

Bentonville City Council
Meeting Minutes
October 10, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, October 10, 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 led everyone present in the pledge of allegiance.

Mayor McCaslin recognized Police Chief Jon Simpson. Chief Simpson introduced Ben Grace and Onan Castro who were sworn in as police officers by the Mayor.

Prior to calling the meeting to order, Mayor McCaslin invited public comments. Sam Slaton, Debra Layton, Calli Turner, Craig Soos, Grant Toms, Ryan Ivsik, Josh Kyles, Bill Watkins, John Cowgur, Mike Abb, Brad Kingsley, Ramsey Ball and Michelle Malashock were recognized and spoke seemingly in support of Agenda Item 1f, the rezoning of certain property located at Northeast John DeShield Boulevard and Northeast Legacy Parkway. Marinell Adair, John Douglas, Ben Manning, Rich Grubbs, Sara Visser, Erin Edgington, Bryson Shepherd and Neil Krause were recognized and spoke seemingly in opposition to Agenda Item 1f.

Mayor McCaslin called the meeting to order and requested a moment of silence in support of our armed forces, first responders and everyone that has been the victim of the recent Las Vegas shooting.

Motion was made by Council Member Sanchez to approve the minutes of the September 26, 2017 meeting as presented. 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 Robinson. There was no discussion. Motion carried (7-0), with Council Member Webb absent.

- 1a. Ordinance No. 2017-161: Ordinance accepting a final plat of Willowbrook Farms Subdivision Phase 2 to the City of Bentonville, Arkansas.

[Applicant: RLP Investments;
Location: Southwest Shell Road]

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. 2017-162: Ordinance accepting a lot split of Lots 29 and 30 Deming's 2nd Addition to the City of Bentonville, Arkansas.

[Applicant: Boulder Creek Homes, LLC;
Location: Deming's 2nd Addition]

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), with Council Member Webb absent.

- 1c. Ordinance No. 2017-163: 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: Frank Bray;
Location: 708 Bella Vista Road]

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), with Council Member Webb absent.

- 1d. Ordinance No. 2017-164: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural and R-1, single family residential to R-E, residential estate.

[Applicant: Jeffery E. Garrett and Tyler K. Garrett;
Location: 1600 Northwest 3rd Street]

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.

- 1e. Ordinance No. 2017-165: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural and R-1, single family residential to R-1, single family residential.

[Applicant: Edward Eugene Garrett Estate;
Location: 1602 Northwest 3rd 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), with Council Member Webb absent.

- 1f. Ordinance No. 2017-166: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of expired PUD, planned unit development to C-3, central commercial, R-3, medium-density residential and R-4, high-density residential.

[Applicant: Cindy Springs, LLC;
Location: Northeast John DeShields Boulevard and
Northeast Legacy Parkway]

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

Council Member Burckart asked Bill Watkins, the attorney present on behalf of the property owners, if R-3 and R-4 zoning provide for less density than C-3. Mr. Watkins agreed that they do and added that per the language in the Zoning Code, R-3 and R-4 zoning can be used to act as buffers between incompatible zoning districts.

Motion carried (5-2), with Council Member Orman and Council Member Sanchez voting no and with Council Member Webb absent.

2. Approval of a budget adjustment in the amount of \$90,000 for the Police Department to purchase two patrol Tahoes and to provide for equipment and upfitting, including car camera systems.

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

3. Approval to award Bid No. 17-16 to General Construction Solutions in the amount of \$139,415 for the Citizens Park pavilion 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.

4. Approval to award Bid No. 17-30 to Arkansas Electric Company in the amount of \$25,290 for purchase of 750 underground wire.

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

Mayor McCaslin stated that the City will be revisiting the animal control contract it has had with the City of Rogers and that a

proposal will be forthcoming involving the City of Centerton. Chief Simpson stated that he had visited the facility in Centerton and felt it would be a good fit to meet the City's needs. The Mayor added that the current contract with Rogers expires in February 2018. Council Member Robinson asked about a cost increase. Mayor McCaslin indicated the cost would be comparable.

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

Linda Spence

Linda Spence, City Clerk

Bob McCaslin

Bob McCaslin, Mayor

