

Bentonville City Council
Meeting Minutes
July 14, 2009

The City Council of Bentonville, Arkansas met in regular session on Tuesday, July 14, 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, Shane Perry, Chris Sooter, Ed Austin, James Dotson, and Bill Burckart. Council Member Brad Crain was absent. Also present were Mayor Bob McCaslin, City Clerk Suzanne Grider, Staff Attorney Camille Thompson, 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 Galen Pearcy of Radiant Life Church.

Motion was made by Council Member Baggett, seconded by Council Member Grider to approve the minutes of the June 23, 2009 meeting as written. Motion carried (7-0) of those present with Council Member Crain absent.

Motion was made by Council Member Austin, seconded by Council Member Dotson to suspend the rules regarding the reading of all ordinances and resolutions on three separate days and further move that they be read by their title only. Motion carried (7-0) of those present.

Ia. Staff Attorney Camille Thompson read by title only Ordinance #(2009-66) changing real estate in the City of Bentonville, Arkansas, from its present classification to R-3. (Marikay Corporation).

Motion was made by Council Member Austin, seconded by Council Member Dotson to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read by its title only. Motion carried (7-0). Staff Attorney Camille Thompson read the ordinance by its title. Motion was made by Council Member Grider, seconded by Council Member Austin that the ordinance do pass. Motion carried (7-0) of those present with Council Member Crain absent.

Ib. Staff Attorney Camille Thompson read by title only Ordinance #(2009-67) accepting a property line adjustment of lot 3 Copperstone Subdivision to the City of Bentonville, Arkansas.

Motion was made by Council Member Austin, seconded by Council Member Dotson to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read by its title only. Motion carried (7-0). Staff Attorney Camille Thompson read the ordinance by its title. Motion was made by Council Member Grider, seconded by Council Member Perry that the ordinance do pass. Motion carried (7-0) of those present with Council Member Crain absent.

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- Ic. Staff Attorney Camille Thompson read by title only Ordinance #(2009-68) changing real estate in the City of Bentonville, Arkansas, from its present classification to C-3. (City of Bentonville).**

Motion was made by Council Member Austin, seconded by Council Member Dotson to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read by its title only. Motion carried (7-0). City Attorney George Spence read the ordinance by its title. Motion was made by Council Member Grider, seconded by Council Member Austin that the ordinance do pass. Motion carried (7-0) of those present with Council Member Crain absent.

- Id. Staff Attorney Camille Thomspson read by title only Ordinance #(2009-69) accepting a plat of Angel Falls, to the City of Bentonville, Arkansas.**

Motion was made by Council Member Austin, seconded by Council Member Dotson to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read by its title only. Motion carried (7-0). Staff Attorney Camille Thompson read the ordinance by its title. Motion was made by Council Member Austin, seconded by Council Member Grider that the ordinance do pass. Motion carried (6-1) of those present with Council Member Baggett abstaining and Council Member Crain absent.

- Ie. Staff Attorney Camille Thompson read by title only Resolution #(07-14-09A) setting a public hearing July 28, 2009 for a public access easement vacation located in Lot 2 of Moberly Corner Subdivision requested by Kum and Go LLC.**

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

- If. City Attorney George Spence read by title only Resolution #(07-14-09B) setting a public hearing July 28, 2009 for a drainage easement vacation located at 205 SE George Town requested by Larry Eads.**

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

- II. Appointment of Dee Calloway to the Bentonville Tree and Landscape Advisory Committee. Term to Expire: 5-23-2012.**

Motion was made by Council Member Baggett, seconded by Council Member Grider to appoint Dee Calloway to the Bentonville Tree and Landscape Advisory Committee. Term to Expire: 5-23-2012. Motion carried (7-0) of those present with Council Member Crain absent.

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- III. City Attorney George Spence read by title only Resolution #(07-14-09C) authorizing the mayor and clerk to enter into an agreement with Davey Resource Group for overhead mapping services in an amount not to exceed \$76,552.00 for the electric department.**

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

- IV. Award bid No. 09-40 to Carter & Crawley, Inc. in the amount of \$320,111.00 for two (2) prefabricated control buildings. Note: In the 2009 budget, \$500,159.00 was approved for SCADA/control houses.**

Motion was made by Council Member Grider, seconded by Council Member Dotson to award Bid #09-40 to Carter & Crawley, Inc. in the amount of \$320,111.00 for two prefabricated control buildings for the electric department. Motion carried (7-0) of those present with Council Member Crain absent.

- V. Award bid No. 09-38 to NESCO Sales and Rentals in the amount of \$132,200.00 for a new "Mini-Digger Derrick". Budgeted item (2009) in the amount of \$160,000.00.**

Motion was made by Council Member Grider, seconded by Council Member Sooter to award Bid #09-38 to NESCO Sales and Rentals in the amount of \$132,200.00 for a new mini-digger derrick truck. Motion carried (7-0) of those present with Council Member Crain absent.

- VI. Award bid No. 09-39 to Navigation Electronics, Inc. in the amount of \$45,721.00 for "Survey Grade GPS Equipment" and associated software. Budgeted as new equipment in the amount of \$40,000. At this time, no budget adjustment is required on this purchase with the variances in this account.**

Motion was made by Council Member Baggett, seconded by Council Member Grider award Bid #09-39 to Navigation Electronics, Inc. in the amount of \$45,721.00 for survey grade GPS equipment and associated software. Motion carried (7-0) of those present with Council Member Crain absent.

- VII. Staff Attorney Camille Thompson read by title only Ordinance #(2009-70) authorizing the mayor and the city clerk to enter into an agreement for the purchase of primary underground wire for certain projects for the City of Bentonville Electric Department, in an amount not to exceed \$70,256.00 plus applicable taxes, waiving the requirement of competitive bidding.**

Motion was made by Council Member Austin, seconded by Council Member Dotson to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read by its title only. Motion carried (7-0). Staff Attorney Camille Thompson read the ordinance by its title. Motion was made by Council

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Member Austin, seconded by Council Member Grider that the ordinance do pass.
Motion carried (7-0) of those present with Council Member Crain absent.

VIII. City Attorney George Spence read by title only Resolution #(07-14-09D) authorizing the mayor and city clerk to enter into an agreement with McGoodwin, Williams and Yates, for engineering services associated with a comprehensive water system analysis and master plan study, in an amount of \$90,700 plus reimbursable expenses.

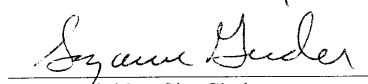
Motion was made by Council Member Baggett, seconded by Council Member Grider to adopt the resolution. Motion carried (7-0) of those present with Council Member Crain absent.

Mayor McCaslin updated council members of ongoing projects.

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



Bob McCaslin, Mayor



Suzanne Grider, City Clerk