

Bentonville City Council
Meeting Minutes
June 22, 2010

The City Council of Bentonville, Arkansas met in regular session, Tuesday, June 22, 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, James Dotson, Ed Austin, Bill Burckart and Ryan Parks. Absent was Shane Perry. 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 Jim Laudell of Life Church.

Motion was made by Council Member Baggett, seconded by Council Member Parks to approve the minutes of the regular meeting minutes of June 8, 2010 as written. Motion carried (7-0) of those present.

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 (7-0) of those present.

Mayor McCaslin presented to Shelli Rushing a certificate and gift in appreciation for all her hard work in securing a nomination and competing in the All American City Award representing the City of Bentonville. Ms. Rushing stated that the City was selected along with 25 other cities to compete for this award. The City's delegation of 25 people competed but was not named in the top 10. Ms. Rushing thanked everyone who attended and helped with the competition.

- I. City Attorney George Spence read by title only Ordinance #(2010-40) 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. (Ron Gaudian and Larry McBee; Cozy Heat.)**

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 (7-0). City Attorney George Spence read the ordinance by title only. Motion was made by Council Member Grider, seconded by Council Member Sooter that the ordinance do pass. Motion carried (7-0) of those present with Council Member Perry absent.

- II. City Attorney George Spence read by title only Ordinance #(2010-41) 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. (Shelby Elzey).**

June 22, 2010
City Council Minutes

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 (7-0). City Attorney George Spence read the ordinance by title only. Motion was made by Council Member Grider, seconded by Council Member Sooter that the ordinance do pass. Motion carried (7-0) of those present with Council Member Perry absent.

IIIa. City Attorney George Spence read by title only Ordinance #(2010-42) accepting a lot split of Lot 3 Vintage Estates 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 title only. Motion carried (7-0). City Attorney George Spence read the ordinance by title only. Motion was made by Council Member Grider, seconded by Council Member Burckart that the ordinance do pass. Motion carried (7-0) of those present with Council Member Perry absent.

IIIb. City Attorney George Spence read by title only Ordinance #(2010-43) amending Article 801 Signs and Billboards of Chapter 14 Zoning Code to regulate digital billboards and signs.

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 (7-0). City Attorney George Spence read the ordinance by title only. Motion was made by Council Member Grider, seconded by Council Member Sooter that the ordinance do pass. Motion carried (7-0) of those present with Council Member Perry absent.

IV. Amend the 2005, 2006, 2007, 2009, and 2010 Community Development Block Grant (CDBG) Action Plans: (1) 2005 Action Plan - cancel Drainage Improvement Project and reallocate balance of \$24,695.94 to 2010 Real Property Acquisition Project for future park; (2) 2006 Action Plan - cancel Drainage Improvement Project and reallocate balance of \$31,460.00 to 2010 Real Property Acquisition Project for future park; (3) 2007 Action Plan - cancel Drainage Improvement Project and reallocate balance of \$35,085.00 to 2010 Real Property Acquisition Project for future park; (4) 2009 Action Plan - remove \$8,759.06 from 2009 Trail Design Project and reallocate to 2010 Real Property Acquisition Project for future park; and (5) add Real Property Acquisition Project at SE 6th and SE "D" Streets for the construction of a future park in the amount of \$100,000.00.

Motion was made by Council Member Dotson, seconded by Council Member Baggett to amend the 2005, 2006, 2007, 2009 and 2010 Community Development Block Grant (CDBG) action plans. Motion carried (7-0) of those present with Council Member Perry absent.

V. Approval of Mayor McCaslin's recommendation to reappoint Patrick Carroll to the Planning Commission. (Term to expire July 1, 2015)

June 22, 2010
City Council Minutes

Motion was made by Council Member Grider, seconded by Council Member Baggett to approve the reappointment of Patrick Carroll to the Planning Commission. (Term to Expire: July 1, 2015) Motion carried (7-0) of those present with Council Member Perry absent.

VI. Approval of Mayor McCaslin's recommendation to reappoint Jim Stanley to the Planning Commission. (Term to expire July 1, 2015).

Motion was made by Council Member Grider, seconded by Council Member Baggett to approve the reappointment of Jim Stanley to the Planning Commission. (Term to Expire: July 1, 2015) Motion carried (7-0) of those present with Council Member Perry absent.

VII. Award Bid #10-34 to Hutchens Construction for the 2010 Street Overlay Program for the Street, Water, and Cemetery Departments.

Motion was made by Council Member Burckart, seconded by Council Member Baggett to award Bid #10-34 to Hutchens Construction for the 2010 Street Overlay Program in the amount of \$254,801.25. Motion carried (7-0) of those present with Council Member Perry absent.

VIII. City Attorney George Spence read by title only Ordinance #(2010-44) authorizing the mayor and the city clerk to enter into an agreement with Mission Communications for a one year service package for 55 lift station alarm services for the wastewater department in an amount not to exceed \$25,000.

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 (7-0). 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 (7-0) of those present with Council Member Perry absent.

IX. City Attorney George Spence read by title only Resolution #(06-22-10A) a resolution setting a public hearing 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. These properties are listed below:

1804 SW 14th St.
304 SW 3rd St.
Lots 124, 125, 126 Arleta Gardens, Allencroft Subdivision
Lots 69, 70, 74,75, 76, 77 NE Benjamin Greens, Allencroft Subdivision

Motion was made by Council Member Grider, seconded by Council Member Baggett to adopt the resolution. Motion carried (7-0) of those present with Council Member Perry absent.

