

Bentonville City Council
Meeting Minutes
September 9, 2014

The City Council of Bentonville, Arkansas, met in regular session Tuesday, September 9, 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, Chris Sooter, 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 August 26, 2014 meeting as presented, second by Alderman Grider. 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).

1. Bentonville Public Library report for Summer Reading Club 2014.

Mayor McCaslin recognized Hadi Dudley, Library Director. Ms. Dudley began her presentation by stating that the summer of 2014 had been the busiest summer ever and thereafter presented the report along with a power point presentation.

The Mayor noted that the next three items to be considered were those tabled from the August 26, 2014 meeting. He asked Troy Galloway, Community Development Director, to comment on the proposals and indicated that thereafter, though the Council did not typically entertain public comments, he would open the floor for such comments as to the three items.

Mr. Galloway indicated the three items before the Council - items 2a, 2b and 2c -- had been approved by the Planning Commission two

meetings back and related to the Arbors II subdivision. He stated the complaints about the proposed subdivisions had to do with perceptions of this being an increase in the anticipated population density as opposed to adjoining developments and increased traffic. With regard to increased traffic, Mr. Galloway stated that the traffic issues could be addressed somewhat by passive traffic controls measures, and that what was being considered was narrowing Juniper Lane along its length, as well as installing a speed table.

The next speaker was Stanford McBride, who indicated he was a resident living on Juniper Lane. He stated his concern to be the density of the planned neighborhood, and that it exceeded the 6.0 density recommended by the Master Plan. He stated that this would be a burden on schools and roads.

Alderman Thomas asked Mr. Galloway about the issue regarding density. Mr. Galloway responded that the City zoning rules are specific with regard to density in that they set a limit on the number of units per acre, but that the Land Use Plan was different, not addressing densities. Mr. Galloway also stated that the PRD zoning designation requested would allow for a higher density, but the trade-off was that the developer would give up open space and provide homes that would be more moderately priced. Mr. Galloway indicated that an R-1 designation would allow forty-two or forty-three units on this property and that the plan under the PRD would only result in forty-seven units. Mr. Galloway stated he did not think the proposed development would have a significant impact on schools, roads and the like. Mr. Galloway stated that the Planning Commission thought the trade-off of the higher density for the more moderately priced homes, which Bentonville is lacking, would be a good trade-off.

In response to a question about a figure contained in an email that was sent to Council members, Mr. McBride indicated the 300 figure included in the email was for full build-out of the development, not the proposal currently before the Council.

Mr. Galloway added that while the traffic concerns are real, it was a price that is not unexpected in a growing community.

Mayor McCaslin invited further comments and there was no response.

2a. Ordinance tabled from the August 26th agenda: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to R-E, residential estate.

[Applicant: James Dale Flowers; Location: 2415 Southwest Regional Airport Boulevard]

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Grider, second by Alderman Sooter. There was no discussion. Motion failed (3-5), with Aldermen Grider, Alderman Burckart and Alderman Sooter voting yes.

- 2b. Ordinance No. 2014-104, tabled from the August 26th agenda: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to PRD, planned residential development.

[Applicant: James Dale Flowers; Location: Southwest Regional Airport Boulevard and Southwest Juniper Avenue]

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 (5-4), with Alderman Grider, Burckart, Sooter, and Skaggs voting yes, and the Mayor breaking the tie voting yes.

- 2c. Ordinance No. 2014-105, tabled from the August 26th agenda. Ordinance accepting a lot split of Lots 1 and 2 Arbor Lane II Addition to the City of Bentonville, Arkansas.

[Applicant: James Dale Flowers; Location: 2415 Southwest Regional Airport Boulevard]

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 (7-1), with Alderman Smith voting no.

- 3. Ordinance No. 2014-106: Ordinance vacating utility easements located in Lot 26 and Lot 27 Virginia's Grove Subdivision to the City of Bentonville, 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 (8-0).

- 4. Resolution No. 9-9-14 A: Resolution authorizing the Mayor and Clerk to enter into an amendment to the Master Agreement

for professional services with Morrison Shipley Engineers related to the Bentonville Municipal Airport.

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 of a reconciliation change order now that the Southeast 10th Street drainage improvements are complete. To reconcile the quantities used and the final price of the contract, a reconciliation change order is needed. The final project cost is \$11,242.19 less than the currently contracted amount of \$183,224.08.

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

6. Resolution No. 9-9-14 B: A resolution declaring certain property belonging to the City of Bentonville Police Department as surplus property. [list attached to ordinance]

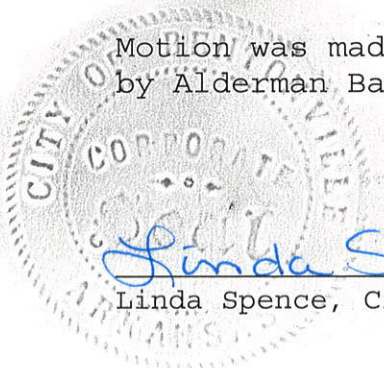
City Attorney Spence read the resolution by title only. Motion to pass by Alderman Grider, second by Alderman Baggett. There was no discussion. Motion carried (8-0).

7. Approval of a budget adjustment in the amount of \$6,800 to be used to purchase an entry training door for the Police Department, with funding to come from Federal Equitable Sharing Funds.

Motion to approve budget adjustment by Alderman Baggett, second by Alderman Grider. There was no discussion. Motion carried (8-0).

Alderman Burckart stated that he wanted to note the good job by the Parks Department and others concerning the Slaughter Pen bike event last weekend.

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



Linda Spence
Linda Spence, City Clerk

Bob McCaslin
Bob McCaslin, Mayor