

Bentonville City Council  
Meeting Minutes  
October 25, 2016

The City Council of Bentonville, Arkansas, met in regular session Tuesday, October 25, 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.

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 Burckart to approve the minutes of the October 11, 2016 meeting as presented, second by Alderman Sanchez. 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 Burckart. There was no discussion. Motion carried (8-0).

1. Ten year anniversary of the Bentonville Public Library proclamation.

Mayor McCaslin recognized Hadi Dudley, Library Director. The Mayor then read the proclamation and presented it to Mrs. Dudley.

2. Ozark Regional Transit annual report.

Mayor McCaslin recognized Jeff Hatley, Public Information Officer, from Ozark Regional Transit. Mr. Hatley presented a

report on ORT operations in and related to the City and addressed questions from the Council.

- 3a. Ordinance No. 2016-142: Ordinance accepting a lot split of Lots 44 and 45 Fountain Plaza Subdivision to the City of Bentonville, Arkansas.

[Applicant: Dynamic Development, Inc.;  
Location: 400 Southeast Plaza Avenue.]

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).

- 3b. Ordinance No. 2016-143: Ordinance accepting a property line adjustment of Lot 208 Bentonville Original Subdivision to the City of Bentonville, Arkansas.

[Applicant: Church of the Nazarene;  
Location: 220 Northwest A Street]

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

- 3c. Ordinance No. 2016-144: Ordinance accepting a property line adjustment of Lots 2 and 3 Mattingly Addition to the City of Bentonville, Arkansas.

[Applicant: Josh, Patricia and Jennifer Mattingly;  
Location: 2900 and 2902 Northwest 3rd Street]

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

4. Ordinance No. 2016-145: Ordinance approving Ordinance No. 2016-006 of the City of Little Flock, Benton County, Arkansas for the detachment of certain territory from

the City of Bentonville, Arkansas and the annexation thereof into the City of Little Flock, Arkansas.

City Attorney Spence read the ordinance by title only.

Mayor McCaslin declared a public hearing open for comments. The Mayor recognized Bart Bauer. Mr. Bauer stated that the property at issue was in a rural water district so Bentonville sewer was not available. He stated that sewer service was needed for development of the property and that after conferring with City staff he felt this was his best option.

There were no further comments so Mayor McCaslin declared the public hearing closed.

Alderman Orman asked why sewer could not be provided. Mike Bender, Public Works Director, indicated that the City could not provide sewer services as this property was part of a rural water district. He added that this action was the best option available for the developer.

The Mayor noted that this water district was State sanctioned, that there was no inclination on the part of ANRC to release this area in the past due to bond covenants, and agreed this action was the best option.

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

5. Approval of a budget adjustment in the amount of \$5,200 to recognize revenue awarded in the form of a grant from the Walton Family Foundation to leverage city funds to purchase 400 trees for the fall tree giveaway.

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

6. Approval to install three pieces of artwork by students from Bentonville West High School in three tunnels along the Bentonville trail system.

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

7. Approval to install public artwork by Kenneth Siemens in the tunnel located on the north Bentonville trail at Northwest A Street.

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

8. Ordinance No. 2016-146: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with artist Tylur French for the design and fabrication of two art pieces titled "Bike Tower Sculpture" and waiving the requirement of competitive bidding.

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

9. Approval to award Bid No. 16-33 to Tri Star Contractors, LLC in the amount of \$2,639,232.75 for relocation of water and sewer on the 8th Street project (AHTD #090377).

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

10. Ordinance No. 2016-147: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the emergency repair of a vehicle for the City of Bentonville Wastewater Department and waiving the requirement of competitive bidding.

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

11. Approval to award Bid No. 16-37 to Fleet Safety of North Little Rock and Jotto Desk of Rogers to purchase specific items of police vehicle equipment to outfit seven 2016 Chevrolet Tahoes that were recently purchased.

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

12. Resolution No. 10-25-16 A: Resolution authorizing the Mayor and Clerk to enter into a memorandum of understanding with the Watershed Conservation Resource Center for professional services related to wetland restoration.

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

13. Resolution No. 10-25-16 B: Resolution authorizing the Mayor and City Clerk to enter into an agreement with Garver, LLC to perform engineering and related services for the Bentonville Municipal Airport.

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

14. Resolution No. 10-25-16 C: Resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Garver, LLC for engineering services associated with the west side taxiway design for the Bentonville Municipal Airport.

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

15. Approval of a change order in the amount of \$657 to Modern Fence to add a keyed entry to a security gate at the Bentonville Community Center.

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

Mayor McCaslin indicated that a draft budget would be sent out in the next day or two and reminded the Council about upcoming Committee of the Whole meetings. He also noted that tax collections were up.

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

Linda Spence  
Linda Spence, City Clerk

Bob McCaslin  
Bob McCaslin, Mayor

