

Bentonville City Council
Meeting Minutes
Sept. 8, 2009

The City Council of Bentonville, Arkansas met in regular session on Tuesday, Sept. 8, 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, Chris Sooter, Ed Austin, James Dotson, Bill Burckart, and Shane Perry. Council Member Brad Crain resigned his position as of August 31, 2009. 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 Mal McCawley of Bentonville Nazarene Church.

Motion was made by Council Member Baggett, seconded by Council Member Burckart to approve the minutes of the Aug. 25, 2009 meeting as written. Motion carried (7-0).

Mayor McCaslin gave the oath of office to Police Officer Aaron Coble. All Council Members welcomed him to the city.

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).

I. City Attorney George Spence read by title only Ordinance #(2009-87) accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. (Crystal Reynolds and Robert Reynolds).

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 Austin, seconded by Council Member Burckart that the ordinance do pass. Motion carried (7-0).

IIa. City Attorney George Spence read by title only Ordinance #(2009-88) accepting a plat of Sam's Club Home Office 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). City Attorney George Spence read the ordinance by its title. Motion was made by Council Member Grider, seconded by Council Member Baggett that the ordinance do pass. Motion carried (7-0).

IIb. City Attorney George Spence read by title only Ordinance #(2009-89) amending Chapter 14 Zoning Code, Article 601.15 Nonresidential uses in or abutting R Districts.

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 Baggett that the ordinance do pass. Motion carried (7-0).

IIc. City Attorney George Spence read by title only Resolution #(09-08-09A) setting a public hearing for Sept. 22, 2009 for an alley vacation request located in Gilmore's Addition requested by the City of Bentonville.

Motion was made by Council Member Crain, seconded by Council Member Burckart to adopt the resolution. Motion carried (7-0).

IIId. City Attorney George Spence read by title only Resolution #(09-08-09B) setting a public hearing for Sept. 22, 2009 for an alley vacation request located in Bentonville Original requested by the City of Bentonville.

Motion was made by Council Member Sooter, seconded by Council Member Grider to adopt the resolution. Motion carried (7-0).

III. City Attorney George Spence read by title only Resolution #(09-08-09C) adopting the Hazard Mitigation Plan for Benton County.

Motion was made by Council Member Baggett, seconded by Council Member Dotson to adopt the resolution. Motion carried (7-0).

IV. City Attorney George Spence read by title only Resolution #(09-08-09D) renaming SE 25th St. to be SE Simple Savings Drive per a request by property owners within the subdivision.

Motion was made by Council Member Austin, seconded by Council Member Dotson to adopt the resolution. Motion carried (7-0).

V. City Attorney George Spence read by title only Resolution #(09-08-09E) authorizing the mayor and clerk to enter into an agreement with Traffic Engineering Consultants for the annual traffic signal timing study and related services.

Motion was made by Council Member Grider, seconded by Council Member Baggett to adopt the resolution. Motion carried (7-0).

VI. Award Bid #09-47 to ARCO Excavation and Paving Inc. in the amount of \$65,598.30 for drainage improvements in the Brightwood Subdivision.

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Motion was made by Council Member Dotson, seconded by Council Member Baggett to award Bid #09-47 to ARCO Excavation and Paving Inc. in the amount of \$65,598.30 for drainage improvements in the Brightwood Subdivision. Motion carried (7-0).

VII. Appointment of Bill Burckart to the Airport Advisory Board serving as an ex officio member. Term to expire 12/31/10.

Motion was made by Council Member Baggett, seconded by Council Member Grider to approve the appointment of Bill Burckart to the Airport Advisory Board. Motion carried (7-0).

VIII. Appointment of Jerome Grotts to the Airport Advisory Board replacing Horace Hardwick's unexpired term. Term to expire 9/27/11.

Motion was made by Council Member Grider, seconded by Council Member Baggett to approve the appointment of Jerome Grotts to the Airport Advisory Board replacing Horace Hardwick's unexpired term. Term to Expire: 9-27-2011. Motion carried (7-0).

IX. Reappointment of Art Formanek to the Airport Advisory Board. Term to expire 9/27/14.

Motion was made by Council Member Grider, seconded by Council Member Austin to approve the appointment of Art Formanek to the Airport Advisory Board. Term to Expire: 9-27-2014. Motion carried (7-0).

X. Appointment of Todd Darouse to the Bentonville Advertising & Promotion Commission replacing Richard Smith. Term to expire 12/31/10.

