

Bentonville City Council  
Meeting Minutes  
December 13, 2011

The City Council of Bentonville, Arkansas, met in regular session, Tuesday, December 13, 2011, at 6:00 p.m., at the Community Development Building, Planning Commission meeting room, 305 SW A Street, Bentonville, Arkansas.

Present were council members Mary Baggett, Chris Sooter, Ryan Parks, Shane Perry, Ed Austin, Bill Burckart, Jim Dotson and Jim Grider. Also present were Mayor Bob McCaslin, City Attorney George Spence, City Clerk Linda Spence, the press, city staff and the audience.

Mayor McCaslin called the meeting to order at 6:00 p.m. The Mayor led everyone present in the pledge of allegiance followed by a moment of silence in support of our armed forces. The Mayor then invited all who cared to do so to join in a prayer by Susan Ledbetter of First United Methodist Church.

Motion was made by Alderman Parks to approve the minutes of the November 22, 2011 meeting as written, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

Motion was made by Alderman Austin to suspend the rules regarding the reading of all ordinances on three separate days and further that all ordinances and resolutions be read by title only, seconded by Alderman Dotson. There was no discussion. Motion carried (8-0).

Mayor McCaslin recognized Bob Wright of Crews & Associates. Mr. Wright announced that the City of Bentonville will be presented with the Arkansas Business City Distinction Award, winning in two categories, Main Street Preservation and Quality of Life, at the upcoming Municipal League Conference in January.

2. Ordinance No. 2011-110: Ordinance vacating a utility and drainage easement located in Lot 52, Phase II, Kensington Subdivision to the City of Bentonville, Arkansas, Benton County, Arkansas.

Mayor McCaslin declared a public hearing open for comments. There was no response so Mayor McCaslin declared the public hearing closed.

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Dotson, seconded by Alderman Grider. There was no discussion. Motion carried (8-0).

3. Approval of reappointment of Rustin Chrisco to the Board of Adjustment for a five-year term beginning January 1, 2012 and expiring December 31, 2016.

Motion to approve by Alderman Baggett, seconded by Alderman Grider. There was no discussion. Motion carried (8-0).

4. Approval of reappointment of Greg Matteri to the Board of Adjustment for a five-year term beginning January 1, 2012 and expiring December 31, 2016.

Motion to approve by Alderman Baggett, seconded by Alderman Grider. There was no discussion. Motion carried (8-0).

5. Approval of reappointment of Elaine Kerr to the Bentonville Public Library Advisory Board for a five-year term beginning January 1, 2012 and expiring December 31, 2016.

Motion to approve by Alderman Baggett, seconded by Alderman Grider. There was no discussion. Motion carried (8-0).

6. Approval of reappointment of Octavio Sanchez to the Bentonville Public Library Board for a five-year term beginning January 1, 2012 and expiring December 31, 2016.

Motion to approve by Alderman Burckart, seconded by Alderman Grider. There was no discussion. Motion carried (8-0).

7. Ordinance No. 2011-111: Ordinance adopting the 2012 pay plan for the City of Bentonville, Arkansas.

City Attorney Spence noted that a change to the schedule attached to the ordinance had been handed out before the meeting. He then read the ordinance by title only. Motion to pass by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (7-0), with Alderman Grider abstaining.

- 8a. Approval of Bid No. 11-63 to Milford Signs in the amount of \$48,355.54 to install wayfinding signage and kiosks along Bentonville trails.

Motion to approve by Alderman Baggett, seconded by Alderman Burckart. There was no discussion. Motion carried (8-0).

- 8b. Approval of a budget adjustment in the amount of \$48,355.54 to the trail account for wayfinding signage and kiosks along Bentonville trails.

Alderman Grider questioned whether these items were known or projected for the year. Mayor McCaslin responded that it was earlier recommended and agreed the items would be revisited and budgeted at a later time.

Vote to approve the budget adjustment carried (8-0).

9. Resolution No. 12-13-11 A: Resolution 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.

Mayor McCaslin declared a public hearing open for comments. There was no response so Mayor McCaslin declared the public hearing closed.

City Attorney Spence read the resolution by title only. Motion to pass by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

10. Resolution No. 12-13-11 B: Resolution setting public hearings 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.

City Attorney Spence read the resolution by title only. Motion to approve by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

11. Resolution No. 12-13-11 C: Resolution authorizing the Mayor and City Clerk to enter into a contract amendment with Crafton, Tull & Associates, Inc. for additional engineering services associated with the Shell Drainage Basin Sanitary Sewer Project.

City Attorney Spence read the resolution by title only. Motion to pass by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

- 12a. Approval of Bid No. 11-64 to Communications Supply Corporation in the amount of \$61,523 for the purchase of fiber optic cable.

Alderman Parks raised questions concerning the amounts and status of the three bids received. Jonathon Rogers, IT Manager, explained that there were math errors on the highest bid and the lowest bid, that if you fix the math they are within about \$2,000 of each other, and that the lowest bidder stated they could not honor their bid price.

Motion to approve by Alderman Baggett, seconded by Alderman Parks. There was no further discussion. Motion carried (8-0).

