

Bentonville City Council  
Meeting Minutes  
November 8, 2016

A Committee of the Whole meeting was held on Monday, November 7, 2016.

The City Council of Bentonville, Arkansas, met in regular session Tuesday, November 8, 2016, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members John Skaggs, Tim Robinson, Chris Sooter, James Smith, Bill Burckart, Octavio Sanchez and Jim Webb, with Stephanie Orman 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, the Mayor invited public comments. SueAnn Overstreet, Stephanie Barrett, Cindy Walters, Heather Tingler, Jeremy Tingler, Brian Swisher, Lynn West and Kimberly Fleischmann were recognized and spoke regarding Agenda Item No. 2g, the rezoning of certain property located at Northwest C Street and Trails End Lane.

Mayor McCaslin called the meeting to order at 6:36 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 Sanchez to approve the minutes of the October 25, 2016 meeting as presented, second by Alderman Webb. There was no discussion. Motion carried (7-0), with Alderman Orman 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 Webb. There was no discussion. Motion carried (7-0), with Alderman Orman absent.

1. Certificate of recognition presentation.

Mayor McCaslin recognized Dana Scott from Black Hills Energy. The Mayor read the certificate and presented it to Mr. Scott.

- 2a. Ordinance No. 2016-148: Ordinance accepting a lot split of Lots 42 and 43 Fountain Plaza Subdivision to the City of Bentonville, Arkansas.

[Applicant: Dynamic Development, Inc.  
Location: 500 Southeast Plaza Avenue]

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

- 2b. Ordinance No. 2016-149: Ordinance accepting a lot split of Lot 14 Block 3 Lincoln and Rice Addition to the City of Bentonville, Arkansas.

[Applicant: Craig Smith;  
Location: 805 East Central Avenue]

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 (7-0), with Alderman Orman absent.

- 2c. Ordinance No. 2016-150: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification of A-1, agricultural to R-1, single family residential.

[Applicant: Aurora Partners and Thrilled Land Investments;  
Location: 8936 South Morningstar Road]

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 (7-0), with Alderman Orman absent.

- 2d. Ordinance No. 2016-151: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification of R-1, single family residential to R-C2, central residential-moderate density.

[Applicant: PBR Holdings, LLC;  
Location: Southwest 4th Street and Southwest C Street]

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 (7-0), with Alderman Orman absent.

- 2e. Ordinance No. 2016-152: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification of A-1, agricultural to C-2, general commercial.

[Applicant: Rainbow Real Estate, LLC;  
Location: 3604 Northwest Frontage Road and  
3605 Northwest Wishing Springs Road]

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

- 2f. Ordinance No. 2016-153: Ordinance changing real estate in the City of Bentonville, Arkansas from its present classification of PUD, planned unit development to C-1, neighborhood commercial.

[Applicant: Stearman Revocable Trust;  
Location: 601 Southwest Regional Airport Boulevard]

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 (7-0), with Alderman Orman absent.

- 2g. Ordinance No. 2016-154: Ordinance changing real estate in the City of Bentonville, Arkansas from its present

classification of R-1, single family residential to PRD, planned residential development.

[Applicant: Black Apple Creek, LLC;  
Location: Northwest C Street and Trails End Lane]

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 (5-1-1), with Alderman Skaggs voting no, Alderman Robinson abstaining and Alderman Orman absent.

3. Resolution No. 11-8-16 A: Resolution authorizing the Mayor and Clerk to enter into an agreement with Universal Field Services, Inc. for right-of-way and easement acquisition services.

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 (7-0), with Alderman Orman absent.

4. Approval to award Bid No. 16-34 to Del/Sha Construction in the amount of \$3,428,550.98 for relocation of water and sewer services and construction of pedestrian tunnels on the 8th Street project (AHTD 090377).

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

- 5a. Resolution No. 11-8-16 B: Resolution authorizing the Mayor and City Clerk to enter into an amended utility agreement with the Arkansas State Highway Commission for engineering services associated with the Arkansas State Highway Commission's Project No. CA0902 -- Interstate 49 improvements between Highway 62/102 and Highway 72.

City Attorney Spence read the resolution by title only. Motion to pass by Alderman Sanchez, second by Alderman Robinson. There was no discussion. Motion carried (7-0), with Alderman Orman absent.

- 5b. Resolution No. 11-8-16 C: Resolution authorizing the Mayor and City Clerk to enter into an amended professional services agreement with Garver for engineering services associated with the Arkansas State Highway Commission's project No. CA0902 -- Interstate 49 widening and interchange improvements between Highway 62/102 and Highway 72.

