

Bentonville City Council
Meeting Minutes
November 10, 2015

The City Council of Bentonville, Arkansas, met in regular session Tuesday, November 10, 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, 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.

Prior to calling the meeting to order, the Mayor noted that several people had signed up for public comments but that similar to an earlier meeting, the comments were to be about the proposal to replace the dam at Lake Bella Vista, a matter not on the agenda. He noted that the agenda was posted online indicating the agenda for the evening and further that there had been some attempt to communicate with the group seeking to comment by contacting one of those asserting some leadership with regard to the position they were taking.

Alderman Burckart noted that the Council had gone against its usual policy at an earlier meeting to accommodate those who were in attendance that night, but that he was not inclined to repeat the practice and that he thought those present to comment about the dam should return on December 7th when the Council would consider matters related to that topic.

As there was no objection, the Mayor continued by asking if any of the Council members wished to address anything on tonight's agenda before beginning the meeting. No alderman indicated a desire to do so.

The Mayor then noted the presence of Boy Scouts and several Scouts introduced themselves to the Council.

Mayor McCaslin called the meeting to order at 6:10 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 27, 2015 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 Smith. There was no discussion. Motion carried (8-0).

- 1a. Ordinance No. 2015-123: Ordinance accepting a lot split of Lots 16 and 17 Block 1 Braithwaite Park Addition to the City of Bentonville, Arkansas.

[Applicant: Wal-Mart Stores, Inc.;
Location: 1400 North Walton Boulevard]

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).

- 1b. Ordinance No. 2015-124: Ordinance accepting a lot split of Lots 37 and 38 Cottonwood Village Phase III to the City of Bentonville, Arkansas.

[Applicant: J Street Company, LLC; Location: Southeast
corner of Southeast G Street and Southeast 22nd Street]

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

- 1c. Ordinance No. 2015-125: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to C-1, neighborhood commercial.

[Applicant: McFann's Holdings, LLC;
Location: 2606 East Central Avenue]

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).

- 1d. Ordinance No. 2015-126: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to C-2, general commercial.

[Applicant: Cabe Ranch Leasing, LLC;
Location: 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 (8-0).

- 1e. Ordinance No. 2015-127: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to R-1, single family residential.

[Applicant: Elizabeth Foy;
Location: 610 Southwest O 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).

- 1f. Ordinance No. 2015-128: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to RC-2, central residential- moderate density.

[Applicant: Castlestone Builders, LLC;
Location: 206 and 208 Southwest D Street]

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).

- 1g. Ordinance No. 2015-129: Ordinance accepting a property line adjustment of Lot 5 Coughlin Addition to the City of Bentonville, Arkansas.

[Applicant: Bentonville Public Schools; Location: Southwest Featherston Road and Southwest 28th Street.]

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

2. Approval for the reappointment of Chris Sooter to the Tree and Landscape Advisory Committee for an additional three-year term to expire on December 31, 2018.

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

3. Approval for the reappointment of Debi Havner to the Tree and Landscape Advisory Committee for an additional three-year term to expire on November 10, 2018.

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

4. Resolution No. 11-10-15 A: Resolution authorizing the Mayor to enter into a Contract of Obligation with the Department of Environmental Quality as authorized pursuant to Arkansas Code Annotated §8-6-1603.

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).

5. Approval to award Bid No. 15-43B for dry cationic polymer purchases for wastewater bio-solids dewatering to Fort Bend Services in the amount of \$1.95 per pound delivered.

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

6. Resolution No. 11-10-15 B: Resolution authorizing the Mayor and City Clerk to enter into a Mutual Aid Police Protection Agreement with the City of Siloam Springs, Arkansas.

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

7. Approval of a reconciliation change order for the Runway Safety Area Project at Bentonville Airport. The change order finalizes the quantities and results in a net contract increase of \$14,702.72.

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

8. Ordinance No. 2015-130: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with Carroll Electric Cooperative Corporation for the relocation of electric infrastructure, waiving the requirement of competitive bidding.

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

Mayor McCaslin noted to the Council that the usual practice at this point was to adjourn the meeting after which the Council would continue discussion of the proposed 2016 budget.

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




Linda Spence, City Clerk


Bob McCaslin, Mayor