

Bentonville City Council
Meeting Minutes
September 26, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, September 26, 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, Thomas Hoehn, Bill Burckart and Octavio Sanchez, with Jim Webb absent. Also present were Mayor Bob McCaslin, City Attorney George Spence, City Clerk Linda Spence, the press, city staff and the audience.

Mayor McCaslin recognized several Boy Scouts from Pack 12 in Rogers and they each introduced themselves to the Council.

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 Council Member Burckart to approve the minutes of the September 12, 2017 meeting as presented, second by Council Member Sanchez. There was no discussion. Motion carried (7-0), with Council Member Webb absent.

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), with Council Member Webb absent.

- 1a. Ordinance No. 2017-156: Ordinance accepting a final plat of Lochmoor Club Subdivision Phase 2 to the City of Bentonville, Arkansas.

[Applicant: Lochmoor III, LLC;
Location: Southwest Edinburgh Avenue]

City Attorney Spence 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), with Council Member Webb absent.

- 1b. Ordinance No. 2017-157: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of PUD, planned unit development to R-2, duplex and patio home residential.

[Applicant: Chambers Bank, J.R. Meeks;
Location: Ginn Road and Brookside Road]

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

- 1c. Ordinance No. 2017-158: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of PUD, planned unit development to R-1, single family residential.

[Applicant: Chambers Bank;
Location: North Rainbow Farm Road and Ginn Road]

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

- 1d. Tabled: Rezoning for Yessur Investments, LLC.

- 1e. Ordinance No. 2017-159: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present classification of I-2, heavy industrial and R-3, medium-density residential to C-2, general commercial.

[Applicant: Crystal Bridges Museum;
Location: 509 Southeast E Street]

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

2. Approval of the reappointment of Johnetta Dexter to the Public Art Advisory Committee, said term to expire October 28, 2020.

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

3. Approval for the appointment of Tania Knudsen to the Public Art Advisory Committee to fill the unexpired term of Tom Hoehn, said term to expire October 22, 2018.

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

4. Ordinance No. 2017-160: Ordinance authorizing the Mayor and City Clerk to enter into an agreement with artist Tylur French for the design and fabrication of two art pieces titled "Bike Tower Sculpture" for Phase II of the Public Art Advisory Committee's bike tower project 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 Sanchez. There was no discussion. Motion carried (7-0), with Council Member Webb absent.

5. Approval of the reappointment of Rick Simmons to the Bentonville Airport Advisory Board, said term to expire September 27, 2020.

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

6. Approval of the appointment of Mike Frost to the Bentonville Airport Advisory Board, said term to expire September 27, 2020.

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

7. Resolution No. 9-26-17 A: Resolution authorizing a property tax levy for the City of Bentonville, Arkansas for the year 2017 to be collected in the year 2018.

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

8. Resolution No. 9-26-17 B: Resolution authorizing the Mayor and Clerk to enter into an agreement with Black Hills Energy for the relocation of gas utilities.

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

- 9a. Resolution No. 9-26-17 C: Resolution authorizing the Mayor and Clerk to enter into an amendment to the existing contract with Garver Engineers for additional services related to the signalized dual right turn project at the Highway 12 and Highway 71B intersection.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Sanchez, second by

Council Member Robinson. There was no discussion. Motion carried (7-0), with Council Member Webb absent.

- 9b. Approval for a budget adjustment to allow for additional design regarding the signalized dual right turn project at the Highway 12 and Highway 71B intersection.

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

10. Resolution No. 9-26-17 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with AT&T for the relocation of certain utilities.

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), with Council Member Webb absent.

11. Approval of change order No. 1 for ARCO Excavation and Paving, Inc. for the 8th Street water and sewer relocations.

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

12. Resolution No. 9-26-17 E: Resolution waiving the 2-year water rate analysis frequency requirement as outlined in the current water service agreement with the Bella Vista Village Property Owners Association.

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

13. Approval to award Bid No. 17-27 to Arkansas Electric Company in the amount of \$111,211 for purchase of overhead wire for the 8th Street widening project.

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

14. Approval to award Bid No. 17-26 to Stuart Irby in the amount of \$27,033.20 for purchase of crossarms for the 8th Street widening project.

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

- 15a. Approval to award Bid No. 17-20 to Anchor Fence in the amount of \$107,550 for replacement of ballfield fencing at Memorial Park ballfields.

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

- 15b. Approval of a budget adjustment for the Parks Department in the amount of \$107,550 recognizing revenue from the Bentonville Advertising and Promotions.

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

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

Linda Spence
Linda Spence, City Clerk

Bob McCaslin
Bob McCaslin, Mayor