- X. **City Attorney George Spence read by title only Ordinance #(2010-45) amending the pay plan for the City of Bentonville. (Lifeguard I, Lifeguard II, Cashier, Asst. Pool Manager, and Pool Manager).**

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 (7-0). City Attorney George Spence read the ordinance by title only. Motion was made by Council Member Austin, seconded by Council Member Sooter that the ordinance do pass. Motion carried (7-0) of those present with Council Member Perry absent.

- XI. **Council approval of Change Order #2 to Flintco in the amount of \$6,868.00 for the Lawrence Plaza Project.**

Motion was made by Council Member Grider, seconded by Council Member Sooter to approve Change Order #2 to Flintco in the amount of \$6,868.00 for the Lawrence Plaza Project. Motion carried (7-0) of those present with Council Member Perry absent.

- XII. **Council approval of Change Order #2 to Trailblazers in the amount of \$9,855.00 for the Orchards Park project.**

Motion was made by Council Member Grider, seconded by Council Member Sooter to approve Change Order #2 to the Trailblazers in the amount of \$9,855.00 for the Orchards Park project. Motion carried (7-0) of those present with Council Member Perry absent.

- XIII. **City Attorney George Spence read by title only Resolution #(06-22-10B) a resolution authorizing the mayor and clerk to enter into an offer an acceptance for the purchase of real property from Burton Stacy Sr., IRA. in an amount not to exceed \$91,500.00 plus closing costs.**

Motion was made by Council Member Grider, seconded by Council Member Baggett to adopt the resolution. Motion carried (7-0) of those present with Council Member Perry absent.

- XIV. **Recommend Mayor and City Council award the 6-month blanket bid for water materials to the lowest bidder as shown on the attached bid tabulation in the amount of \$283,515.75. Items will be ordered on "as needed" basis.**

Motion was made by Council Member Grider, seconded by Council Member Baggett to award 6-month blanket bid for water materials to the lowest bidders as listed below in a total amount of \$283,515.75 and ordered on an as needed basis. Motion carried (7-0) of those present with Council Member Perry absent.

HD Supply - \$7,033.24
Ferguson Waterworks – \$120,656.05

June 22, 2010
City Council Minutes

Water Products - \$155,826.46

- XV. Recommend Mayor and City Council award the 6-month blanket bid for 3-Phase transformers to the lowest bidder as shown on the attached bid tabulation in the amount of \$213,400.08. Items will be ordered on "asneeded" basis.**

Motion was made by Council Member Grider, seconded by Council Member Sooter to award 6-month Blanket Bid # 10-36 for 3-Phase transformers to the lowest bidder as listed below in a total amount of \$213,400.08. Motion carried (7-0) of those present with Council Member Perry absent.

Stuart Irby Co. - \$14,720.08
Ark. Electric - \$97,264.00
Techline - \$20,714.00
HD Supply - \$80,702.00

- XVI. Recommend Mayor and City Council award the 6-month blanket bid for electric materials to the lowest bidder as shown on the attached bid tabulation in the amount of \$305,921.86. Items will be ordered on "as needed" basis.**

Motion was made by Council Member Grider, seconded by Council Member Burckart to award the 6-month Blanket Bid #10-35 for Electric Materials as listed below in a total amount of \$305,921.86. Motion carried (7-0) of those present with Council Member Perry absent.

Techline - \$48,980.20
Stuart Irby - \$ 9,501.94
Ark. Electric - \$87,205.55
Utilicor - \$14,117.50
Diversified - \$115,898.76
HD Supply - \$24,314.15
Graybar Elect. - \$ 5,903.76

- XVII. Recommend Mayor and City Council award the 6-month blanket bid for switchgear to the Stuart Irby Company in the amount of \$179,102.00. Items will be ordered on "as-needed" basis.**

Motion was made by Council Member Austin, seconded by Council Member Baggett to award 6-month Blanket Bid #10-37 for switchgear to Stuart Irby Company in the amount of \$179,102.00 to be ordered on an as needed basis. Motion carried (7-0) of those present with Council Member Perry absent.

- XVIII. Recommend Mayor and City Council award bid to Power Connections in the amount of \$43,022.30 for a Multi-phase Protection Relay Test Set to be used in substation maintenance. The budget amount is \$60,000.00.**

June 22, 2010
City Council Minutes

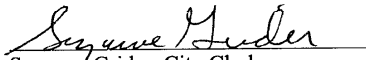
Motion was made by Council Member Grider, seconded by Council Member Parks to award Bid #10-27B to Power Connections in the amount of \$43,022.30 for a Multi-phase Protection Relay Test Set to be used in substation maintenance. Motion carried (7-0) of those present with Council Member Perry absent.

XIX. City Attorney George Spence read by title only Ordinance #(2010-46) authorizing the mayor and the city clerk to enter into an agreement with Gastony DBI, Inc. for underground boring services, and 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 title only. Motion carried (7-0). City Attorney George Spence read the ordinance by title only. Motion was made by Council Member Grider, seconded by Council Member Burckart that the ordinance do pass. Motion carried (7-0) of those present with Council Member Perry absent.

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


Bob McCaslin, Mayor


Suzanne Grider, City Clerk