

**Bentonville City Council**  
Meeting Minutes  
September 22, 2009

The City Council of Bentonville, Arkansas met in regular session on Tuesday, Sept. 22, 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, Ryan Parks, 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 Galen Pearcy of Radiant Life Church.

Motion was made by Council Member Austin, seconded by Council Member Baggett to approve the minutes of the Sept. 8, 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 that they be read by their title only. Motion carried (8-0).

**I. Overview of 2009 Financials by Denise Land, Finance Director.**

After reviewing the financials, Ms. Land stated that staff feels we can issue the second series of our bonds which would save us about ¼ of a percent of interest or approximately \$900,000. to issue them now. The City has met with Standard and Poors and they are raising our bond rating. Ms. Land stated she would bring an ordinance back to the council at the October 13<sup>th</sup> meeting.

**II. Report by Alan Fortenberry of Beaver Water District.**

Mr. Fortenberry stated that this is our 50<sup>th</sup> year in operation of Beaver Water District. Mr. Fortenberry stated that there was an increase in rates of 11 cents in their 20 year financial plan, but they have decided to defer it to next year due to the economic situation. Water use is currently down because of the weather. We have cut back and tried to do what is prudent. The higher cost is due to our expansion and higher O & M cost.

**III. Economic Development Report by Rich Davis, Bentonville/Bella Vista Chamber of Commerce.**

See attached report for quarters two and three.

- IVa. City Attorney George Spence read by title only Ordinance #(2009-90) changing real estate in the City of Bentonville, Arkansas, from its present classification to R-O. (Jeff Evans).**

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 Grider that the ordinance do pass. Motion carried (8-0).

- IVb. City Attorney George Spence read by title only Ordinance #(2009-91) accepting a lot split of Lot 24 of Autumn Wood Addition, 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 by its title only. Motion carried (8-0). 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 (8-0).

- IVc. Mayor Bob McCaslin declared a public hearing open at 6:44 p.m. to hear comments for and against this alley vacation request located in Gilmore's Addition. No one had any comments so Mayor McCaslin declared the public hearing closed at 6:45 p.m.**

**City Attorney George Spence read by title only Ordinance #(2009-92) vacating an alley located in Gilmore's Addition 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 Grider, seconded by Council Member Burckart that the ordinance do pass. Motion carried (8-0).

- IVd. Mayor McCaslin declared a public hearing open at 6:45 p.m. to hear comments for and against this alley vacation request located in Bentonville Original Subdivision. No one had any comments so Mayor McCaslin declared the public hearing closed at 6:47 p.m.**

**City Attorney George Spence read by title only Ordinance #(2009-93) vacating an alley located in Bentonville Original (214 NE "A" Street) to the City of Bentonville, Arkansas, Benton County, Arkansas.**

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

- V. **City Attorney George Spence read by title only Ordinance #(2009-94) authorizing the mayor and city clerk to enter into an agreement with Bonds Excavation, in an amount not to exceed \$156,000, waiving the requirement of competitive bidding.**

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 Sooter, seconded by Council Member Perry that the ordinance do pass. Motion carried (7-1) with Council Member Austin abstaining.

- VI. **City Attorney George Spence read by title only Resolution #(09-22-09A) declaring certain property belonging to the City of Bentonville, Arkansas as surplus property.**

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

- VII. **City Attorney George Spence read by title only Resolution #(09-22-09B) authorizing a property tax levy for the City of Bentonville, Arkansas for the Year 2009 to be collected in the Year 2010.**

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

- VIII. **City Attorney George Spence read by title only Resolution #(09-22-09C) setting a public hearing for Oct. 27, 2009, concerning the placement and amount of liens to be secured against certain real property in the City of Bentonville, Arkansas in order to recover city resources expended in removing unsightly and unsanitary conditions thereon.**

2802 E. Battlefield Boulevard  
1305 Royal Drive.  
Lot 138, Riverwalk Farm Estates  
Lots 69, 70, 74, 75, 76, 77, 124, 125, 126 Allencroft Subdivision  
704 NW 8<sup>th</sup> St.  
415 NW 5<sup>th</sup> St.  
Lot 22 and Lot 9 Stonegate Subdivision  
Lot 83 and Lot 97 Riverwalk Farm Estates, Phase 3  
1201 N.W. 7<sup>th</sup> St.

