

Bentonville City Council
Meeting Minutes
June 27, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, June 27, 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, James Smith, Bill Burckart, Octavio Sanchez and Jim Webb, with Alderman Sooter absent. 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 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.

Motion was made by Alderman Webb to approve the minutes of the June 13, 2017 meeting as presented, second by Alderman Robinson. There was no discussion. Motion carried (7-0), with Alderman Sooter absent.

Motion was made by Alderman Burckart 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 Webb. There was no discussion. Motion carried (7-0), with Alderman Sooter absent.

Mayor McCaslin noted that this would be Alderman Smith's last council meeting as he had submitted his resignation effective July 5th to take a job in Colorado, and wished he and his family the best in their relocation.

Mayor McCaslin recognized Police Chief Jon Simpson. Chief Simpson stated that a special commendation would be awarded to Officer Ken Trimberger for his outstanding work regarding a recent

aggravated robbery incident in Bentonville. He then recognized Lieutenant Michael Martin to recite the series of events that formed the basis for the commendation. Chief Simpson then presented Officer Trimberger a St. Michael's coin and a set of handcuffs engraved with the date of the incident, which led to a standing ovation.

- 1a. Ordinance No. 2017-100: Ordinance accepting a property line adjustment of Lots 19 through 21, Block 3 Braithwaite Park Addition to the City of Bentonville, Arkansas.

[Applicant: Ed Adair; Location: Northwest Park Drive]

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

- 1b. Ordinance No. 2017-101: 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: Casey Koenigseder;
Location: 208 Southwest F 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 Sooter absent.

- 1c. Ordinance No. 2017-102: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of I-2, heavy industrial to C-2, general commercial.

[Applicant: Food Hub, NWA;
Location: 700 and 702 Southeast 5th 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 Sooter absent.

- 1d. Ordinance No. 2017-103: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of R-1, single family residential to DN-1, downtown low-density residential.

[Applicant: Craig and Caelli Hull;

Location: Northeast H Street and Northeast 2nd Street]

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 Sooter absent.

2. Approval for the Mars Agency to install "Natural Skate Bentonville" artwork at the skate park in Memorial Park.

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

3. Approval of a bid award to Affiliated FM for property insurance for the City from July 8, 2017 through July 8, 2018.

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

4. Ordinance No. 2017-104: Ordinance vacating a drainage easement located at Lot 5 of Ron Blackwell Ford Addition Subdivision to the City of Bentonville, Arkansas, Benton County, Arkansas.

[Applicant: Gain Robinson;

Location: 2609 South Walton Boulevard]

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

5. Ordinance No. 2017-105: Ordinance vacating a shared access easement located at Lot 5 of Ron Blackwell Ford Addition Subdivision to the City of Bentonville, Arkansas, Benton County, Arkansas.

[Applicant: Gain Robinson;
Location: 2609 South Walton Boulevard]

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

6. Ordinance No. 2017-106: Ordinance vacating an ingress/egress easement located at Lot 5 of Ron Blackwell Ford Addition Subdivision to the City of Bentonville, Arkansas, Benton County, Arkansas.

[Applicant: Gain Robinson;
Location: 2609 South Walton Boulevard]

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

7. Resolution No. 6-27-17 A: Resolution authorizing the Mayor and Clerk to enter into an amended agreement with McClelland Consulting Engineers, Inc. for engineering services associated with Water Tower Road/Southeast 8th Street improvements in the City of Bentonville, Arkansas.

City Attorney Spence read the resolution by title only.

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

- 8a. Resolution No. 6-27-17 B: Resolution authorizing the Mayor and Clerk to enter into an agreement with CEI Engineering Associates, Inc. for engineering services for the new tennis complex at Citizens Park.

City Attorney Spence read the resolution by title only.

Motion to pass by Alderman Webb, second by Alderman Orman. There was no discussion. Motion carried (7-0), with Alderman Sooter absent.

- 8b. Approval of a budget adjustment in the amount of \$34,125 to fund the agreement with CEI Engineering for design of the Citizens Park tennis complex.

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

9. Approval to award Bid No. 17-22 to Asplundh Tree Expert Company for right-of-way clearing.

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

10. Resolution No. 6-27-17 C: Resolution authorizing the Mayor and City Clerk to assign a land lease agreement for a hangar site located at the Bentonville Municipal Airport.
[Effectual Assets, LLC]

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

11. Approval to extend the contract with Allied Waste Services, LLC (d/b/a Republic Services of Bella Vista) for an additional five years based on the bid award approved by Council on July 24, 2012, extending the contract until September 30, 2022.

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

City Attorney Spence indicated to Council that based on the applicable statute the issue of Alderman Smith's resignation would need to be addressed at the July 11th council meeting. He explained that the procedure followed in the past had been to accept letters of interest and then allow those doing so to make an oral presentation to the Council of up to three minutes. Thereafter, the Council would choose a new alderman.

Mr. Spence noted that since more than a year of Alderman Smith's term remained, the Council could opt to have the position filled by election. In response to a question from Alderman Robinson, Mr. Spence added that the Council could choose the election option even after soliciting letters of interest.

Lastly, Mr. Spence noted that the issue of ward redistricting was also scheduled to be addressed at that same meeting and asked whether the Council wanted to reconsider that timing. No member indicated a desire for delay.

Mayor McCaslin called on Alderman Burckart, who had indicated a desire to address the Council. Alderman Burckart stated he had intended to ask an item be added to the next agenda but that in light of the other matters which would occur that night, he would wait.

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

Linda Spence
Linda Spence, City Clerk



Bob McCaslin
Bob McCaslin, Mayor