Motion was made by Council Member Baggett, seconded by Council Member Grider to approve the appointment of Todd Darouse to the Bentonville Advertising and Promotion Commission replacing Richard Smith. Term to Expire: 12-31-2010. Motion carried (7-0).

XI. Authorize the hiring of an additional School Resource Officer in the Police Department to be assigned to work at both Junior High Schools in the city. This position would be reimbursed by Bentonville Public Schools.

Motion was made by Council Member Baggett, seconded by Council Member Grider to approve the hiring of an additional School Resource Officer in the police department to be assigned to work at both Junior High Schools in the city. Bentonville Public Schools to reimburse the city. Motion carried (7-0).

XII. Authorize the transfer of the Springdale Bomb Squad to the Bentonville Police Department on January 1, 2010.

Motion was made by Council Member Grider, seconded by Council Member Perry to approve the transfer of the Springdale Bomb Squad to the Bentonville Police Department beginning January 1, 2010. Motion carried (7-0).

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- XIII. City Attorney George Spence read by title only Resolution #(09-08-09F) authorizing the mayor and clerk to enter into an offer and acceptance for the purchase of real property from the First Baptist Church in the amount of \$160,000 plus applicable closing costs.**

Motion was made by Council Member Austin, seconded by Council Member Sooter to adopt the resolution. Motion carried (7-0).

- XIV. Award Bid #09-37 to Matrix Construction in the amount of \$76,232 for demolition of score booths and electrical work at Memorial Park Baseball/Softball Complex.**

Motion was made by Council Member Perry, seconded by Council Member Burckart to award Bid #09-37 to Matrix Construction in the amount of \$76,232 Motion carried (7-0).

- XV. City Attorney George Spence read by title only Resolution #(09-08-09G) authorizing the mayor and clerk to enter into an extra work authorization with CEI Engineering Associates, Inc. for additional engineering services associated with the agreement for design and development of Orchards Park in an amount of \$6,500.00.**

Motion was made by Council Member Baggett, seconded by Council Member Sooter to adopt the resolution. Motion carried (7-0).

- XVI. City Attorney George Spence read by title only Resolution #(09-08-09H) authorizing the mayor and clerk to enter into an agreement with AT&T for Plexar Telephone services for the City of Bentonville.**

Motion was made by Council Member Perry, seconded by Council Member Baggett to adopt the resolution. Motion carried (7-0).

- XVII. Council Members Interview to fill Brad Crain's position on the City Council. (Ward 2 Position 1).**

Council Member Austin handed out three questions to each applicant and asked each to draw a number out of a hat for their interview position. The following is a list of applicants. Jerome Grotts withdrew his application earlier in the day.

1. Barbara Ludwig – 2401 NW Rita Way
2. Pine Drewyor – 11 NW Gorman Gate
3. Frank Hysell – 210 Devon Green St.
4. Mathew Zachery -
5. Brad Reed - 407 NW Saddlebrook Drive
6. J. Ryan Parks – 3507 Cardinal Lane

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7. Katherine Smith – 211 Ridgefield
8. No one drew this number. Extra
9. No one drew this number. Extra
10. Matt Hewitt – 52 Stonehenge Drive
11. Jody Coberly - 608 W. Central

Council Member Austin continued to say that each applicant would have 5 minutes to introduce themselves and answer the three questions that were handed out. These questions are:

1. Why do you want this position?
2. What are your strengths?
3. What are your weaknesses?

Each applicant introduced themselves to the council and when all were finished Council Member Burckart asked for a recess for a few minutes to take in all the information. All Council Members agreed and the City Council recessed from 7:20 p.m. to 7:30 p.m. After the recess Council Member Austin stated that he would have the City Clerk call the roll and each member would call a name. Roll call vote as follows:

1st Vote

Dotson- Smith
Austin – Coberly
Baggett – Parks
Grider – Coberly
Perry – Parks
Sooter – Parks
Burckart – Coberly

2nd Vote

Burckart - Coberly
Sooter - Parks
Perry - Parks
Grider - Coberly
Baggett - Parks
Austin - Coberly
Dotson – Parks

Motion carried 4-3 for J. Ryan Parks. Council Member Austin thanked all applicants for putting their name forward to serve the city. He stated that he appreciated all their expertise.

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Council Member Austin welcomed Boy Scout Troop 525 members and asked them to state their name to the council and what badge they were working on.

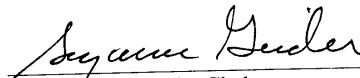
Jason Sheets – Communication Badge

Nickedemus Snyder – Communication Badge

Nate Coleman – Communication Badge

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


Bob McCaslin, Mayor


Suzanne Grider, City Clerk