

Bentonville City Council
Meeting Minutes
February 27, 2018

The City Council of Bentonville, Arkansas, met in regular session Tuesday, February 27, 2018, 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 and Octavio Sanchez. 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 present working on earning their Citizenship in the Community and Communication merit badges. After invitation from the Mayor, the Scouts recited the Boy Scout oath.

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 then 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 Sanchez to approve the minutes of the February 13, 2018 meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (6-0).

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 Burckart. There was no discussion. Motion carried (6-0).

1. Ordinance No. 2018-37: Ordinance accepting the annexation of certain territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville and assigning same to wards. [Bentonville/Bella Vista Trailblazers]

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 (6-0).

- 2a. Ordinance No. 2018-38: Ordinance accepting a lot split of Lots 39, 42, 43 and 64 through 66 of Wildwood Subdivision Phase VI to the City of Bentonville, Arkansas.

[Applicant: Dream Structures Residential, LLC;
Location: Southwest Morningstar Road]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (6-0).

- 2b. Ordinance No. 2018-39: Ordinance accepting a lot split of Lots 1 and 2 of Grimsley Addition to the City of Bentonville, Arkansas.

[Applicant: Carolyn Grimsley;
Location: 6349 Lee Harris Road]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (6-0).

- 2c. Ordinance No. 2018-40: Ordinance accepting a property line adjustment of Lot 28 of Crabtree Addition to the City of Bentonville, Arkansas.

[Applicant: Gregory Luka;
Location: 807 Northwest A Street]

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (6-0).

- 2d. Ordinance No. 2018-41: Ordinance accepting a property line adjustment of Lot 27 of Crabtree Addition to the City of Bentonville, Arkansas.

[Applicant: Timothy Kinyon;
Location: 811 Northwest A Street]

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 (6-0).

- 2e. Ordinance No. 2018-42: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural to R-1, single family residential.

[Applicant: Brian and Jessica McDonald;
Location: 9688 Haxton Road]

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 (6-0).

- 2f. Ordinance No. 2018-43: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural to C-1, neighborhood commercial.

[Applicant: NWA Trailblazers;
Location: Punkin Hollow Road]

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 (6-0).

3. Ordinance No. 2018-44: Ordinance authorizing the Mayor and the City Clerk to purchase certain police equipment and upfitting services from Superior Auto Group 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 Goss. There was no discussion. Motion carried (6-0).

4. Approval of a change order to the material contract with Dis-Tran in the amount of \$2,330.49 for the Electric Department.

Motion to approve by Council Member Burckart, second by Council Member Goss. There was no discussion. Motion carried (6-0).

5. Resolution No. 2-27-18 A: Resolution authorizing the Mayor and Clerk to execute an easement across certain City owned property to Black Hills Energy.

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 (6-0).

6. Resolution No. 2-27-18 B: Resolution authorizing the Mayor and Clerk to enter into an agreement with First Employment Staffing to provide temporary staffing services for the City of Bentonville.

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 (6-0).

7. Resolution No. 2-27-18 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with Staffmark to provide temporary staffing services for the City of Bentonville.

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
(6-0).

8. Resolution No. 2-27-18 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with Water Technology, Inc. for a conceptual master plan of the Melvin Ford Aquatic Center.

City Attorney Spence read the resolution by title only.
Motion to pass by Council Member Burckart second by
Council Member Sanchez. There was no discussion. Motion
carried (6-0).

9. Resolution No. 2-27-18 E: Resolution authorizing the Mayor and Clerk to enter into an agreement with Crafton, Tull and Associates Engineers for services related to the Razorback Greenway.

City Attorney Spence read the resolution by title only. Motion
to pass by Council Member Orman, second by
Council Member Burckart. There was no discussion. Motion
carried (6-0).

10. Resolution No. 2-27-18 F: Resolution authorizing the Mayor and Clerk to enter into an agreement with Morrison Shipley Engineers for services related to the Razorback Greenway.

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
(6-0).

11. Approval to transfer a 2010 Ford F150 from the Water Department and a 2010 Ford F350 from the Public Works Department to the Parks and Recreation Department.

Motion to approve by Council Member Burckart, second by
Council Member Sanchez. There was no discussion. Motion
carried (6-0).

12. Approval of a final reconciliation change order in the amount of \$4,050 for installation of a second entrance/exit into each dugout at the Memorial Park baseball/softball fields.

Motion to approve by Council Member Robinson, second by Council Member Sanchez. There was no discussion. Motion carried (6-0).

13. Resolution No. 2-27-18 G: Resolution authorizing the Mayor and Clerk to enter into a development agreement with Crystal Bridges to replace and relocate a sewer line associated with the Momentary Development.

City Attorney Spence read the resolution by title only. Motion to pass by Council Member Burckart, second by Council Member Sanchez. There was no discussion. Motion carried (6-0).

14. Approval to declare a vacancy in Ward 4, Position 2, and for the appointment of a new council member to fill the unexpired term of Jim Webb, said term to expire December 2018.

Motion to declare a vacancy in Ward 4, Position 2, by Council Member Sooter, second by Council Member Burckart. There was no discussion. Motion carried (6-0).

City Attorney Spence addressed the Council about methods of selection which could be used to fill the vacancy. He noted that the Mayor does not get a vote unless the Council decides to give him a vote. The Council and City Attorney Spence discussed the different options for voting on filling the vacancy.

After the discussion, Mr. Spence stated that his understanding of the motion being made by Council Member Sanchez, with a second by Council Member Robinson, was that there would be ballots on which each council member would indicate his or her choice and his or her name so that it could be determined who each member of the Council voted for, that the Mayor will participate, and that the ballots will be counted by Mr. Spence.

Motion carried (5-1), with Council Member Goss voting no.

There were three people that applied for the position: Anthony V. Ciabattari, Ian Stanley and Jonathan Terlouw. Mr. Stanley was not present. Mr. Ciabattari and Mr. Terlouw each addressed the Council concerning their qualifications and reasons for wanting to be a member of the Council.

There was no further discussion before the vote. The ballots were counted by Mr. Spence and the result was (5-2) in favor of appointing Mr. Terlouw, with Council Member Sanchez and Council Member Orman voting for Mr. Ciabattari. Mr. Stanley received no votes.

Mayor McCaslin next administered the oath of office to Mr. Terlouw.

Motion to adjourn by Council Member Burckart, second by Council Member Robinson. Motion carried (6-0).


Linda Spence, City Clerk


Bob McCaslin, Mayor

