

Bentonville City Council
Meeting Minutes
January 12, 2010

The City Council of Bentonville, Arkansas met in regular session, Tuesday, Jan. 12, 2010 at 6:00 p.m. in the Community Development Building, Planning Commission Meeting room, 305 SW A St., Bentonville, Arkansas. Present were Council Members Chris Sooter, Mary Baggett, Jim Grider, Ed Austin, Shane Perry, Ed Austin, James Dotson, Bill Burckart. Also present were Mayor Bob McCaslin, City Attorney George Spence, City Clerk Suzanne Grider, 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 Twila Farish of Word of Life.

Motion was made by Council Member Austin, seconded by Council Member Dotson to approve the minutes of the special meeting minutes of Dec. 18, 2009, as written. Motion carried (8-0).

Mayor Bob McCaslin gave the oath of office to two police officers Russell Hinds and Mike Meadors. All Council Members welcomed them to the City of Bentonville.

Motion was made by Council Member Austin, seconded by Council Member Baggett to suspend the rules regarding the reading of all ordinances and resolutions on three separate days and further move that they be read by title only. Motion carried (8-0).

Ia. City Attorney George Spence read by title only Ordinance #(2010-1) accepting a property line adjustment of Lots 1 and 3 Moberly Corner Addition to the City of Bentonville, Arkansas.

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

Ib. City Attorney George Spence read by title only Ordinance #(2010-2) accepting a lot split of Lot 25 Fountain Plaza to the City of Bentonville, Arkansas.

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

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- Ic. City Attorney George Spence read by title only Ordinance #(2010-3) amending the classification of property from Residential Estate to Residential Office on the Future Lane Use Map for the City of Bentonville, Arkansas.**

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

- Id. City Attorney George Spence read by title only Ordinance #(2010-4) moving the landscape and aesthetic requirements for wireless communication facilities from the Zoning Code to the Subdivision Code.**

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

- Ie. City Attorney George Spence read by title only Ordinance #(2010-5) amending Chapter 14 Zoning code, Article 601.7 Child Care of the supplemental regulations and Appendix A table of permitted uses.**

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

- 1f. City Attorney George Spence read by title only Ordinance #(2010-6) amending Chapter 15 Subdivision Code, Article 1400, Landscaping, screening and buffering to regulate trees planted under or near utilities.**

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

- Ig. City Attorney George Spence read by title only Resolution #(01-12-10A) setting a public hearing for Jan. 25, 2010, for a drainage easement vacation request by Word of Life Fellowship, located at Hwy. 102 and SW I St. (SW Quarter of SW Quarter**

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**of Section 31, Township 20 North, Range 30 West, Tract 1 of Academy Addition.)
(Kum & Go).**

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

- II. City Attorney George Spence read by title only Resolution #(01-12-10B) authorizing the mayor to apply for general improvement funds through the Ark. Dept. of Parks and Tourism to provide programs, maintain or fund improvements at Memorial Park for a tennis court facility.**

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

- III. City Attorney George Spence read by title only Resolution #(01-12-10C) authorizing the mayor to apply for general improvement funds through the Ark. Dept. of Parks and Tourism to provide programs, maintain or fund improvements at Lake Bella Vista to replace the deteriorated picnic pavilion.**

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

- IV. Award Bid # 09-70 to Schwartz Stone Company in the amount of \$23,299.00 for the purchase of native stone for Orchards Park.**

Motion was made by Council Member Sooter, seconded by Council Member Perry to award Bid #09-70 to Schwartz Stone Company in the amount of \$23,299.00 for the purchase of native stone for Orchards Park. Motion carried (8-0).

- V. Council approval to change plans to purchase a one (1) ton pick up truck and replace with laser guided box blade for the parks department.**

Motion was made by Council Member Baggett, seconded by Council Member Grider to approve the change. Motion carried (8-0).

- VI. Change Order #3 to Decco Contractors for the SW 8th St. West Extension project adding 24 days to the contract time due to various delays encountered.**

Motion was made by Council Member Grider, seconded by Council Member Austin to approve Change Order #3 to Decco Contractors Paving, Inc. for the SW 8th St. West Extension project adding 24 days to the contract. Motion carried (8-0).

- VII. Reappointment of Melanie Elliott to the Bentonville Library Advisory Board – Term to expire: 1-01-2015.**

Motion was made by Council Member Grider, seconded by Council Member Austin to approve the reappointment of Melanie Elliott to the Bentonville Library Advisory Board with a term expiring on 1-1-2015. Motion carried (8-0).

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VIII. Appointment of Dr. Regina Ryel Thomason to the Bentonville Library Advisory Board. Term to expire: 1-01-2015.

Motion was made by Council Member Grider, seconded by Council Member Austin to appoint Dr. Regina Ryel Thomason to the Bentonville Library Advisory board with a term expiring on 1-1-2015. Motion carried (8-0).

IX. City Attorney George Spence read by title only Ordinance #(2010-7) authorizing the mayor and the city clerk to enter into an agreement for the purchase of electric meters from Stuart C. Irby Company in an amount not to exceed \$85,707.00 to purchase LANDIS and GYR electric meters.

