

Bentonville City Council
Meeting Minutes
November 28, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, November 28, 2017, at 6:00 p.m., at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas.

Present were council members Stephanie Orman, Chad Goss, Tim Robinson, Chris Sooter, Bill Burckart, Octavio Sanchez and Jim Webb. Also present were Mayor Bob McCaslin, City Attorney George Spence, City Clerk Linda Spence, the press, city staff and the audience.

Prior to calling the meeting to order, Mayor McCaslin recognized David Wright, Parks and Recreation Director. Mr. Wright shared with Council that at the recently held National USSSA conference the City of Bentonville received the National Sports Complex of the Year award for Memorial Park.

Mayor McCaslin next invited public comments. There was no response so the Mayor declared the comment period closed. The Mayor then invited questions or comments from the Council about items on the agenda and there were none.

Mayor McCaslin called the meeting to order. The Mayor led everyone present in the pledge of allegiance followed by a moment of silence in support of our armed forces.

Motion was made by Council Member Webb to approve the minutes of the November 14, 2017 meeting, second by Council Member Sanchez. There was no discussion. Motion carried (7-0).

Motion was made by Council Member Sooter 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, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

1. Ordinance No. 2017-187: Ordinance 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. [Joe Robert Randel]

City Attorney Spence noted that he had sent out a revised version of the ordinance earlier in the day to make revisions that did not affect the substance of the ordinance. After confirming that there were no questions about the revisions, he read the ordinance by title only.

Motion to pass by Council Member Sanchez, second by Council Member Webb. There was no discussion. Motion carried (7-0).

- 2a. Ordinance No. 2017-188: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1, single family residential and R-3, medium-density residential to DN-2, downtown medium-density residential.

[Applicant: Yessur Investments LLC;
Location: 410 Dickson Road and 507 Northwest 5th Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (7-0).

- 2b. Ordinance No. 2017-189: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1 single family residential to DN-3, downtown high-density residential.

[Applicant: Evert and Juanita Kaiser;
Location: 302 Northeast B Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (7-0).

- 2c. Ordinance No. 2017-190: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of A-1, agricultural to C-2, general commercial.

[Applicant: Kuhlman Properties LLC;
Location: Southwest Regional Airport Boulevard]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Webb. There was no discussion. Motion carried (7-0).

- 2d. Ordinance No. 2017-191: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of A-1, agricultural to R-4, high-density residential.

[Applicant: Kuhlman Properties LLC;
Location: Southwest Regional Airport Boulevard]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (7-0).

- 2e. Ordinance No. 2017-192: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of A-1, agricultural to R-1, single family residential.

[Applicant: DEB Farm Adventures, Inc.;
Location: Barron Road and Piercy Road]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0).

- 2f. Ordinance No. 2017-193: Ordinance accepting a lot split of Lots 1, 2 and 3 of the Crossings Subdivision to the City of Bentonville, Arkansas.

[Applicant: Shelly McMillon;
Location: Lots 1, 2 and 3 Crossings Subdivision]

City Attorney Spence read the ordinance by title only.
Motion to pass by Council Member Sanchez, second by
Council Member Goss. There was no discussion. Motion
carried (7-0).

- 2g. Ordinance No. 2017-194: Ordinance accepting a lot split of
Lots 46, 47 and 48 of Fountain Plaza Subdivision to the City of
Bentonville, Arkansas.

[Applicant: Kenneth Mourton;
Location: Lots 46, 47 and 48 Fountain Plaza Subdivision]

City Attorney Spence read the ordinance by title only.
Motion to pass by Council Member Sanchez, second by
Council Member Webb. There was no discussion. Motion
carried (7-0).

- 2h. Ordinance No. 2017-195: Ordinance accepting a property
line adjustment of Lots 6 and 7 of Wayne Carlson Subdivision to
the City of Bentonville, Arkansas.

[Applicant: James and Sally Durham;
Location: 1503 and 1505 Southwest 2nd Street]

City Attorney Spence read the ordinance by title only.
Motion to pass by Council Member Sanchez, second by
Council Member Burckart. There was no discussion. Motion
carried (7-0).

- 2i. Ordinance No. 2017-197: Ordinance amending the Bentonville
Municipal Code, Chapter 14 Zoning Code, Article 801 Sign
Ordinance - private property concerning nonconforming signs and
roof, canopy and awning signs.

City Attorney Spence read the ordinance by title only.

