

Bentonville City Council  
Meeting Minutes  
October 8, 2013

The City Council of Bentonville, Arkansas, met in regular session Tuesday, October 8, 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 Burckart to approve the minutes of the September 24, 2013 meeting as written, second by Alderman Sooter. 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. 2013-93: Ordinance accepting a lot split of Lot 1, Block N, Orchard Addition to the City of Bentonville, Arkansas.

[Applicant: James Clyde Wood; Location: 607 Southeast E 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).

- 1b. Ordinance No. 2013-94: Ordinance accepting a lot split of Stone Meadow Estates to the City of Bentonville, Arkansas.

[Applicant: Palmco Properties, LLC; Location: Glen Road and Greenhouse Road]

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

- 1c. Ordinance No. 2013-95: Ordinance accepting a lot split of BNA Subdivision to the City of Bentonville, Arkansas.

[Applicant: Bob and Amber Morey; Location: 3005 Blueberry Lane]

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).

- 1d. Ordinance No. 2013-96: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to R-2, duplex and patio home residential, and C-2, general commercial.

[Applicant: Michael Maxwell; Location: 8059 Southwest Regional Airport Boulevard]

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).

- 1e. Ordinance No. 2013-97: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification to R-0, residential office.

[Applicant: City of Bentonville; Location: 3310 Southwest I 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).

- 1f. Resolution No. 10-8-13 A: Resolution setting a public hearing for October 22, 2013 at 6:00 p.m. regarding a petition filed by BCCL requesting a utility easement vacation within the City of Bentonville, Arkansas.

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

2. Resolution No. 10-8-13 B: Resolution authorizing the Mayor and Clerk to grant a drainage easement across certain City of Bentonville property.

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

3. Ordinance No. 2013-98: Ordinance to authorize the sale of alcoholic beverages for on-premises consumption in the City of Bentonville.

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 (7-1), with Alderman Baggett voting no.

4. Resolution No. 10-8-13 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with Arkansas Utility Protection Services, Inc. for underground utility marking services.

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

5. Approval to award Bid No. 13-42 to Diamond C Construction in the amount of \$231,434.16 to perform the earthwork needed for Fire Station No. 6 property.

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

6. Approval of a budget adjustment in the amount of \$231,434.16 to have the site earthwork done on Fire Station No. 6 property.

Alderman Thomas asked for an explanation regarding the amount of the budget adjustment and asked if he was correct that this all was for dirt work. Mayor McCaslin indicated it was for design and dirt work. Denise Land, Finance Director, stated that the 2013 budget had \$180,000 for design and that with the amount left over from that, plus the amount from this budget adjustment, there would be enough to take care of the dirt work.

Alderman Burckart asked what the estimate had been. Chief Boydston indicated that the site had a lot of undercut, five feet on

average. He stated there had not been an estimate until after the soil testing and the original estimate was for a little over \$200,000. He indicated that when done, the bids were for less than the original estimate determined by the construction manager. He added that the money for this comes out of impact fees and that doing the work now, in good weather, would actually save money in the long run.

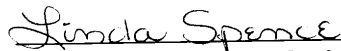
Motion to pass by Alderman Grider, second by Alderman Baggett.  
Motion carried (8-0).

7. Approval to award Bid No. 13-40 to N.E.C. in the amount of \$180,224.08 for the Southeast 10th Street drainage improvement project.

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

Mayor McCaslin expressed his thanks to the Airport Advisory Board, Mike Bender and all who worked at making the airport open house a success despite the inclement weather.

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

  
Linda Spence, City Clerk

  
Bob McCaslin, Mayor