

**Bentonville City Council**  
Meeting Minutes  
February 9, 2010

The City Council of Bentonville, Arkansas met in regular session, Tuesday, February 9, 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, James Dotson, Ed Austin, 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 Terry Baker of Christian Life Cathedral.

Motion was made by Council Member Baggett, seconded by Council Member Burckart to approve the minutes of the regular meeting minutes of Jan. 26, 2010, 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 title only. Motion carried (8-0).

Mayor McCaslin stated he would like to recognize Nathan Johns of Troop 36 who is working on his communications badge.

1. Proclamation presentation by Mayor McCaslin declaring February as "Love Your Library" month to Bentonville Library Foundation board members Michelle Fittro and Brenda Compton, President and Luci Henderson, Friends of the Bentonville Library Vice-President.
- 2a. **City Attorney George Spence read by title only Resolution #(02-09-10A) setting a public hearing for Feb. 23, 2010, for a drainage easement vacation request by James Bush located within Lot 3 of Silverleaf Addition more commonly known as 500 Hook St.**

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

**Mayor McCaslin declared a public hearing open at 6:06 p.m. to hear comments for and against this drainage easement vacation. No one had any comments so Mayor McCaslin declared the public hearing closed at 6:07 p.m.**

- 2b. **City Attorney George Spence read by title only Ordinance #(2010-14) vacating a utility easement located in Lot 1 Straube Business Park 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 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).

**III. Reappointment of James Stanley to the City of Bentonville's Board of Adjustment. (Term to expire 1/01/2014).**

Motion was made by Council Member Grider, seconded by Council Member Baggett approve the reappointment of James Stanley to the City of Bentonville's Board of Adjustment. Term to expire: 1-1-2014. Motion carried (8-0).

**IV. Reappointment of Sam Pearson to the City of Bentonville's Board of Adjustment. (Term to expire 1/01/2014).**

Motion was made by Council Member Grider, seconded by Council Member Austin to reappoint Sam Pearson to the Board of Adjustment. Term to expire: 1-01-2014. Motion carried (8-0).

**V. Request to waiver of impact fees for the Habitat for Humanity home at 402 S.W. "B" Street in Bentonville by Debbie Wieneke.**

Motion was made by Council Member Burckart, seconded by Council Member Baggett approve the waiver of impact fees for the Habitat for Humanity home at 402 SW "B" St. Motion carried (8-0).

**VI. City Attorney George Spence read by title only Ordinance #(2010-15) adopting the 2010 pay plan for the City of Bentonville.**

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

**VII. Change Order #4 to Decco for the SW 8th Street West Extension Project, adding 33 days to the contract time due to weather delays. City staff concurs with this request.**

Motion was made by Council Member Grider, seconded by Council Member Burckart to approve Change Order #4 to Decco Contractors-Paving, Inc. for the SW 8<sup>th</sup> St. West Extension project adding 33 days to the contract time due to weather delays. Motion carried (8-0).

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**VIII. Change Order #2 to ARCO on the Brightwood Channel Drainage Improvement project adding 54 days to the contract time due to weather delays.**

Motion was made by Council Member Burckart, seconded by Council Member Grider to approve Change Order #2 to ARCO on the Brightwood Channel Drainage Improvement project adding 54 days to the contract time due to weather delays. Motion carried (8-0).

**IX. City Attorney George Spence read by title only Resolution #(02-09-10B) declaring certain property belonging to the City of Bentonville Police Department as surplus property. (Computer Voice Stress Analyzer).**

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

**X. City Attorney George Spence read by title only Ordinance #(2010-16) designating the Fire Department annual medical surveillance program as a professional service for the City of Bentonville, Arkansas, and prohibiting 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 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).

**XI. Award Bid #09-53 to Jack Warner Fireworks Company in the amount of \$29,964.00 for the Fourth of July fireworks display.**

Motion was made by Council Member Grider, seconded by Council Member Austin to award Bid #09-53 to Jack Warner Fireworks Company in the amount of \$29,964.00 for the 2010 Fourth of July fireworks display. Motion carried (8-0).

**XII. City Attorney George Spence read by title only Resolution #(02-09-10C) authorizing the destruction of certain documents of the City of Bentonville.**

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

**XIII. City Attorney George Spence read by title only Resolution #(02-09-10D) authorizing the mayor and clerk to enter into an agreement with the Bentonville/Bella Vista Chamber of Commerce for economic development services in an amount not to exceed \$100,000.00 for the year 2010.**

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

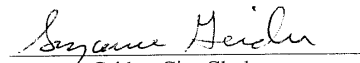
**Council Member Austin stated that we have scheduled to have our retreat committee of the whole meeting on Saturday, Feb. 20 and begin at 9 a.m. with discussion and go to about**

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**11:30 a.m. It will be held at Fire Station No. 1 and the fire department will fix us lunch. A donation to the fire statue project will pay for our lunch. After lunch we will have a field trip touring several street, parks and NACA projects. Also, we hope to see the new bomb squad truck. The public is invited to this. We have also had a request to tour Beaver Water District sometime in the future. Council Member Austin collected ideas for the agenda and told everyone he will have the agenda sent out like it normally is sent.**

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

  
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Bob McCaslin, Mayor

  
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Suzanne Grider, City Clerk