

Bentonville City Council
Meeting Minutes
December 9, 2014

The City Council of Bentonville, Arkansas, met in regular session Tuesday, December 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 November 25, 2014 meeting as presented, second by Alderman Burckart. 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. 2014-131: Ordinance accepting a property line adjustment of Dimmit/Evans Addition to the City of Bentonville, Arkansas.

[Applicant: Robert Cessario;
Location: 1102 Northeast J Street]

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).

- 1b. Ordinance No. 2014-132: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to C-3, central commercial.

[Applicant: HCL, LLC; Location: Southwest Regional Airport Boulevard and Southwest H 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 (8-0).

- 1c. Ordinance No. 2014-133: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to DE, downtown edge.

[Applicant: Daniel Hintz and Bike Rack Re-Development; Location: 404 and 406 Southwest B Street]

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).

- 1d. Ordinance No. 2014-134: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to DE, downtown edge.

[Applicant: Lamplighter Restorations; Location: 200 Southeast B Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Grider, second by Alderman Baggett. There was no discussion. Motion carried (7-1), with Alderman Skaggs voting no.

- 1e. Ordinance No. 2014-135: Ordinance accepting a lot split of Lots 12 and 13 Block 4 Railroad Addition to the City of Bentonville, Arkansas.

[Applicant: Lamplighter Restorations; Location: 200 Southeast B 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 (8-0).

- 1f. Ordinance No. 2014-136: Ordinance accepting a lot split of Lots 12 and 13 Eversole Addition to the City of Bentonville, Arkansas.

[Applicant: HCL, LLC; Location: Southwest Regional Airport Boulevard and Southwest H Street]

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).

2. Resolution No. 12-9-14 A: Resolution certifying the amount of liens to be placed on certain properties for the City of Bentonville's costs associated with mowing and weed removal on said properties.

[Lots 55, 66-70, 81-85, 93, 99 and 100 Stoneburrow Addition Phase 1]

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

3. Resolution No. 12-9-14 B: Resolution setting public hearings for January 13, 2015 concerning the placement and amount of liens to be secured against certain real property in the City of Bentonville, Arkansas, in order to recover city resources expended in removing unsightly and unsanitary conditions thereon.

[Lots 50-54 of Stoneburrow Addition Phase 1]

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

4. Resolution No. 12-9-14 C: Resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with McClelland Consulting Engineers, Inc. for services associated with intersection improvements at North Walton Boulevard and Tiger Boulevard/Northwest 12th Street.

City Attorney Spence read the resolution by title only.

Alderman Burckart asked whether the contract charges for expenses were consistent with expectations. Mike Churchwell, Transportation Director, indicated the expenses were typical and that they had been approved by the Highway Department

Motion to pass by Alderman Grider, second by Alderman Baggett. Motion carried (8-0).

5. Resolution No. 12-9-14 D: Resolution authorizing the Mayor and Clerk to enter into an extra work authorization to the existing contract with CEI Engineering for construction observation services for the North Walton Trail.

City Attorney Spence read the resolution by title only.

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

6. Approval to award Bid No. 14-49, a six-month blanket bid, in the total amount of \$329,150.36 for purchase of electric materials as needed.

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

7. Approval to award Bid No. 14-51, a six-month blanket bid, in the total amount of \$51,076 for purchase of switchgears as needed.

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

8. Approval to award Bid No. 14-52, a six-month blanket bid, in the amount of \$222,612 for purchase of water materials as needed.

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

9. Approval of Bid No. 14-53, a one-year blanket bid, in the amount of \$165,025 for purchase of street materials as needed..

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

- 10a. Ordinance No. 2014-37: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Foster Roofing for the replacement of the District Court building roof and waiving the requirement of competitive bidding.

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

- 10b. Approval of a budget adjustment in the amount of \$30,268 to cover the cost of the District Court building roof.

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

- 11a. Approval of Change Order No. 2 for Rosetta Construction, LLC for a total increase of \$248,712 and an increase of 180 days contract time for the Bella Vista bypass utility relocation project.

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

- 11b. Approval of a budget adjustment to cover the cost increase of Change Order No. 2 for Rosetta Construction, LLC in the amount of \$248,712.

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

12. Approval of the following appointments and reappointments to the City of Bentonville Parks and Recreation Advisory Board:
- a. Reappointment of Amy Davis to a term expiring 12-31-17;
 - b. Reappointment of Holly Hook to a term expiring 12-31-17;
 - c. Appointment of Chad Evans to a term expiring 12-31-17;
 - d. Appointment of Thomas Butrynski to a term expiring 12-31-15, filling the unexpired term of Jeff Genova.

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

13. Ordinance No. 2014-138: Ordinance adopting the 2015 pay plan for the City of Bentonville, Arkansas.

City Attorney Spence read the ordinance by title only.

Alderman Burckart asked about how proposed changes were calculated and Ed Wheeler, Human Resources Manager, indicated that they were based in part on the 2012 survey.

Alderman Burckart indicated that in the future he would like to receive the data from the survey in conjunction with proposed changes.

Motion to pass by Alderman Baggett, second by Alderman Smith. Motion carried (8-0).

14. Ordinance No. 2014-139: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the City of Bentonville's vehicular insurance coverage and waiving the requirement for competitive bidding.

City Attorney Spence read the ordinance by title only.

Motion to pass by Alderman Grider, second by

Alderman Baggett. There was no discussion. Motion carried (8-0).

15. Approval to not hold a council meeting on December 23, 2014.

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

Mayor McCaslin noted that it would therefore be the final meeting for the year and expressed his thanks to Alderman Head and Alderman Thomas for their service on the Council during the past term. He then noted that Alderman Grider had served on the Council for six terms and recognized his service with a Certificate of Appreciation.

Mayor McCaslin next indicated that he thought it appropriate to specially recognize the long service of Alderman Baggett to the City as a member of the Council and to the Community. Mayor McCaslin called on City Attorney Spence to read a resolution of the Council lauding Alderman Baggett for her service, which was approved by the Council without dissent. Hadi Dudley, Library Director, announced a Library Foundation program honoring Alderman Baggett.

Alderman Baggett stated her thanks, that it had all been a pleasure, and that there is no place like Bentonville. Mayor McCaslin presented Alderman Baggett with a framed copy of the resolution and invited those present to remain for refreshments following adjournment.

Motion to adjourn the meeting by Alderman Grider, second by Alderman Burckart. There was no discussion. Motion carried (8-0).




Linda Spence, City Clerk


Bob McCaslin, Mayor