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

X. City Attorney George Spence read by title only Ordinance #(2010-8) authorizing the mayor and the city clerk to enter into an agreement with Holophane Ornamental Lighting for the purchase of street lights, in an amount not to exceed \$788,104.32.

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

XI. City Attorney George Spence read by title only Ordinance #(2010-9) authorizing the mayor and the city clerk to enter into an agreement with HD Supply Waterworks to purchase Sensus brand water meters, in an amount not to exceed \$154,259.00.

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

XII. Award 1-yr Formal Blanket Bid # 09-71 to Frost Oil Company: Octane 87 OPIS Rack Price plus markup and freight (.2578/gal) - Dyed Diesel OPIS Rack Price plus markup and freight (.1950/gal)

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Motion was made by Council Member Perry, seconded by Council Member Burckart to award Bid #09-71 to Frost Oil Company for octane and diesel for the City of Bentonville. Motion carried (8-0).

- XIII. Award 6-month formal Electric Material blanket bid #09-77 to the lowest bidder in the total amount \$343,695.56. Award Techline: \$98,115.90 - Award Stuart Irby: \$12,975.60 - Award Arkansas Electric: \$89,270.95 - Award Utilicor: \$5,097.50 - Award Diversified: \$71,109.40 - Award HD Supply: \$51,190.86 – Award Graybar Electric:\$15,935.35. Please note that all items on the blanket bid will only be ordered on a as needed bases for inventory through June 30th, 2010. At that time we will put out for new bids for the remainder of the year. Terms and Conditions state that we only have to purchase what is needed.**

Motion was made by Council Member Perry, seconded by Council Member Burckart to award Bid #09-77 to the lowest bidders as listed above in a total amount of \$343,695.56. Motion carried (8-0).

- XIV. Award formal Janitorial supply yearly blanket bid #09-72 to the lowest bidder in the total amount of \$41,839.61. Glore Company in the amount of \$34,850.94 and to Simply Solutions in the amount of \$6,988.67. Materials to be purchased at the same unit cost from January 1, 2010 to December 31, 2010.**

Motion was made by Council Member Perry, seconded by Council Member Grider to award Bid #09-72 to the lowest bidders as listed above, in a total amount of \$41,839.61 for janitorial supplies. Motion carried (8-0).

- XV. Award 1-yr formal street material blanket bid #09-74 to the lowest bidder in the total amount \$142,990.00. SB2/Class 7 Base awarded to Benton County Stone: \$64,350.00 - Chat/Class 67 awarded to McClinton Anchor: \$46,740.00 - B-Stone awarded to Rogers Group, INC: \$2,100.00 - Premix awarded to Hutchens Construction: \$29,800.00**

Motion was made by Council Member Grider, seconded by Council Member Baggett to award Bid #09-74 to the lowest bidders as listed above, in a total amount of \$142,990.00 for street materials. Motion carried (8-0).

- XVI. Award 6-month formal Switchgear blanket bid#09-76 to the lowest bidder in the amount of \$179,102.00. Award Stuart Irby Company - please note that all items on the blanket bid will only be ordered on an as needed basis for inventory through June 30th, 2010. At that time we will put out for new bids for the remainder of the year. Terms and Conditions state that we only have to purchase what is needed.**

Motion was made by Council Member Perry, seconded by Council Member Grider to award Bid #09-76 to Stuart Irby Company in an amount of \$179,102.00 for a 6 month

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blanket bid for switchgear and items will only be ordered on an as needed basis for inventory through June 30, 2010. Motion carried (8-0).


XVII. Award 6-month formal Water blanket bid #09-73 to the lowest bidder in the total amount \$213,008.96. Award HD Supply Waterworks: \$80,110.00 - Award Ferguson Waterworks: \$59,657.79 - Award Water Products: \$73,241.17 - Please note that all items on the blanket bid will only be ordered on a as needed bases for inventory through June 30th, 2010. At that time we will put out for new bids for the remainder of the year. Terms and Conditions state that we only have to purchase what is needed.

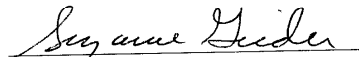
Motion was made by Council Member Grider, seconded by Council Member Burckart to award Bid #09-73 to the lowest bidders as listed above in a total amount of \$213,008.96 for water department products and items will only be ordered on an as needed basis for inventory through June 30, 2010. Motion carried (8-0).

XVIII. Award 6-month formal 3-Phase Transformer blanket bid #09-75 to the lowest bidder in the amount of \$246,032.49. Award Stuart Irby Company: \$14,494.49 - Award Arkansas Electric: \$85,809.00 - Award GrayBar Electric: \$19,008.00 - Award HD Supple: \$126,721.00. Please note that all items on the blanket bid will only be ordered on a as needed bases for inventory through June 30th, 2010. At that time we will put out for new bids for the remainder of the year. Terms and Conditions state that we only have to purchase what is needed.

Motion was made by Council Member Grider, seconded by Council Member Dotson to award Bid #09-75 to the lowest bidders as listed above in an total amount of \$246,032.49 for 3-Phase transformer and items will only be ordered on an as needed basis for inventory through June 30,2010. Motion carried (8-0).

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


Bob McCaslin, Mayor


Suzanne Grider, City Clerk