

Bentonville City Council
Meeting Minutes
May 12, 2009

The City Council of Bentonville, Arkansas met in regular session on Tuesday, May 12, 2009 at 6:00 p.m. at the Community Development Building, Planning Commission Chambers, 305 SW "A" Street, Bentonville, Arkansas. Present were Council Members Mary Baggett, Jim Grider, Ed Austin, Chris Sooter, Brad Crain, James Dotson, and Bill Burckart. Council Member Shane Perry was absent. Also present were Mayor Bob McCaslin, City Clerk Suzanne Grider, City Attorney George Spence, 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 Mark Lindstrom of Bentonville Nazarene Church.

Motion was made by Council Member Baggett, seconded by Council Member Grider to approve the revised minutes of the April 14, 2009 meeting and April 28, 2009 meeting as revised. Motion carried (7-0) of those present with Council Member Perry absent.

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 one time. Motion carried (7-0).

Ia. City Attorney George Spence read Ordinance #(2009-45) amending the classification of property from low density residential to medium density residential on the future land use map 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 (7-0) of those present with Council Member Perry absent. City Attorney George Spence read the ordinance one time. Motion was made by Council Member Austin, seconded by Council Member Grider that the ordinance do pass. Motion carried (7-0) of those present with Council Member Perry absent.

Ib. City Attorney George Spence read Resolution #(05-12-09A) setting a public hearing for May 26, 2009 for a 20 ft. drainage easement vacation request by the City of Bentonville located in Lots 10, 11, 12, & 13 of Harris BIDC Industrial Park.

Motion was made by Council Member Grider, seconded by Council Member Sooter to adopt the resolution. Motion carried (7-0) of those present with Council Member Austin absent.

Ic. City Attorney George Spence read Resolution #(05-12-09B) setting a public hearing for May 26, 2009 for a 25 ft. drainage easement vacation request by the City of Bentonville located in Lots 10, 11, 12, & 13 of Harris BIDC Industrial Park.

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Motion was made by Council Member Grider, seconded by Council Member Sooter to adopt the resolution. Motion carried (7-0) of those present with Council Member Perry absent.

- II. City Attorney George Spence read Resolution #(05-12-09C) authorizing the mayor and clerk to enter into an agreement with Northstar Engineering Consultants, Inc. for the design of two parking lots located in the downtown Bentonville area, in an amount not to exceed \$42,735.00.**

Motion was made by Council Member Austin, seconded by Council Member Dotson to adopt the resolution. Motion carried (7-0) of those present with Council Member Perry absent.

- III. City Attorney George Spence read Resolution #(05-12-09D) authorizing the mayor and clerk to enter into an amendment to the existing contract with Crafton, Tull and Associates for stormwater mapping maintenance in an amount not to exceed \$25,000.**

Motion was made by Council Member Austin, seconded by Council Member Dotson to adopt the resolution. Motion carried (7-0) of those present with Council Member Perry absent.

- IV. Award Bid #09-29 to McClinton Anchor in the amount of \$46,211.54 for paving the drive to the Sand/Salt Storage Facility and the parking area south of the compost maintenance building.**

Motion was made by Council Member Austin, seconded by Council Member Baggett to award Bid #09-29 to McClinton Anchor in the amount of \$46,211.54 for paving the drive to the Sand/Salt Storage Facility and the parking area south of the compost maintenance building. Motion carried (7-0) of those present with Council Member Perry absent.

- V. Change Order #1 to Ground Zero Construction in the amount of \$31,139.00 for the airport parking lot addition and adding 14 days to the contract.**

Motion was made by Council Member Baggett, seconded by Council Member Grider to approve Change Order #1 to Ground Zero Construction in the amount of \$31,139.00 for the airport parking lot addition and adding 14 days to the contract. Motion carried (7-0) of those present with Council Member Perry absent.

- VI. Award Bid #09-27 to Barnes Trucking in the amount of \$78,480 for sand and topsoil for the renovation of athletic fields in Memorial Park.**

Motion was made by Council Member Crain, seconded by Council Member Baggett to award Bid #09-27 to Barnes Trucking in the amount of \$78,480 for sand and topsoil for the renovation of athletic fields in Memorial Park. Motion carried (7-0) of those present with Council Member Perry absent.

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VII. Award Bid #09-27 to Sod Yard in the amount of \$230,437.23 for burmuda sod for the renovation of athletic fields in Memorial Park.

