

Bentonville City Council
Meeting Minutes
November 24, 2009

The City Council of Bentonville, Arkansas met in regular session on Tuesday, Nov. 24, 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 Council Member Shane Perry.

Motion was made by Council Member Baggett, seconded by Council Member Grider to approve the minutes of the Nov. 10, 2009 meeting as written. Motion carried (8-0).

Motion was made by Council Member Austin, seconded by Council Member Sooter 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).

- Ia. Mayor Bob McCaslin declared a public hearing open at 6:04 p.m. to hear comments for and against this public access easement vacation located in Superior Square Addition, Bentonville, Arkansas. There being no comments, Mayor McCaslin declared the public hearing closed at 6:05 p.m.**

City Attorney George Spence read by title only Ordinance #(2009-116) vacating a public access easement located in part of Lots 3 and 4 of Superior Square Addition to the City of Bentonville, Arkansas, Benton County, Arkansas.

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

- II. Award bid #09-62 to Danny Robinson Construction for the construction of Phase 3 of the Downtown Enhancement in the amount of \$627,260.00. The Engineers estimate for the project was \$752,984.00. See attached letter of recommendation to award bid and bid tabulation information. This project is funded out of bond proceeds.**

Motion was made by Council Member Grider, seconded by Council Member Sooter to award Bid #09-62 to Danny Robinson Construction for the construction of Phase 3 of the Downtown Enhancement Project in the amount of \$627,260.00. Motion carried (8-0).

- III. Council approval Change Order #2 on the SW 8th Street West Extension Project, adding 13 days to the contract time due to weather delays. See the attached change order. Attachment "A" gives additional informational breakdown of contract time, including revised completion date.**

Motion was made by Council Member Grider, seconded by Council Member Sooter to approve Change Order #2 on the SW 8th St. West Extension Project adding 13 days to the contract time due to weather delays. Motion carried (8-0).

- IV. Council Approval of a Change Order for the widening of NE "A" Street and construction of the roadbed, due to the rock located in the excavated slope in the amount of \$167,751.32.**

Motion was made by Council Member Austin, seconded by Council Member Grider to approve a change order in the amount of \$167,751.32 for the NE "A" Street project. Motion carried (8-0).

- V. Award Bid No. 09-59 to WEG in the amount of \$509,126.00 (\$554,947.00 with taxes) for one (1) 18/24/30 MVA Substation Transformer.**

Motion was made by Council Member Grider, seconded by Council Member Baggett to award Bid #09-59 to WEG in the amount of \$554,947.000 including taxes for a substation transformer for the electric department. Motion carried (8-0).

- VI. Council to award Bid #09-63 for the renovation of the District Court House bid packages 1-28. The total cost of all packages is \$636,839.00.**

Motion was made by Council Member Grider, seconded by Council Member Sooter to award Bid #09-63 (28) Bid Packages as attached to Clinard Construction Management who will oversee the renovations and coordination with all subcontractors. Motion carried (8-0).

- VII. City Attorney George Spence read by title only Resolution #(11-24-09A) certifying the amount of liens to be placed on certain properties for the City of Bentonville's costs associated with mowing and weed removal on said properties.**

4606 SW Chancery St.
4608 SW Chancery St.
4203 NE Kensington Ave.
400 SE Fullerton St.
2103 SW Farrington Ave.
2303 SW Farrington Ave.
4606 SW Skyline St.
2304 SW Nottingham Ave.
3903 SW Cornerstone Road
3901 SW Cornerstone Road

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**906 SE "G" Street
1006 SE 4th St.
Lots 1, 2, 3 and 4 of Willowbrook Farms Subdivision, Phase I.**

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

- VIII. Authorize an additional Police Corporal and Police Officer II position to the police department to be filled by a Certified Bomb Commander and a Certified Bomb Technician. Also, to authorize the addition of "add" pay for a certified bomb commander of \$6,000; and the addition of "add" pay for certified bomb technicians of \$4,000 each. The bomb squad requires one certified commander and two certified bomb technicians. One certified bomb technician is currently on staff at the Bentonville Police Department. This will not necessitate an increase in the 2009 budget; nor the 2010 budget as submitted.**

City Attorney George Spence read by title only Ordinance #(2009-117) amending the City of Bentonville Pay Plan to create add pays for certain police department positions.

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

IX. Approve the 2010 Budget.

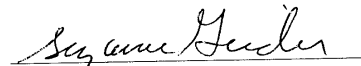
Motion was made by Council Member Perry, seconded by Council Member Baggett to adopt the 2010 Budget. Motion carried (8-0).

Mayor McCaslin stated that typically the council cancels the last meeting of the month due to the holidays. If necessary we could meet on Dec. 18 at the city holiday dinner if something comes up and we need to meet.

Motion was made by Council Member Austin, seconded by Council Member Baggett to cancel the 2nd regularly scheduled meeting of Dec. 2009 and call a special meeting on Dec. 18 if necessary. Motion carried (8-0).

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