

**Bentonville City Council**  
Meeting Minutes  
July 28, 2009

The City Council of Bentonville, Arkansas met in regular session on Tuesday, July 28, 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, Brad Crain, James Dotson, and Bill Burckart. 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 Linstrom of Bentonville Nazarene Church.

Motion was made by Council Member Baggett, seconded by Council Member Dotson to approve the minutes of the July 14, 2009 meeting 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 by their title only. Motion carried (8-0).

- I. Bentonville Public Library Mid-Year Comparison Statistical Report by Heather Bullock.**
- II. Financial Update – Denise Land, Finance Director.**
- IIIa. Mayor McCaslin declared a public hearing open at 6:12 p.m. to hear comments for and against this easement vacation ordinance. No one had any comments so Mayor McCaslin declared the public hearing closed at 6:13 p.m.**

**City Attorney George Spence read by title only Ordinance #(2009-71) vacating an access easement located in Lot 2 of Moberly Corner Addition to the City of Bentonville, Arkansas, Benton County, Arkansas. (Kum & Go LLC).**

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 by its title only. Motion carried (8-0). City Attorney George Spence read the ordinance by its title. Motion was made by Council Member Austin, seconded by Council Member Sooter that the ordinance do pass. Motion carried (8-0).

- IIIb. Mayor McCaslin declared a public hearing open at 6:14 p.m. to hear comments for and against this easement vacation in College Place Subdivision. No one had any comments so Mayor McCaslin declared the public hearing closed.**

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**City Attorney George Spence read by title only Ordinance #(2009-72) vacating a utility and drainage easement located in Lot 53 of College Place Phase 6 to the City of Bentonville, Arkansas, Benton County, 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 by its title only. Motion carried (8-0). City Attorney George Spence read the ordinance by its title. Motion was made by Council Member Dotson, seconded by Council Member Baggett that the ordinance do pass. Motion carried (8-0).

**IIIc. City Attorney George Spence read by title only Resolution #(07-28-09A) setting a public hearing for August 11, 2009 for an alley vacation request located in Bentonville Original Subdivision and Claypool's Addition requested by the City of Bentonville.**

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

**IIIId. City Attorney George Spence read by title only Resolution #(07-28-09B) setting a public hearing for August 11, 2009 for an alley vacation request located in Bentonville Original Subdivision and Claypool's Addition requested by the City of Bentonville.**

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

**IV. Appointment of Andre Ballestra replacing Harvey Ricketts' unexpired term and David Lee replacing Craig Soos' unexpired term to the Airport Advisory Board. (Andre Ballestra term to expire 9-27-10 and David Lee term to expire 9-27-13).**

Motion was made by Council Member Baggett, seconded by Council Member Crain to approve the appointment of Andre Ballestra to fill the unexpired term of Harvey Ricketts on the Bentonville Airport Advisory Board. Term to Expire: 9-27-10. Motion carried (8-0).

Motion was made by Council Member Grider, seconded by Council Member Sooter to appoint David Lee to fill the unexpired term of Craig Soos on the Bentonville Airport Advisory Board. Term to expire; 9-27-13. Motion carried (8-0).

**V. City Attorney George Spence read by title only Resolution #(07-28-09C) authorizing the mayor and clerk to enter into a real estate contract for the sale of certain real estate to the Peel House Foundation in an amount of \$60,000.**

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

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- VI. **Mike Hughes, Engineering Director, explained to the city council that the city is passing through to our customers the increase the city had from SWEPCO. Mr. Tommy Deweese and Woody Lolly of Southwestern Electric Power Company attended the meeting and explained why SWEPCO had a rate increase. They are building a new plant to help keep up with the growth and their requirements for electricity.**


**City Attorney George Spence read by title only Ordinance #(2009-73) amending the electric rate schedules for the City of Bentonville, Arkansas.**

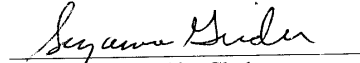
Motion was made by Council Member Austin, seconded by Council Member Grider to suspend the rules regarding the reading of this ordinance on three separate days and further move that this ordinance be read by its title only. Motion carried (8-0). City Attorney George Spence read the ordinance by its title.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

- VII. **Award Bid #09-43 to APAC-Arkansas Inc., McClinton Anchor Division, in the amount of \$246,081.56 for asphalt overlay of city streets, water department drives and parking areas, and wastewater lift station areas.**

Motion was made by Council Member Austin, seconded by Council Member Burckart to award Bid #09-43 to APAC-Arkansas Inc., McClinton Anchor Division, in the amount of \$246,081.56 for asphalt overlay of city streets, water department drives and parking areas, and wastewater lift station areas. Motion carried (8-0).

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

  
Bob McCaslin, Mayor

  
Suzanne Grider, City Clerk