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

- 5c. Approval of a budget adjustment in the amount of \$12,350 to front costs for amended Garver contract for construction services associated with the utility agreement with the Arkansas State Highway Commission for AHTD Project No. CA0902 -- Interstate 49 widening and interchange improvements between Highway 62/102 and Highway 72.

Motion to approve by Alderman Robinson, second by Alderman Webb. There was no discussion. Motion carried (7-0), with Alderman Orman absent.

6. Approval to award Bid No. 16-53 to Stuart Irby in the amount of \$89,910 to purchase 1/0 underground wire.

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

7. Approval of a budget adjustment in the amount of \$67,000 for the Parks and Recreation Department to recognize funds from the Advertising and Promotion Commission for a new restroom facility at Slaughter Pen Mountain Bike Park.

Motion to approve by Alderman Webb, second by Alderman Robinson. There was no discussion. Motion carried (7-0), with Alderman Orman absent.

- 8a. Approval of a budget adjustment in the amount of \$440,000 for the Parks and Recreation Department to recognize and accept a

grant from the Walton Family Foundation for the design and right-of-way acquisition for a re-route of the Razorback Greenway.

Motion to approve by Alderman Smith, second by Alderman Robinson. There was no discussion. Motion carried (7-0), with Alderman Orman absent.

- 8b. Resolution No. 11-8-16 D: Resolution authorizing the Mayor and City Clerk to enter into an agreement with Alta Planning and Design for engineering, design and acquisition services for the Highway 102 pedestrian tunnel/Razorback Greenway re-alignment.

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

- 9a. Approval of a bid award to Pick-It-Construction in the amount of \$503,851 to renovate the pool house at the Melvin Ford Aquatic Center.

Motion to approve by Alderman Webb, second by Alderman Sanchez. There was no discussion. Motion carried (7-0), with Alderman Orman absent.

- 9b. Approval of a budget adjustment in the amount of \$516,000 to fund the renovation of the pool house at the Melvin Ford Aquatic Center.

Motion to approve by Alderman Webb, second by Alderman Sanchez. There was no discussion. Motion carried (7-0), with Alderman Orman absent.

10. Resolution No. 11-8-16 E: 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 Melvin Ford Aquatic Center project.

City Attorney Spence read the resolution by title only. Motion to pass by Alderman Sanchez, second by

Alderman Robinson. There was no discussion. Motion carried (7-0), with Alderman Orman absent.

11. Resolution No. 11-8-16 F: Resolution authorizing the Mayor and Clerk to enter into an agreement with Laquantra Bonci for professional services associated with a Parks and Recreation master plan.

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

12. Budget discussion.

Mayor McCaslin recognized Denise Land, Director of Finance and Administration. Mrs. Land addressed the Council and answered questions. She began by noting that \$40,000 had been moved into the airport capital budget related to the west runway design.

Alderman Burckart asked questions concerning the frequency of rate studies and removing the amount from the budget. Mike Bender, Public Works Director, along with Mrs. Land, addressed his concerns.

Alderman Sooter asked about property taxes. Mrs. Land indicated there was a 2 percent increase from 2015.

Alderman Burckart asked about the costs of providing street lights to a particular area of the City which was addressed by Travis Matlock, Engineering Director.

Mrs. Land indicated she had sent out the reconciliations requested at the Committee of the Whole meeting by email. Alderman Burckart indicated he had not seen that but that his review of the budget was complete except for that.

Alderman Smith asked for an explanation of the sales tax budgeting and why the figures seemed to be less than he might have expected. Mrs. Land explained that sales taxes are

budgeted based on history. She also noted that the line item for taxes included more than just sales taxes.

Alderman Smith asked about the increase in the amount of professional services and pointed to the significant increase in the costs for software maintenance. Mrs. Land indicated that the amount does go up every year and is just a cost of doing business. Alderman Burckart also commented on the subject and how it might be managed better.

Alderman Smith asked about depreciation expense. Mrs. Land indicated that as the City increases its capital assets, depreciation will increase.

Motion was made by Alderman Smith to adjourn the meeting, second by Alderman Robinson. Motion carried (7-0), with Alderman Orman absent.

After adjournment, Mayor McCaslin asked the Council if they still wanted to meet on Monday the 21st as a Committee of the Whole regarding the budget. Alderman Sanchez suggested the meeting be cancelled, and it was indicated that no meeting would occur on the 21st.



Linda Spence, City Clerk



Bob McCaslin, Mayor

