

Bentonville City Council  
Meeting Minutes  
July 9, 2013

The City Council of Bentonville, Arkansas, met in regular session Tuesday, July 9, 2013, at 6:00 p.m., at the Community Development Building, Planning Commission meeting room, 305 SW A Street, Bentonville, Arkansas.

Present were council members Mary Baggett, Chris Sooter, Roger Thomas, Shane Perry, Leah Williams, 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 June 25, 2013 meeting as written, 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).

1a. Ordinance No. 2013-60: Ordinance accepting a lot split of Bentonville Inn Subdivision Lot 2 to the City of Bentonville, Arkansas.

[Applicant: First Federal Bank;  
Location: 2307 Southwest Walton Boulevard]

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

1b. Ordinance No. 2013-61: Ordinance accepting a lot split of Patton Addition Lot 5 to the City of Bentonville, Arkansas.

[Applicant: Richard and Berkli Binns;  
Location: 3705 Southwest 2nd Street]

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

- 1c. Ordinance No. 2013-62: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to R-C2, central residential, moderate density.

[Applicant: CHP, LLC; Location: Northeast corner of Southwest 4th Street and Southwest F Street including 608, 610 and 612 Southwest 4th Street and 317 Southwest F 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. Approval to reappoint Debi Havner to the Planning Commission for a five-year term to expire July 1, 2018.

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

3. Mayor McCaslin recognized Danielle Shasteen, Community Programs Coordinator, to present the Commercial Landscaping of the Month award for the month of July. Present to accept the award on behalf of Bentonville First Church was Darrell Watts.

- 3a. Approval to accept a grant from the Arkansas Department of Health in the amount of \$17,413 upon recommendation of Fire Department staff.

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

- 3b. Approval of a budget adjustment in the amount of \$17,413 to allow the Fire Department to purchase Active Shooter equipment and replace two ambulance cots.

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

4. Ordinance No. 2013-63: Ordinance regulating door to door solicitation at private residences in the City of Bentonville and for other purposes.

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Sooter, second by Alderman Baggett.

Alderman Burckart expressed his appreciation to the compromise reached. Alderman Williams and Alderman Grider asked why 9:00 p.m. was chosen. City Attorney Spence responded case law indicated 9:00 o'clock was an acceptable time and that earlier times would likely be a problem from a legal standpoint. Alderman Baggett stated that of the many people that have contacted her that only one negative contact was received.

Motion carried (8-0).

5. Approval of Bid No. 13-18 to Decco Contractors in the amount of \$372,152 for the 2013 overlay projects, which includes the overlay of approved streets, parking areas and improvements at lift stations, for the Street, Waste Water, Public Works and Police Departments.

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

Alderman Burckart asked what the money difference between the bid amount and the budget amount would be used for. Tony Davis, Street Manager, responded that if the mobilization costs were added in that the numbers actually came in just a little bit above budget, but he thought through management and quantities used that it could be controlled and would be within budget.

6. Resolution No. 7-9-13 A: Resolution recognizing the retirement of police K-9 Boca and authorizing the K-9 to be transferred to his handler.

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

7. Approval of a budget adjustment in the amount of \$53,647 to cover costs incurred due to recent storm damages and as a result of a lightning strike at the Police Department in March.

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

K-9 Boca was brought before the Council by his handler and now owner, Sergeant Ray Shastid, and the Council gave K-9 Boca a round of applause.

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

  
Linda Spence, City Clerk

  
Bob McCaslin, Mayor