

**Bentonville City Council**  
Meeting Minutes  
July 13, 2010

The City Council of Bentonville, Arkansas met in regular session, Tuesday, July 13, 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 Mary Baggett, Jim Grider, Ed Austin, Bill Burckart, Ryan Parks, Shane Perry. Absent were Chris Sooter and Jim Dotson. 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 Austin to approve the minutes of the regular meeting minutes of June 22, 2010 as written. Motion carried (6-0) 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 (6-0) of those present.

- I. Mayor McCaslin presented a certificate of recognition from the Government Finance Officers Association to Denise Land for all her hard work on the budget preparation. The City Council thanked Ms. Land for a job well done.

Mayor McCaslin also announced there will be a tour of the District Court Facility after the meeting tonight for anyone who would like to go by and see it.

- IIa. City Attorney George Spence read by title only Ordinance #(2010-47) accepting a plat of Harmon Grove at Central Park, 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 (6-0). 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 (6-0) of those present with Council Members Sooter and Dotson absent.

- IIc. City Attorney George Spence read by title only Resolution #(07-13-10A) a resolution setting a public hearing for July 27, 2010 with regard to vacating a utility and right-of-way easement requested by BCCL Bentonville, LLC, located at SW Freedom Road and SW Liberty Ave.**

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Motion was made by Council Member Grider, seconded by Council Member Baggett to adopt the resolution. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**IIc. City Attorney George Spence read by title only Resolution #(07-13-10B) a resolution authorizing the mayor and city clerk to enter into a purchase agreement for the sale of certain real property to College Place Development, LLC an Arkansas Limited liability Company.**

Motion was made by Council Member Grider, seconded by Council Member Baggett to adopt the resolution. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**III. Budget adjustment in the amount of \$30,000 for the city's share of the Wayfinding Signage program coordinated by the Bentonville Convention and Visitors Bureau.**

Motion was made by Council Member Baggett, seconded by Council Member Grider to approve a budget adjustment in the amount of \$30,000 for the city's share of the Wayfinding Signage program. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**IV. City Attorney George Spence read by title only Resolution #(07-13-10C) a resolution declaring a certain residential structure in the City of Bentonville, Arkansas a nuisance pursuant to the Bentonville Municipal Code, Section 11.24.10 and setting a public hearing for August 24, 2010. (4501 SW Branch St. )**

Motion was made by Council Member Grider, seconded by Council Member Perry to adopt the resolution. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**V. City Attorney George Spence read by title only Resolution #(07-13-10D) a resolution authorizing the mayor and city clerk to enter into an agreement with the FAA for an airport improvement program grant in the amount of \$351,068.00 for partial funding of the southern runway turnaround at the Bentonville Municipal Airport.**

Motion was made by Council Member Burckart, seconded by Council Member Grider to adopt the resolution. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**VI. City Attorney George Spence read by title only Ordinance #(2010-48) authorizing the mayor and city clerk to enter into an agreement with Clear Creek Environmental for transport and disposal of Municipal Biosolids from the Wastewater Treatment Plant, waiving the requirement of competitive bidding and declaring an emergency and also a budget adjustment in the amount of \$100,000.00 for these services.**

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

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further move that this ordinance be read by title only. Motion carried (6-0). 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 was made by Council member Parks, seconded by Council Member Baggett to approve the emergency clause. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**VII. Award bid to Travelers for City's property insurance in the amount of \$137,498.00.**

Motion was made by Council Member Grider, seconded by Council Member Burckart to award the bid to Travelers in the amount of \$137,498.00 for the city's property insurance. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**VIII. Award Bid #10-41 to Dean Crowder Construction in the amount of \$278,650.89 for the Moberly Lane Turn Lane Addition project. This project is funded out of bond proceeds.**

Motion was made by Council Member Austin, seconded by Council Member Grider to award Bid #10-41 to Dean Crowder Construction in the amount of \$278,650.89 for the Moberly Turn Lane Addition project. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**IX. Award bid # 10-33 to S & J Construction of Jacksonville, AR for the installation of an 18-inch sewer line beginning at SW I Street and extending to Featherston Road, in the amount of \$1,058,491.76. Budgeted amount \$1,108,400.00.**

Motion was made by Council Member Grider, seconded by Council Member Baggett to award Bid #10-33 to S & J Construction of Jacksonville, AR for the installation of an 18 inch sewer line beginning at SW "I" St. and extending to Featherston Road in the amount of \$1,058,491.76. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**X. Authorize transfer of \$25,000.00 from the Asset Forfeiture Escrow Account to the Police Budget for 2010. A budget adjustment for \$19,500.00 to the Capital - Machinery & Equipment account will allow for an upgrade for FRED (Forensic Recovery of Evidence Device). The same budget adjustment would transfer \$5,500.00 to the Travel and Training account to cover additional training costs associated with this equipment.**

Motion was made by Council Member Baggett, seconded by Council Member Grider to authorize the transfer of \$25,000 for the police department. Motion carried (6-0) of those present with Council Members Sooter and Dotson absent.

**11a. City Attorney George Spence read by title only Resolution #(07-13-10E) a resolution authorizing the mayor and city clerk to enter into an offer and acceptance for the purchase of real property located at 401 and 405 SW "A" St. in the amount of \$260,000 plus applicable closing costs from Margaret Bush.**

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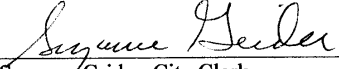
Motion was made by Council Member Grider, seconded by Council Member Baggett to adopt the resolution. Motion carried (5-1-1) of those present with Council Members Baggett, Grider, Austin and Parks voting yes, Council Member Burckart voting no, and Council Member Perry abstained. Mayor McCaslin cast his yes vote to approve the resolution. Council Members Sooter and Dotson were absent.

**11b. Approve Budget Adjustment in the amount of \$270,000 related to purchase of downtown area property located at 401 and 405 SW "A" Street from Margaret Bush.**

Motion was made by Council Member Burckart, seconded by Council Member Grider to adopt the resolution. Motion carried (5-1) of those present with Council Member Perry abstaining, and with Council Members Sooter and Dotson absent.

Motion was made by Council Member Austin, seconded by Council Member Parks to adjourn the meeting. Motion carried (6-0) of those present.

  
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Bob McCaslin, Mayor

  
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Suzann Grider, City Clerk