

Bentonville City Council
Meeting Minutes
August 26, 2014

The City Council of Bentonville, Arkansas, met in regular session Tuesday, August 26, 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, Roger Thomas, Chris Sooter, James Smith, Bill Burckart, Burton Head and Jim Grider, with John Skaggs absent. 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 August 12, 2014 meeting as presented, second by Alderman Grider. There was no discussion. Motion carried (7-0), with Alderman Skaggs absent.

1. Mayor McCaslin recognized Denise Land, Finance Director, and thanked her for her outstanding budget work and excellent management of City finances. Mrs. Land was once again awarded with a Certificate of Recognition for Budget Presentation from the Government Finance Officer's Association. Mrs. Land expressed her thanks and gave credit to her department for all their work. She then received a standing ovation.

Mayor McCaslin recognized Troy Galloway, Community Development Director. Mr. Galloway announced that the developer for the James Dale Flowers items on the agenda -- items 2c, 2d and 2e -- had requested that the Council table those items until the September 9, 2014 meeting so Mr. Flowers could be present.

Motion to table items 2c, 2d and 2e by Alderman Sooter, second by Alderman Baggett. There was no discussion. Motion carried (7-0), with Alderman Skaggs 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 Grider. There was no discussion. Motion carried (7-0), with Alderman Skaggs absent.

2a. Ordinance No. 2014-99: Ordinance accepting a property line adjustment of Lot 25 Dickson's Addition to the City of Bentonville, Arkansas.

[Applicant: Scott Clubine;
Location: 710 Northwest 2nd Street]

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

2b. Ordinance No. 2014-100: Ordinance accepting a final plat of Angel Falls North to the City of Bentonville, Arkansas.

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), with Alderman Skaggs absent.

2c. Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification to R-E, residential estate. TABLED - see above.

2d. Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to PRD, planned residential development. TABLED - see above.

2e. Ordinance accepting a lot split of Lots 1 and 2 Arbor Lane II Addition to the City of Bentonville, Arkansas. TABLED - see above.

3. Mayor McCaslin recognized Troy Galloway. Mr. Galloway introduced Ian Hanou from Plan-It Geo Consultants in Colorado and also Patti Erwin from the Arkansas Forestry Commission.

Mr. Galloway stated that the City of Bentonville over the last few months had partnered with the Arkansas Forestry Commission and the United States Department of Agriculture Forestry Service to conduct a tree canopy assessment for the City of Bentonville.

Mr. Hanou gave an informative presentation of the results of the assessment, along with a power point presentation, and discussed recommendations and goals from the assessment report.

Alderman Burckart inquired whether the City landscaping ordinances were considered in determining projected goals. Mr. Hanou indicated that they were.

Alderman Burckart next asked whether the effect of converting agricultural land to residential had been calculated, giving a time frame of over the next ten years, based on estimates. Mr. Hanou indicated the work done had included creating a process by which that could be calculated.

Alderman Burckart asked whether the intent was to use the study in some fashion to force the development of a tree canopy over the property of private property owners. Troy Galloway responded to this inquiry indicating that the study provided general recommendations to be used in considering future policy development, but did not itself create policy affecting private property. Mr. Galloway continued by stating that the initial focus in applying the study would be on public property, and that in the future property owners associations would likely be approached so as to scale up the improvement in canopy from voluntary compliance.

Alderman Grider asked if any particular part of the City had better canopy coverage. Mr. Hanou indicated that the older area of the City to the north was generally better with regard to such coverage and that the southwest part of the

City, where there was more new development, needed more tree cover.

Alderman Thomas asked whether there were maintenance costs the City would experience associated with having more tree canopy. Mr. Galloway indicated there were some costs, but that those costs needed to be considered in the context of the benefits of having greater coverage from the canopy.

Alderman Baggett asked how long it would take the City to be in compliance with the recommendations at the rate of planting one thousand new trees each year. Mr. Galloway indicated that had been looked at and that it would take about 140 years.

4. Approval to appoint Scott Eccleston to the Tree and Landscape Advisory Committee, term to expire August 26, 2017.

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

5. Ordinance No. 2014-101: Ordinance vacating a drainage easement located in Lot 221 Stone Meadow 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 Grider, second by Alderman Burckart. There was no discussion. Motion carried (7-0), with Alderman Skaggs absent.

6. Ordinance No. 2014-102: Ordinance vacating a utility easement located in Lot 6 Halifax 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 Grider, second by Alderman Burckart. There was no discussion. Motion carried (7-0), with Alderman Skaggs absent.

7. Resolution No. 8-26-14 A: Resolution setting a public hearing for September 9, 2014, at 6:00 p.m., regarding a petition filed by Homes by Roth requesting a utility easement vacation in Lot 26 Virginia's Grove 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 Baggett. There was no discussion. Motion carried (7-0), with Alderman Skaggs absent.

8. Approval of a reconciliation change order in the amount of \$387.66. With the completion of the Southeast C Street sidewalk improvements the final cost of the project is \$387.66 less than the currently contracted amount of \$44,444.

Motion to approve by Alderman Grider, second by Alderman Sooter. There was no discussion. Motion carried (7-0), with Alderman Skaggs absent.

9. Resolution No. 8-26-14 B: Resolution authorizing the Mayor and City Clerk to enter into an agreement with the FAA for an airport improvement program grant for partial funding of the Airport Master Plan Update project at Bentonville Municipal Airport.

City Attorney Spence read the resolution by title only.

Alderman Grider asked whether this money would be offset. Mayor McCaslin and Ben Peters, City Engineer, indicated that Congressman Womack's office had already indicated that the federal funding would be available. The remaining 10 percent would be paid by the Arkansas Department of Aeronautics.

Motion to pass by Alderman Burckart, second by Alderman Sooter. Motion carried (7-0), with Alderman Skaggs absent.

10. Ordinance No. 2014-103: Ordinance repealing Articles 1 and 2 of Ordinance No. 2010-27 and adopting revised operating policies and procedures for the Airport Advisory Board.

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 (7-0), with Alderman Skaggs absent.

Motion by Alderman Grider to adjourn the meeting, second by Alderman Smith. There was no discussion. Motion carried (7-0), with Alderman Skaggs absent.



Linda Spence, City Clerk



Bob McCaslin, Mayor