

Bentonville City Council
Meeting Minutes
May 9, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, May 9, 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, Chris Sooter, James Smith, Bill Burckart, Octavio Sanchez and Jim Webb, with Tim Robinson absent.

At 6:00 p.m., prior to calling the meeting to order, Mayor McCaslin 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.

Thereafter, 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 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 (7-0), with Alderman Robinson absent.

1. A tour of the new City maintenance facility took place on Monday, May 8, 2017 during the time scheduled for the Committee of the Whole meeting.
2. A proclamation recognizing May 14-20 as Police Week in the City of Bentonville was read by Mayor McCaslin and presented to Chief Simpson.
3. A proclamation recognizing the month of May 2017 as National Drug Court Month and honoring Treatment Courts in the City of Bentonville was read by Mayor McCaslin and presented to District Court Judge Ray Bunch.

Motion was made by Alderman Burckart to approve the minutes of the April 25, 2017 as presented, second by Alderman Sanchez. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

- 4a. Ordinance No. 2017-74: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1 single family residential to DN-2, downtown medium-density residential.

[Applicant: First Baptist Church of Bentonville;
Location: Southwest C Street]

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

- 4b. Ordinance No. 2017-75: Ordinance accepting a property line adjustment of Lot 10 East Acres Addition to the City of Bentonville, Arkansas.

[Applicant: Specialized Real Estate Group;
Location: Southeast 3rd Street/Southeast J Street and East Central Avenue]

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

- 4c. Ordinance No. 2017-76: Ordinance accepting a property line adjustment of Lots 1 and 2 Maple Addition to the City of Bentonville, Arkansas.

[Applicant: Ft. Scott Property, LLC;
Location: 5800 Southwest Regional Airport Boulevard]

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

- 4d. Ordinance No. 2017-77: Ordinance accepting a lot split of Lot 1 Mt. Carmel Community Subdivision to the City of Bentonville, Arkansas.

[Applicant: Rick Mooney Construction;
Location: 3800 Southwest Mt. Carmel Drive]

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 (7-0), with Alderman Robinson absent.

- 4e. Ordinance No. 2017-78: Ordinance accepting a lot split of Lots 1 and 2 Mac's Addition to the City of Bentonville, Arkansas.

[Applicant: SS Properties, LLC;
Location: 1400 and 1402 Southwest Susana Street]

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

- 4f. Ordinance No. 2017-79: Ordinance accepting a lot split of Lots 3 and 4 Phillip's Valley Addition to the City of Bentonville, Arkansas.

[Applicant: Alan Lewis and Nancy Martin;
Location: 603 Northwest D Street]

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 (7-0), with Alderman Robinson absent.

- 4g. Ordinance No. 2017-80: Ordinance accepting a lot split of Lots 17 and 18 Eversole Addition to the City of Bentonville, Arkansas.

[Applicant: Mercy Health Northwest Arkansas Communities;
Location: 4344 Southwest I Street]

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

- 4h. Ordinance No. 2017-81: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1, single family residential to DN-2, downtown medium-density residential.

[Applicant: First Baptist Church of Bentonville;
Location: Southwest 3rd Street and Southwest B Street]

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

- 4i. Ordinance No. 2017-82: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1, single family residential and DE, downtown edge to DC, downtown core.

[Applicant: First Baptist Church of Bentonville;
Location: Southwest 2nd Street and Southwest B Street]

City Attorney Spence read the ordinance by title only. After the reading the Council noted that the ordinance should read "downtown core" and not "downtown edge." Motion to pass as revised by Alderman Burckart, second by Alderman Sanchez. Motion carried (7-0), with Alderman Robinson absent.

- 4j. Ordinance No. 2017-83: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1 single family residential to DE, downtown edge.

[Applicant: Hurricane WA, LLC;
Location: Southeast 7th Street]

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 (7-0), with Alderman Robinson absent.

- 4k. Ordinance No. 2017-84: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-2, duplex and patio home residential to R-ZL, zero lot line.

[Applicant: Palmco Properties, LLC;
Location: Southwest Riverstone Road]

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

5. Hadi Dudley, Library Director, presented the Bentonville Public Library 2016 annual report.
6. Approval of a budget adjustment to recognize a \$2,000 award from the Arkansas Library Association to sponsor and support travel expenses for Sarah Gowdy as a 2017 American Library Association Emerging Leader.

Motion to approve by Alderman Smith, second by Alderman Goss. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

7. Ordinance No. 2017-85: Ordinance vacating a utility easement located at Oaklawn Hills Subdivision at 304 Northwest Tall Oaks to the City of Bentonville, Arkansas, Benton County, Arkansas. [Sean Reber]

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 Smith, second by Alderman Sanchez. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

[Clerk's note: This item was initially passed by voice vote. At the end of the meeting this was noted and a roll call vote was done with the same result.

8. Resolution No. 5-9-17 A: Resolution authorizing the Mayor and City Clerk to enter into a land lease agreement with VBT Flying Centre, LLC for a hangar site located at the Bentonville Municipal Airport.

City Attorney Spence read the resolution by title only. Motion to pass by Alderman Burckart, second by Alderman Orman. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

9. Approval to award Bid No. 17-12 to Cape Electric in the amount of \$137,900 plus tax for an underground wire puller for the Electric Department.

Motion to approve by Alderman Burckart, second by Alderman Sanchez. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

10. Approval of a budget adjustment for the Fire Department, in the amount of \$11,487.37, to repair damage to Rescue 1.

Motion to approve by Alderman Burckart, second by Alderman Sanchez. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

11. Ordinance No. 2017-86: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for Raven epoxy coating on clarifier tanks at the wastewater treatment plant 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 Smith. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

12. Approval to award Bid No. 17-13 to Hutchens Construction in the amount of \$359,119.77 for the annual street overlay program.

Motion to approve by Alderman Sanchez, second by Alderman Sooter. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

13. Approval of a budget adjustment for the Street Department in the amount of \$23,672.88 for the State overlay project.

Motion to approve by Alderman Burckart, second by Alderman Orman. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

14. Approval to award Bid No. 17-14 to Time Striping, Inc. in the amount of \$30,000 for the annual street striping program.

Motion to approve by Alderman Sanchez, second by Alderman Orman. There was no discussion. Motion carried (7-0), with Alderman Robinson absent.

At the invitation of the Mayor, City Attorney George Spence addressed the Council related to ward redistricting. Mr. Spence stated that four additional ward maps had been prepared and sent to the Council earlier in the day. He stated the new maps were based on the discussions at the April 25th Council meeting related to realigning the ward boundaries along specific roads. He asked whether the Council wanted any other geographical configurations to be prepared before the population figures were added allowing for further consideration. The members of the Council indicated satisfaction with the maps prepared to date. Mr. Spence indicated he would have the population figures added to the four new maps and that he would then put all eight maps before the Council to try to move this issue toward conclusion.

Motion to adjourn by Alderman Burckart, second by Alderman Sooter. Motion carried (7-0), with Alderman Robinson absent.



Linda Spence, City Clerk

A handwritten signature in blue ink that reads 'Bob McCaslin'.

Bob McCaslin, Mayor