

Bentonville City Council  
Meeting Minutes  
July 14, 2015

The City Council of Bentonville, Arkansas, met in regular session Tuesday, July 14, 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 Tim 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, 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 Smith to approve the minutes of the June 23, 2015 meeting as presented, second by Alderman Sanchez. 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 Smith. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

1. Presentation of Change Maker awards.

Mayor McCaslin recognized Shelli Kerr, Planning Services Manager. Ms. Kerr presented certificates of recognition to representatives of Mach 1 Investments, The Pedaler's Pub,

Downtown Bentonville, Inc., The Hub, CrossFit NWA and Celebrate Arkansas Magazine. Also awarded the Change Maker Award were the North Walton Boulevard Walmart Neighborhood Market, Bear State Bank, Randy Lawson, Bike Rack Brewing Company, Bike Bentonville and Thrive.

(Alderman Robinson entered the meeting during the presentations.)

- 2a. Ordinance No. 2015-74: Ordinance accepting a lot split of Lots 18 and 19 Block 5 Dunn and Davis Addition to the City of Bentonville, Arkansas.

[Applicant: Jake Newell with Bike Rack Development, LLC;  
Location: Southwest B 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. 2015-75: Ordinance accepting a property line adjustment of Lots 3 and 4 Kennametal Subdivision to the City of Bentonville, Arkansas.

[Applicant: Central Investments, LLC;  
Location: 1500 and 1602 East Central Avenue]

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

- 2c. Ordinance No. 2015-76: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification to R-1, single family residential.

[Applicant: RC Stoneburrow, Inc.; Location: Southwest River Rock Street (Stoneburrow Subdivision Phase 1)]

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).

- 2d. Ordinance No. 2015-77: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification to C-2, general commercial.

[Applicant: Central Investments, LLC;  
Location: 1500 East Central]

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).

- 2e. Resolution No. 7-14-15 A: Resolution endorsing the Northwest Regional Bicycle and Pedestrian Master Plan and adopting the Bentonville Bicycle and Pedestrian Master Plan - 2015 Update.

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

3. Approval to accept a donation from Walmart Stores, Inc. in the amount of \$25,000 for the purchase of trees for the City of Bentonville 3rd Annual Tree Planting Blitz.

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

4. Resolution No. 7-14-15 B: Resolution setting a public hearing for July 28, 2015, at 6:00 p.m. on a petition filed by Kelli L. Dellinger requesting a utility easement vacation within the City of Bentonville, Arkansas.

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

5. Resolution No. 7-14-15 C: Resolution setting a public hearing for July 28, 2015, at 6:00 p.m. on a petition filed by Bryan Harvey requesting an alley and street right-of-way vacation within the City of Bentonville, Arkansas.

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 (8-0).

6. Resolution No. 7-14-15 D: 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 Sooter. There was no discussion. Motion carried (8-0).

7. Resolution No. 7-14-15 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 Smith, second by Alderman Sanchez.  
There was no discussion. Motion carried (8-0).

8. Approval to add four new full-time custodial positions to support cleaning and housekeeping activities at the Bentonville Community Center and a budget adjustment in the amount of \$19,557 to support this change.

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

9. Approval to award Bid No. 15-28, a six-month blanket bid, to Techline in the total amount of \$254,914 for 3-phase transformers.

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

10. Approval to award Bid No. 15-33 to MHC Kenworth in the amount of \$95,000 for the purchase of a 4x4 cab and chassis.

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

- 11a. Ordinance No. 2015-78: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with Instrument & Supply, Inc. to purchase three slide gates for the replacement of existing gates in the influent channel at the wastewater treatment plant, waiving the requirement of competitive bidding and declaring an emergency.

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).

- 11b. Approval of a budget adjustment in the amount of \$27,065 to purchase slide gates to replace existing gates in the influent channel at the wastewater treatment plant.

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

12. Approval of Change Order No. 2, and budget adjustment in the amount of \$44,786, to Crossland Construction to construct the side path trail on 41st Street linking the Community Center to the SW I Street and Bentonville trails system.

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

13. Approval of a change order to Morrison Shipley in the amount of \$3,989 to provide site observation for construction of parking lots at Citizens Park.

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

14. Approval of a bid award to Challenger Teamwear in an amount not to exceed \$43,000 for the purchase of uniforms for the 2015 youth soccer season.

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

15. Resolution No. 7-14-15 F: Resolution authorizing the Mayor and Clerk to enter into an agreement with TischlerBise, Inc. for the purpose of evaluating and updating the City of Bentonville impact and capacity fee study and preparing a new capital improvement plan.

City Attorney Spence read the resolution by title only.

Alderman Burckart asked whether there had been consideration as to coordination of the ongoing rate study and the study on impact/capacity fees stating that he thought the raw data generated in the rate study would be applicable in the impact/capacity fees study.

Mike Bender, Public Works Director, indicated that while it was up to Tischler to determine what they would need to do the impact/capacity fees study, it was his opinion the data from the rate study would not be needed and there was no necessity to coordinate the two studies.

Mayor McCaslin indicated that with growth having slowed, it was appropriate to consider both how much is being collected and how it is being spent.

Alderman Sanchez noted that the studies address different issues, one being the impact of growth on various aspects of City services and the other a general study of rates for utilities.

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

16. Resolution No. 7-14-15 G: Resolution authorizing the Mayor and Clerk to enter into an agreement with the Mercer Group for a Fire Department study.

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).

Alderman Burckart indicated he wanted to commend the Police Department with regard to their work connected with a fugitive at large in the city who was perceived to be dangerous.

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



Linda Spence, City Clerk



Bob McCaslin, Mayor

