

Bentonville City Council
Meeting Minutes
December 12, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, December 12, 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, 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 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.

Mayor McCaslin called the meeting to order at 6:00 p.m. 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 November 28, 2017 meeting as presented, second by Council Member Sanchez. There was no discussion. Motion carried (7-0).

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 Sanchez. There was no discussion. Motion carried (7-0).

- 1a. Ordinance No. 2017-203: Ordinance accepting a property line adjustment of Lot 2 of First Baptist Church Addition and Lots 28, 29, 30, 31, 32, 33 and 34 of Clark's 2nd Addition to the City of Bentonville, Arkansas.

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

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).

- 1b. Ordinance No. 2017-204: Ordinance accepting a property line adjustment of Lot 1 of Hogwild Subdivision to the City of Bentonville, Arkansas.

[Applicant: Rogers Warehouse Development IV, LLC;
Location: 908 Southeast I 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).

- 1c. Ordinance No. 2017-205: Ordinance amending the Bentonville Municipal Code, Chapter 14 Zoning Code and Chapter 15 Subdivision Code concerning sight distances at intersections and commercial driveways.

City Attorney Spence read the ordinance by title only.

Council Member Burckart asked for an explanation of the proposed changes and how they would be applied. Shelli Kerr, Planning Services Manager, stated that specific changes would vary depending on the individual intersection or driveway site. Travis Matlock, Engineering Director, explained that the current manner in which sight distances are calculated creates an issue with conflicting regulations in the City's codes and this is an effort to clean up that issue.

Motion to pass by Council Member Burckart, second by Council Member Sooter. There was no further discussion. Motion carried (7-0).

2. Approval to enter into a one-year agreement with Pyro Shows for the fireworks for the Independence Day fireworks show for 2018.

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

3. Resolution No. 12-12-17 A: Resolution authorizing the Mayor and Clerk to enter into an agreement with Trinity Medical Billing for ambulance billing services for the City of Bentonville Fire Department.

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

4. Resolution No. 12-12-17 B: Resolution authorizing the Mayor and City Clerk to enter into an amended agreement for ambulance service with Highfill, Arkansas.

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

5. Approval for the appointment of Octavio Sanchez as the ex-officio member to the Airport Advisory Board for a three-year term beginning January 1, 2018 and expiring January 1, 2021.

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

6. Approval for the appointments of Cortney Carlson and Shara Fisher and approval for the reappointment of Whitney Sutherland to the Parks and Recreation Advisory Board.

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

7. Approval of a change order in the agreement with Morrison Shipley Engineers for construction observation for the Citizens Park pavilion and parking lot project in the amount of \$5,000.

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

- 8a. Resolution No. 12-12-17 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with the Watershed Resource Conservation Center for stream restoration at Town Branch Creek.

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).

- 8b. Approval of a budget adjustment for the Parks and Recreation Department in the amount of \$171,250 to recognize a grant from the Walton Family Foundation for stream restoration at Town Branch Creek.

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

9. Approval of a budget adjustment for the Parks and Recreation Department in the amount of \$2,135,000 to recognize a grant from the Walton Family Foundation for trail improvements along the Razorback Greenway.

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

10. Approval of a budget adjustment for the Parks and Recreation Department in the amount of \$453,600 to recognize a grant from the Walton Family Foundation for the full design of Dave Peel Park improvements and master planning for the future of downtown public park spaces.

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

11. Ordinance No. 2017-206: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of chlorine for certain park facilities and waiving the requirement of competitive bidding.

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

12. Approval of a change order, with a corresponding budget adjustment, for the Parks and Recreation Department in the amount of \$13,800 for the Memorial Park fence project.

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

- 13a. Approval of Bid No. 17-42 to Blue Water Pools in the amount of \$48,008 for mechanical room repairs at Melvin Ford Aquatic Center.

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

- 13b. Approval of a budget adjustment for the Parks and Recreation Department in the amount of \$48,008 allowing for mechanical room repairs at the Melvin Ford Aquatic Center.

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

14. Resolution No. 12-12-17 D: Resolution authorizing the Mayor and Clerk to enter into a memorandum of understanding with Northwest Arkansas Regional Planning for storm water education.

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

- 15a. Ordinance No. 2017-207: Ordinance authorizing the Mayor and the City Clerk to enter into a development agreement with Riggins Construction and Development, Inc. and to waive competitive bidding.

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

- 15b. Approval of a budget adjustment for the Street Department in the amount of \$39,177 to reimburse Riggins Construction and Development, Inc. for a portion of the cost to reconstruct approximately 530 linear feet of Rainbow Farms Road from State Highway 12 to Southwest Nativestone Street.

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

16. Approval of Change Order No. 2 in the amount of \$7,100 for the Elm Tree Road and Highway 72 West intersection improvement project.