Council Member Orman asked for an explanation of the proposed
ordinance. Shelli Kerr, Planning Services Manager, stated that

the proposed changes were made in an effort to address and clean up issues that have arisen since the latest sign ordinance was adopted in 2016. She also stated that the biggest change proposed was prohibiting commercial mascots. She added that another change was to require redeveloped properties to go from pole signs to monument signs.

Council Member Sanchez expressed his concerns about prohibiting commercial mascots. After a brief discussion a motion was made by Council Member Sanchez to remove the language referring to commercial mascots, second by Council Member Orman. Motion carried (7-0).

Council Member Burckart made a motion to adopt the ordinance as amended, second by Council Member Sanchez. There was no further discussion. Motion carried (7-0).

- 2j. Ordinance No. 2017-196: Ordinance amending Article 1600 Addressing, Chapter 15 Subdivision Code of the Bentonville Municipal Code.

City Attorney Spence read the ordinance by title only.

Council Member Sanchez addressed Ms. Kerr regarding corrections to the ordinance he had brought to her attention earlier, changing Central Street to Central Avenue, and Ms. Kerr stated that the corrections would be made.

Motion to pass the ordinance as amended by Council Member Burckart, second by Council Member Sooter. There was no further discussion. Motion carried (7-0).

3. Ordinance No. 2017-198: Ordinance vacating a utility and drainage easement located at 3900 East Central Avenue, Kensington Subdivision to the City of Bentonville, Arkansas, Benton County, Arkansas.

Mayor McCaslin declared a public hearing open for comments. Ken Booth from CEI Engineering was present and briefly addressed the Council. There being no further public comment, Mayor McCaslin declared the public hearing closed.

City Attorney Spence read the ordinance by title only.
Motion to pass by Council Member Sanchez, second by
Council Member Burckart. There was no discussion. Motion
carried (7-0).

4. Ordinance No. 2017-199: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with the Arkansas State Soccer Association for providing soccer officials for the City of Bentonville Parks and Recreation Department and waiving the requirement of competitive bidding.

City Attorney Spence read the ordinance by title only.
Motion to pass by Council Member Sanchez, second by
Council Member Robinson. There was no discussion. Motion
carried (7-0).

5. Ordinance No. 2017-200: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with the Bentonville Youth Softball Association for providing umpires and scorekeepers for the City of Bentonville Parks and Recreation Department and waiving the requirement of competitive bidding.

City Attorney Spence read the ordinance by title only.
Motion to pass by Council Member Robinson, second by
Council Member Goss. There was no discussion. Motion
carried (7-0).

6. Ordinance No. 2017-201: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with the Arkansas United States Specialty Sports Association for providing baseball umpires for the City of Bentonville Parks and Recreation Department and waiving the requirement of competitive bidding.

City Attorney Spence read the ordinance by title only.
Motion to pass by Council Member Webb, second by
Council Member Orman. There was no discussion. Motion
carried (7-0).

7. Approval to award Bid No. 17-29 to Jet Custom Screen Printing in the amount of \$21,263 to purchase participant shirts for the Run Bentonville half marathon.

Motion to approve by Council Member Burckart, second by Council Member Sanchez. There was no discussion. Motion carried (7-0).

8. Resolution No. 11-28-17 A: Resolution authorizing the Mayor and Clerk to enter into an agreement with AEP for a new point of delivery for electric service to the City of Bentonville.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Webb, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

9. Ordinance No. 2017-202: Ordinance redistricting the wards of the City of Bentonville for council members to take office in 2019.

City Attorney Spence noted that he had sent out a revised version of the ordinance earlier in the day to correct the term "alderman" to "council member" and to make other minor revisions that did not affect the substance of the ordinance. After confirming that there were no questions about the revisions, he read the ordinance by title only.

Motion to pass by Council Member Burckart, second by Council Member Sanchez. There was no discussion. Motion carried (7-0).

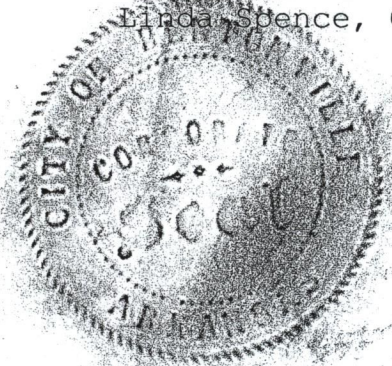
10. Resolution No. 11-28-17 B: Resolution adopting the 2018 budget for the City of Bentonville, Arkansas.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-0).

Motion to adjourn by Council Member Robinson, second by
Council Member Webb. Motion carried (7-0).

Linda Spence

Linda Spence, City Clerk



Bob McCaslin

Bob McCaslin, Mayor