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

- IX. City Attorney George Spence read by title only Resolution #(09-22-09D) authorizing the mayor and city clerk to enter into a land lease agreement with Trust & Transit, LLC for a 7200 sf. hangar site located at the Bentonville Municipal Airport.**

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

- X. Award Bid #09-49 to Fleming Electric for the purchase and installation of new lights for the tennis courts at Brightwood Park in an amount of \$46,410.00.**

Motion was made by Council Member Austin, seconded by Council Member Sooter to award Bid #09-49 to Fleming Electric for the purchase and installation of new lights for the tennis courts at Brightwood Park in an amount of \$46,410.00. Motion carried (8-0).

- XI. City Attorney George Spence read by title only Resolution #(09-22-09E) authorizing the mayor and clerk to enter into an agreement with Barker Rinker Seacat for services associated with the new Bentonville Community Center in an amount of \$177,040.00.**

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

- XII. City Attorney George Spence read by title only Resolution #(09-22-09F) authorizing the mayor and clerk to enter into an agreement with Jacobs Engineering Group for services associated with the new Bentonville Community Center site in an amount of \$36,660.00.**

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

- XIII. City Attorney George Spence read by title only Resolution #(09-22-09G) authorizing the mayor and clerk to enter into an agreement with Jacobs Engineering Group for services associated with the renovations at Phillips Park in an amount of \$206,660.00.**

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

- XIV. City Attorney George Spence read by title only Resolution #(09-22-09H) authorizing the mayor and clerk to enter into an agreement with the Arkansas State Highway and Transportation Department for the (STEP) Selective Traffic Enforcement Project Grant.**

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

**XV. City Attorney George Spence read by title only Resolution #(09-22-091) for the City of Bentonville, Arkansas declaring October as Methamphetamine Awareness Month.**

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

The City Council welcomed Josh Blake, Boy Scout Troop #661, who was working on his communication badge.

Mayor McCaslin reported that city staff is working on the upcoming 2010 budget.

Council Member Austin asked if it would be possible to put a fence like they have at the old fairgrounds that Wal-Mart is putting up out at our cemetery. It looks like it would cut down on vandalism at the cemetery.

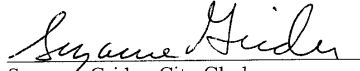
Mike Bender stated it would cost approximately \$100,000 to do it. In the 2010 budget we have budgeted for overlaying the lanes in the cemetery but not replacing the fence.

Council Member Grider recommended putting the money to replace the fence at the cemetery in the 2010 budget.

Council Member Baggett and Council Member Sooter stated they would like to thank the city for the street lights on Tiger Blvd.

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

  
Bob McCaslin, Mayor

  
Suzanne Grider, City Clerk

## Q2 and Q3 Economic Development Report

The Second Quarter (April–September, 2009) has been an active time for economic development:

➤ Activity to Date:

- Worked with developers to secure the deal for the Sheraton Hotel at Bentonville Plaza. *sell in 2012*
- Nutrient loading on the watersheds is an on-going issue in NW Arkansas. We are working on several initiatives that will help reduce the impact of nutrient loading.
- Worked closely with DBI and CVB on Downtown projects of interest.
- Conducted research relative to business license/registration for Bentonville. The report is in draft form and will be forthcoming in Q3, 2009.
- NW AR Green Expo May 8, 9 at the Fairgrounds
- Presented sites in the BIDC to three major projects.
- Worked with a non-profit group to create Teen Abuse Awareness. This non-profit will be located in Bentonville.
- Provided State Incentives for an out of state major coffee roasting operation that may be located in Bentonville.
- Provided contacts for small businesses for operations capital through a venture capital company.



o Participated in the Regional Development Conference with City staff. [www.bvchamber.com](http://www.bvchamber.com)

- o Participated in the City Expo at the Bentonville Library.
- o Spent over 160 hours collecting and providing demographic and growth data for various requests.
- o Conducted research and drafted reports for the I49/Bella Vista Bypass grant application. The State of Arkansas has submitted the grant to the US Highway Transportation Department.
- o Researched electrical rates as a form of incentive for new businesses. Bentonville is one of the most competitive municipal electrical providers in the State.
- o Attended Class III (of IV) Chamber Institute for Organizational Management in Madison, WI.
- o Compiled a list, sent letters of invitation for the Small Business Council – the focus is on small business retention and expansion in Bentonville. Note: The Small Business Council has been formed and is now a standing committee of the Bentonville/Bella Vista Chamber of Commerce.
- o Contracted with private commercial data company to enhance Bentonville’s exposure to site consultants.
- o Enrolled in the AECD/Entergy web site application for buildings over 10,000 square feet and sites over 10 acres.

➤ The Second Quarter of 2009 was a time of intense research for several projects that will ultimately lead to 1) more business activity, 2) more jobs and an increase in both property and sales taxes for the City of Bentonville.