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

17. Ordinance No. 2017-208: Ordinance adopting certain amendments to the 2018 pay plan for the City of Bentonville, Arkansas.

City Attorney Spence read the ordinance by title only.

Council Member Burckart raised questions about the proposed changes to the pay plan. Ed Wheeler, Human Resources Manager, answered questions from Council members. He stated that it had been three years since the last salary adjustment and that the proposed changes were a result of a 2017 City salary survey and further pointed out that considerable information related to the City's salary structure was obtained and taken into account.

Motion to pass by Council Member Burckart, second by Council Member Sanchez. There was no further discussion. Motion carried (7-0).

18. Approval to award Bid No. 17-33, a one-year blanket bid for electric material, in the amount of \$902,688.79. The low bidders for the various items were Arkansas Electric, Stuart Irby, Techline, Anixter Electrical Supply, Wesco Supply and Border States. The bid award is for January through December 2018.

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

19. Approval to award Bid No. 17-34, a six-month blanket bid for 3 phase transformers, in the amount of \$539,533. The low bidders for the various items were Stuart Irby, Techline and Anixter. The bid award is for January through June 2018.

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

20. Approval to award Bid No. 17-35, a six-month blanket bid for 1 phase transformers, to the low bidder Techline in the amount of \$271,100. The bid award is for January through June 2018.

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

21. Approval to award Bid No. 17-36, a six-month blanket bid for pole mount transformers, to the low bidder Techline in the amount of \$159,342. The bid award is for January through June 2018.

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

22. Approval to award Bid No. 17-37, a one-year blanket bid for switchgears, in the amount of \$48,254 to the low bidder Techline. The bid award is for January through December 2018.

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

23. Approval to award Bid No. 17-38, a one-year blanket bid for water/sewer material, in the amount of \$299,899. The low bidders for the various items were Ferguson Waterworks, NW Arkansas Winwater and Core and Main. The bid award is for January through December 2018.

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

24. Approval to award Bid No. 17-39, a one-year blanket bid for street materials, in the amount of \$238,650. The low bidders for the various items were Benton County Stone and Hutchenson Construction. The bid award is for January through December 2018.

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

25. Approval to award Bid No. 17-40, a one-year blanket bid for janitorial supplies, in the amount of \$69,190.80. The low bidders for the various items were D&G Springfield Janitor Supplies, Rely Chemical and Supply and American Paper and Twine. The bid is for January through December 2018.

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

26. Ordinance No. 2017-209: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of Electric Meters for the City of Bentonville from Mueller Systems and waiving the requirement of competitive bidding.

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).

27. Ordinance No. 2017-210: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of water meters for the City of Bentonville from Mueller Systems and waiving the requirement of competitive bidding.

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

28. Ordinance No. 2017-211: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of Sensus water meters for the City of Bentonville from Core and Main and waiving the requirement of competitive bidding.

City Attorney Spence noted that the ordinance sent out with the agenda contained an error in that "HD Supply" was listed as the supplier. There was a motion by Council Member Burckart to amend to correct the ordinance to list "Core and Main" as the supplier, with a second by Council Member Sanchez. Motion carried (7-0).

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

29. Ordinance No. 2017-212: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement for the purchase of ornamental lighting fixtures for the City of Bentonville and waiving the requirement of competitive bidding.

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).

30. Resolution No. 12-12-17 E: Resolution authorizing the Mayor and Clerk to enter into an agreement with Terracon Testing Services for materials testing related to the overhead electric relocation for the 8th Street project.

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).

31. Resolution No. 12-12-17 F: Resolution authorizing the Mayor and Clerk to enter into a letter agreement with AEP related to the proposed purchase of a wind farm and related matters.

City Attorney Spence read the resolution by title only.

Travis Matlock presented an overview of the proposal and answered questions. Mark Mobley and Jeff Milford from SWEPCO were present to answer questions from the Council. Mr. Matlock stated that by entering into this letter agreement the modifications should result in a net savings to Bentonville ratepayers when the wind farm project goes on-line in December 2020.

Motion to pass by Council Member Sanchez, second by Council Member Robinson. There was no further discussion. Motion carried (7-0).

- 32a. Resolution No. 12-12-17 G: Resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with Crist Engineers, Inc. for engineering services to resolve a sanitary sewer main-drainage channel conflict at Southwest 12th Street in Razorback Addition.

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).

- 32b. Approval of a budget adjustment for the Water Department in the amount of \$19,300 to cover costs associated with the contract with Crist Engineers, Inc.

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

Mayor McCaslin noted that the next regularly scheduled City Council meeting would be on December 26th and inquired as to whether the Council wanted to meet at that time. Motion to not hold that meeting by Council Member Sooter, second by Council Member Burckart. There was no discussion. Motion carried (7-0).

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



Linda Spence
Linda Spence, City Clerk

Bob McCaslin
Bob McCaslin, Mayor