- 12b. Approval of a budget adjustment in the amount of \$24,641 for the fiber optic cable project.

Motion to approve by Alderman Austin, seconded by Alderman Dotson. There was no discussion. Motion carried (8-0).

- 13a. Approval of Bid No. 11-49 to B&B Heating & Air in the amount of \$87,500 for removal and placement of HVAC units at the Police Department.

Motion to approve by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

- 13b. Approval of a budget adjustment in the amount of \$87,500 for removal and placement of HVAC units at the Police Department.

Motion to approve by Alderman Baggett, seconded by Alderman Grider. There was no discussion. Motion carried (8-0).

14. Ordinance No. 2011-112: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the City of Bentonville's vehicular insurance coverage and waiving the requirement for competitive bidding.

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Dotson, seconded by Alderman Perry. There was no discussion. Motion carried (8-0).

15. Resolution No. 12-13-11 D: Resolution authorizing the Mayor and Clerk to purchase certain customers and facilities from Carroll Electric pursuant to the settlement agreement between the parties.

City Attorney Spence read the resolution by title only. Motion to pass by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

16. Ordinance No. 2011-113: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of electric meters for the City of Bentonville and waiving the requirement of competitive bidding.

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Grider, seconded by Alderman Austin. There was no discussion. Motion carried (8-0).

17. Ordinance No. 2011-114: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of water meters for the City of Bentonville and waiving the requirement of competitive bidding.

City Attorney Spence read the ordinance by title only. Motion to pass by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

18. Approval of Bid No. 11-54, a one year blanket bid, to Frost Oil Company in the amount of \$545,992 for fuel.

Alderman Grider asked what the difference would be in fuel consumption from last year. Present was Amy Carr, who responded that the quantity was the same but the price increased.

Motion to approve by Alderman Grider, seconded by Alderman Baggett. There was no further discussion. Motion carried (8-0).

19. Approval of Bid No. 11-55, a one year blanket bid, to Rogers Group in the amount of \$114,300 and Hutchenson Construction in the amount of \$35,600 (\$149,900) for street materials.

Motion to approve by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

20. Approval of Bid No. 11-56, a six-month blanket bid, to Arkansas Electric in the amount of \$63,521.84, Techline Supply in the amount of \$86,084.40, HD Electrical Supply in the amount of \$61,015.24, Wesco Distributors in the amount of \$52,963.13 and Graybar Electric in the amount of \$37,659.19 (\$301,243.80) for electric materials.

Motion to approve by Alderman Baggett, seconded by Alderman Burckart. There was no discussion. Motion carried (8-0).

21. Approval of Bid No. 11-57, a six-month blanket bid, to the Stuart Irby Company in the amount of \$81,875 for switchgears.

Motion to approve by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

22. Approval of Bid No. 11-59, a six-month blanket bid, to HD Supply Waterworks in the amount of \$94,794.81, Ferguson Waterworks in the amount of \$103,966.28 and Water Products in the amount of \$91,225.55 (\$289,986.64) for various water materials.

Motion to approve by Alderman Grider, seconded by Alderman Dotson. There was no discussion. Motion carried (8-0).

23. Approval of Bid No. 11-60, a six-month blanket bid, to Springfield Janitorial Supply in the amount of \$16,106.62, Glore Company in the amount of \$20,590.30, Redico Industrial Supply in the amount of \$2,596.46 and MSC Industrial Supply in the amount of \$2,908.77 (\$42,202.15) for janitorial supplies.

Motion to approve by Alderman Grider, seconded by Alderman Perry. There was no discussion. Motion carried (8-0).

Alderman Burckart initiated a discussion concerning the recordkeeping procedure used in assigning and tracking costs to a particular job and stated it would be helpful to be able to have access to such information. Dean Button, Water Utilities Manager, was present and stated there is an in-house procedure for assigning and tracking costs but no specific software is used.

24. Resolution No. 12-13-11 E: Resolution authorizing the Mayor and Clerk to enter into an amended agreement with Crossland Construction for construction management services for the Bentonville Community Recreation Center.

City Attorney Spence read the resolution by title only. Motion to pass by Alderman Grider, seconded by Alderman Baggett. There was no discussion. Motion carried (8-0).

25. Approval of project closeout and reconciliation change order in the amount of \$23,235 for the Downtown Activity Center.

In response to a previous inquiry by Alderman Burckart, David Wright, Parks and Recreation Manager, addressed the cost issue of the line item pertaining to AT&T and Cox. He stated that the majority of this cost was labor as a result of the location of these lines and the City's requests that the lines not be damaged.

Motion to approve by Alderman Burckart, seconded by Alderman Parks. There was no further discussion. Motion carried (8-0).

Mayor McCaslin announced that a public hearing will be held to discuss proposed improvements to 8th Street in Bentonville on Thursday, December 15, at the Downtown Activity Center beginning at 4:00 o'clock; also, at 11:30 on Thursday a City luncheon would be held at the Presbyterian Church, and a reminder that the next meeting of the city council will be January 10, 2012.

Motion was made by Alderman Grider to adjourn the meeting, seconded by Alderman Dotson. Motion carried (8-0).

  
Linda Spence, City Clerk

  
Bob McCaslin, Mayor