated that each applicant would be called on in reverse alphabetical order to make a brief presentation to the Council about their qualifications and reasons for seeking the position. He added that following the presentations, he would ask for a nomination for the position and upon a second that individual would be voted on. He also noted that four votes would be required to select the new alderman.

Alderman Thomas asked whether voting for more than one person for the position was allowable. The Mayor stated it was.

Mr. Spence clarified that the process was a motion being made to select a new alderman, so council members were voting for or against the motion, and that council members could vote for or against every motion as it came up.

Alderman Thomas asked for further clarification. Mr. Spence explained that once a motion passed with four votes that person was selected. He also stated that the same person could be nominated more than once until a person was selected.

The Council heard brief presentations from Chris Sooter, Timothy Robinson, Beth Keck and Chris Hendrix. Drew Collom was not present.

City Attorney Spence was recognized by the Mayor and indicated he wanted to add to his previous comments that if someone was nominated by a motion a second time, the motion would have to come from a member of the Council that had voted against that person when they were earlier nominated.

Alderman Smith moved to appoint Chris Sooter, second by Alderman Grider. There was no discussion. Motion carried (7-0).

Alderman Grider moved to adjourn, second by Alderman Burckart. There was no discussion. Motion carried (7-0).

[Note: After adjournment of the meeting, Mayor McCaslin administered the oath of office to Chris Sooter.]

  
Linda Spence, City Clerk

  
Bob McCaslin, Mayor