

Bentonville City Council

Meeting Minutes

February 14, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, February 14, 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, James Smith, 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.

At 6:00 p.m., prior to calling the meeting to order, Mayor McCaslin recognized and swore in five new police officers.

Mayor McCaslin invited public comments and comments from members of the Council. There were comments and discussion regarding rezoning of property on Northeast J Street, council procedures regarding public comments and ward redistricting.

Mayor McCaslin called the meeting to order at 6:38. 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 Alderman Burckart to approve the minutes of the January 24, 2017 meeting as presented, second by Alderman Smith. There was no discussion. Motion carried (8-0).

Motion was made by Alderman 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 Alderman Burckart. There was no discussion. Motion carried (8-0).

1. & 2. Committee of the Whole Meeting - Monday night, February 13, 2017.

At the beginning of the Monday meeting, Alderman Sooter was unanimously chosen to continue to serve as Chair of the Council when sitting as Committee of the Whole.

Presentation on Bentonville Blueprint and ward redistricting, discussion regarding public comments and agenda items.

- 3a. Ordinance No. 2017-24: Ordinance accepting a lot split of Lots 1 and 2 Parkcrest Addition to the City of Bentonville, Arkansas.

[Applicant: Smokin Joe's Ribhouse, Inc.;
Location: 2500 and 2504 East Central Avenue]

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

- 3b. Ordinance No. 2017-25: Ordinance accepting a lot split of Lots 1 and 2 Holcomb Subdivision to the City of Bentonville, Arkansas.

[Applicant: Holcomb Living Trust;
Location: 210 Prairie Lane]

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[Applicant: Smokin Joe's Ribhouse, Inc.;
Location: 2500 and 2504 East Central Avenue]

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

- 3b. Ordinance No. 2017-25: Ordinance accepting a lot split of Lots 1 and 2 Holcomb Subdivision to the City of Bentonville, Arkansas.

[Applicant: Holcomb Living Trust;
Location: 210 Prairie Lane]

City Attorney Spence read the ordinance by title only.

Motion to pass by Alderman Webb, second by Alderman Sanchez.

There was no discussion. Motion carried (8-0).

- 3c. Ordinance No. 2017-26: Ordinance accepting a property line adjustment of Lot 11 Block 5 Banks Addition to the City of Bentonville, Arkansas.

[Applicant: Main Street Crossing, LLC;

Location: 1327 South Main Street]

City Attorney Spence read the ordinance by title only.

Motion to pass by Alderman Webb, second by Alderman Sanchez.

There was no discussion. Motion carried (8-0).

- 3d. Ordinance No. 2017-27: Ordinance accepting a property line adjustment of Lot 12 Block 5 Banks Addition to the City of Bentonville, Arkansas.

[Applicant: Main Street Crossing, LLC;

Location: 1335 South Main Street]

City Attorney Spence read the ordinance by title only.

Motion to pass by Alderman Webb, second by Alderman Sanchez.

There was no discussion. Motion carried (8-0).

- 3e. Ordinance No. 2017-28: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1, single family residential to D-C, downtown core.

[Applicant: MSB Holdings, LLC;
Location: 431 Southwest B Street]

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

- 3f. Ordinance No. 2017-29: 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: Rohit Dharnadhikari;
Location: 1203 and 1205 Southeast 33rd Street]

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

- 3g. Ordinance No. 2017-30: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of A-1, agricultural to PRD, planned residential development.

[Applicant: Van and Leola Ann Jacobs;
Location: Northeast J Street]

City Attorney Spence read the ordinance by title only.
Motion to pass by Alderman Burckart, second by Alderman Sooter. There was no discussion. Motion carried (6-2), with Alderman Orman and Alderman Smith voting no.

4. Approval for the appointment of Mark Hufford to the Bentonville Advertising and Promotion Commission, said term to expire December 31, 2020.

Motion to approve by Alderman Sooter, second by Alderman Smith. There was no discussion. Motion carried (8-0).

5. Ordinance No. 2017-31: Ordinance vacating an alley right-of-way located between Lots 14 and 15 Block 1 of Smartt's Addition and Tract 1 of Depot Addition 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 hearing closed.

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

6. Resolution No. 2-14-17 A: Resolution setting a public hearing for February 28, 2017, at 6:00 p.m., regarding a petition filed by RC Stoneburrow, LLC requesting a utility easement vacation within the City of Bentonville, Arkansas.

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

7. Resolution No. 2-14-17 B: Resolution setting a public hearing for February 28, 2017, at 6:00 p.m., regarding a

petition filed by 1302 Melissa, LLC requesting a public access easement vacation within the City of Bentonville, Arkansas.

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

8. Approval of a budget adjustment in the amount of \$21,206.56 in order to pay Morrison-Shipley for engineering services for the Bentonville Municipal Airport from the end of 2016.

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

9. Ordinance No. 2017-32: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with IBT Industrial Solutions and waiving the requirement of competitive bidding.

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

10. Resolution No. 2-14-17 C: Resolution adopting certain amendments to the Policy and Procedure Manual for the Bentonville Police Department. [General Order 58, Special Operations]

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

11. Ordinance No. 2017-33: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Downtown Bentonville, Inc. for event production and related services and waiving the requirement of competitive bidding.

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

12. Ordinance No. 2017-34: Ordinance authorizing the Mayor and the City Clerk to purchase two variable frequency drives for the oxidation ditches of the wastewater plant and waiving the requirement of competitive bidding.

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

13. Approval of change order No. 1 for TriStar Contractors, LLC for a monetary increase of \$14,542 and adding an additional nineteen calendar days for Phase 1 of the 8th Street water and sewer relocation project, contract Section I, associated with the widening of 8th Street.

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

14. Approval of a reconciliation change order to Diamond C Construction for Phase II of the Southeast 10th Street drainage improvements project.

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

Motion to adjourn meeting by Alderman Burckart, second by Alderman Webb. Motion carried (8-0).

Linda Spence

Linda Spence, City Clerk

Bob McCaslin

Bob McCaslin, Mayor