Motion was made by Council Member Grider, seconded by Council Member Crain to award Bid #09-27 to Sod Yard in the amount of \$230,437.23 burmuda sod for the renovation of athletic fields in Memorial Park. Motion carried (7-0) of those present with Council Member Perry absent.

VIII. Award Bid #09-20 to C.R. Crawford in the amount of \$110,497.40 to construct restroom facilities at the North Trail/Bark Park.

Motion was made by Council Member Grider, seconded by Council Member Dotson to award Bid #09-20 to C.R. Crawford in the amount of \$110,497.40 to construct restroom facilities at the North Trail/Bark Park. Motion carried (7-0) of those present with Council Member Perry absent.

IX. City Attorney George Spence read Ordinance #(2009-46) amending the classification of property from low density residential to medium density residential on the future land use map 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 (7-0) of those present with Council Member Perry absent. City Attorney George Spence read the ordinance one time. Motion was made by Council Member Crain, seconded by Council Member Burckart that the ordinance do pass. Motion carried (7-0) of those present with Council Member Perry absent.

X. City Attorney George Spence read Resolution #(05-12-09E) authorizing the mayor and clerk to purchase certain customers and facilities from Carroll Electric Cooperative Corporation pursuant to the settlement agreement between the parties in an amount not to exceed \$30,056.00. (SW 8th St. vicinity).

Motion was made by Council Member Baggett, seconded by Council Member Austin to adopt the resolution. Motion carried (7-0) of those present with Council Member Perry absent.

XI. City Attorney George Spence read Resolution #(05-12-09F) authorizing the mayor and clerk to purchase certain customers and facilities from Carroll Electric Cooperative Corporation pursuant to the settlement agreement between the parties in an amount not to exceed \$156,960.00. (Peach Orchard Road Vicinity).

Motion was made by Council Member Grider, seconded by Council Member Sooter to adopt the resolution. Motion carried (7-0) of those present with Council Member Perry absent.

XII. Award Bid #09-36 to Uitlicor for 1/0 primary wire in an amount of \$48,569.00 for the electric department.

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Motion was made by Council Member Austin, seconded by Council Member Grider to award Bid #09-36 to Utilicor for 1/0 primary wire in the amount of \$48,569.00. Motion carried (7-0) of those present with Council Member Perry absent.

XIII. Award Bid #09-35 to Utilicor for 750 MCM Primary wire in an amount of \$100,288.00 for the electric department.

Motion was made by Council Member Austin, seconded by Council Member Grider to award Bid #09-35 to Utilicor for 750 MCM Primary wire in an amount of \$100,288.00. Motion carried (7-0) of those present with Council Member Perry absent.

XIV. Award Bid #09-34 to Stuart Irby for switchgear in the amount of \$136,359.00 for the electric department.

Motion was made by Council Member Austin, seconded by Council Member Dotson to award Bid #09-34 to Stuart Irby for switchgear in the amount of \$136,359.00 for the electric department. Motion carried (7-0) of those present with Council Member Perry absent.

XV. City Attorney George Spence read Resolution #(05-12-09G) authorizing the mayor and clerk to enter into an amendment to the contract with G Squared for additional services related to mapping and aerial photography data and related services in an amount not to exceed \$165,000.00.

Motion was made by Council Member Grider, seconded by Council Member Baggett to adopt the resolution. Motion carried (7-0) of those present with Council Member Perry absent.

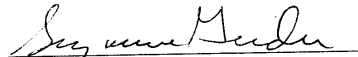
Mike Hughes announced to the council there will be an Energy Conference held at the Bentonville Public Library beginning 10:00 a.m. on Thursday, May 14. The city has teamed up with three other utility companies for this event and it will run for three days.

Mayor McCaslin stated that he would like to give an update on the ice storm reimbursements. Mayor McCaslin thanked Mike Bender, Mike Hughes and Chief Dan White for their hard work and great record keeping. You can feel proud of how the team handled this and a good job was done by all. Mayor McCaslin stated that the city has received all their reimbursements for our claims.

Mayor McCaslin announced that on May 28 the Advertising and Promotion Commission will hold a groundbreaking for the future ice rink. We will let you know of a time at a later date.

Motion was made by Council Member Grider, seconded by Council Member Burckart to adjourn the meeting. Motion carried (7-0) of those present with Council Member Austin absent.


Bob McCaslin, Mayor


Suzanne Grider, City Clerk