

Bentonville City Council
Meeting Minutes
February 24, 2009

The City Council of Bentonville, Arkansas met in regular session, Tuesday, Feb. 24, 2009 at 6:00 p.m. in the Community Development Building, Planning Commission Meeting room, 305 SW A St., Bentonville, Arkansas. Present were Council Members Chris Sooter, Mary Baggett, Jim Grider, Ed Austin, Shane Perry, Brad Crain, James Dotson, Bill Burckart. Also present were Mayor Bob McCaslin, City Attorney George Spence, City Clerk Suzanne Grider, the press, city staff, and the audience.

Mayor Bob McCaslin called the meeting to order and asked everyone to join him in saluting our nation's flag. After the pledge, there was a moment of silence for our military forces and the invocation was given by Jeff Odom of Word of Life Church.

Motion was made by Council Member Austin, seconded by Council Member Baggett to approve the minutes of the regular meeting of Feb. 10, 2009, as written. Motion carried (8-0).

Motion was made by Council Member Austin, seconded by Council Member Grider to suspend the rules regarding the reading of all ordinances and resolutions on three separate days and further move that they be read completely one time only. Motion carried (8-0).

- I. Impact Fee Study Presentation by Dwayne Guthrie of Tischler Bise (Monday Night Only).**
- II. Update of 2009 Fireworks Display – Chief Dan White (Monday Night Only).**
- III. Parks Discussion – Additional Ball Fields (Monday Night Only).**
- IV. Planning:**
- IVa. City Attorney George Spence read by title only Ordinance #(2009-15) accepting a plat of Grammercy Park Phase 1, to the City of Bentonville, Arkansas.**

Motion was made by Council Member Austin, seconded by Council Member Grider to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read one time only. Motion carried (8-0). City Attorney George Spence read the ordinance. Motion was made by Council Member Grider, seconded by Council Member Austin that the ordinance do pass. Motion carried (8-0).

Consent Agenda: Items 5, 6, 8 and 11.

- V. Award Bid to Heckathorn Construction Company, Inc. in the amount of \$189,963.00 for the City Hall Facade Renovation.**
- VI. Award Bid to Barnes Trucking, in an amount of \$33,223 for materials for the construction of a new sand volleyball court facility in Memorial Park.**

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- VII. Change Order #10 in the amount of \$5,450.00 for the Downtown Square Enhancement Project Phase 2 for additional compensation for brick work that was added beyond the scope of the original project.**
- XI. Award Blanket Bid #09-14 for electric materials to various electrical suppliers in an amount of \$484,208.97. (Stuart C. Irby Co. :\$338,894.46, Utilicor :\$2,538.75, Diversified Electric: \$48,067.14. HD Utility Supply: \$94,708.62).**

Motion was made by Council Member Austin, seconded by Council Member Grider to approve the consent agenda as listed above. Motion carried (8-0).

Resume Regular Agenda:

- VII. City Attorney George Spence read Resolution #(02-24-09A) authorizing the mayor and clerk to enter into an agreement with CEI Engineering, Inc. for design, specifications and bid administration and general construction assistance for Orchards Park in the amount of \$68,250, plus reimbursables.**

Motion was made by Council Member Grider, seconded by Council Member Austin to adopt the resolution. Motion carried (8-0).

- IX. City Attorney George Spence read Ordinance #(2009-16) authorizing the mayor and the city clerk to enter into an agreement with Fox Brothers Hay Company for wood grinding services, waiving the requirement of competitive bidding and declaring an emergency.**

Motion was made by Council Member Austin, seconded by Council Member Grider to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read one time only. Motion carried (8-0). City Attorney George Spence read the ordinance. Motion was made by Council Member Grider, seconded by Council Member Sooter that the ordinance do pass. Motion carried (8-0). Motion was made by Council Member Grider, seconded by Council Member Baggett to approve the emergency clause. Motion carried (8-0).

- X. City Attorney George Spence read an ordinance amending Ordinance #2008-59 of the electric code NEC 2008 version.**

Motion was made by Council Member Perry, seconded by Council Member Grider to table this item. Motion carried (8-0).

- XII City Attorney George Spence read Ordinance #(2009-17) amending Ordinance #2004-158 pertaining to open burning in the City of Bentonville, Arkansas.**

Motion was made by Council Member Austin, seconded by Council Member Grider to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read one time only. Motion carried (8-0). City Attorney George Spence read the ordinance. Motion was made by Council Member

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Grider seconded by Council Member Baggett that the ordinance do pass. Motion carried (8-0).

XIII. City Attorney George Spence read Ordinance #(2009-18) adopting a revised Pay Plan for the City of Bentonville, Arkansas.

Motion was made by Council Member Austin, seconded by Council Member Grider to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read one time only. Motion carried (8-0). City Attorney George Spence read the ordinance. Motion was made by Council Member Perry, seconded by Council Member Sooter that the ordinance do pass. Motion carried (6-2) with Council Members Austin, Dotson, Crain, Sooter, Baggett, and Perry voting yes, and Council Members Grider and Burckart voting no.


XIV. City Attorney George Spence read Ordinance #(2009-19) amending Ordinance #2006-6 authorizing a revised repayment schedule for the outstanding City of Bentonville, Arkansas combined electric, water and sewer revenue bond, Series 2006; and prescribing other matters relating thereto.

Motion was made by Council Member Austin, seconded by Council Member Grider to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read one time only. Motion carried (8-0). City Attorney George Spence read the ordinance. Motion was made by Council Member Austin, seconded by Council Member Baggett that the ordinance do pass. Motion carried (8-0).

Motion was made by Council Member Austin, seconded by Council Member Baggett to adjourn the meeting. Motion carried (8-0).



Bob McCaslin, Mayor



Suzanne Grider, City Clerk