

Bentonville City Council
Meeting Minutes
March 13, 2018

The City Council of Bentonville, Arkansas, met in regular session Tuesday, March 13, 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, Octavio Sanchez and Jonathan Turlouw. Also present were Mayor Bob McCaslin, City Attorney George Spence, City Clerk Linda Spence, the press, city staff and the audience.

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 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 law.

Mayor McCaslin called the meeting to order at 6:02 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 February 27, 2018 meeting as presented, second by Council Member Sanchez. There was no discussion. Motion carried (7-0).

1. Resolution No. 3-13-18 A: Resolution recognizing the retirement of Captain Mike Smith from the Bentonville Police Department.

Mayor McCaslin recognized Chief Jon Simpson and Captain Mike Smith. Chief Simpson provided a brief history of Captain Smith's career.

Mayor McCaslin read the resolution. Motion to pass by Council Member Burckart, second by Council Member Robinson. There was no discussion. Motion carried (7-0), which was followed by a standing ovation.

Captain Smith briefly addressed the Council and the audience.

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).

2. Ordinance No. 2018-45: Ordinance proposing the simultaneous detachment and annexation into the City of Bentonville of territory currently within the city limits of the City of Cave Springs, and making that territory a part of the City of Bentonville and assigning it to a ward in the event it is released by the City of Cave Springs.

[Sewell Development, LLC and the City of Bentonville]

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).

- 3a. Ordinance No. 2018-46: Ordinance accepting a lot split of Lots 21 and 22 of Hardcastle Estates to the City of Bentonville, Arkansas.

[Applicant: Harry Green;
Location: 709 Southwest O 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 (7-0).

- 3b. Ordinance No. 2018-47: Ordinance accepting a property line adjustment of Lots 1 and 2 of New Alliance Subdivision to the City of Bentonville, Arkansas.

[Applicant: Bentonville Schools;
Location: 1602 Southeast J Street]

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).

- 3c. Resolution No. 3-13-18 B: Resolution adopting revisions to the Future Land Use Map of the City of Bentonville to change real estate from its present land use classification of residential estates to low-density residential.

[Applicant: Calcon, Inc.;
Location: West Highway 72 and Town Vu Road]

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).

4. Ordinance No. 2018-48: Ordinance adopting the 2017 National Electric Code, or latest edition, and local amendments.

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).

5. Ordinance No. 2018-49: Ordinance adopting the 2014 Arkansas Energy Code, or latest Edition.

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).

6. Approval to correct the record for leadership classes provided by the Strategic Leadership Development Group for ten City employees which were not brought to City Council for approval. Expenses paid for 2015-2016 were \$70,000 and \$29,645 for 2017.

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

7. Resolution No. 3-13-18 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with Jackson Brown Palculict (JBP) Architects, Inc.

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

8. Resolution No. 3-13-18 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with CEI Engineering for services related to Fire Station 7.

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).

9. Resolution No. 3-13-18 D: Resolution authorizing the Mayor and Clerk to enter into an agreement with Clinard Construction Management for services related to Fire Station 7.

Council Member Burckart questioned the need for preconstruction services stating that the plans for this fire station were the same plans that had been used to build a fire station only four years ago. Chief Boydston was present and recognized Mark Clinard. He noted that he felt someone was needed to look out for the best interests of the City.

Mr. Clinard explained the types of services that would be provided, the differences relating to this particular building site and the changes that have occurred since the last station was built. He also stated it was his goal and that he expected to save the City more money than it was spending on this contract.

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

10. Ordinance No. 2018-50: Ordinance authorizing the Mayor and the City Clerk to purchase repair components for the automatic bar screen for the McKissic Creek wastewater lift station 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 Orman. There was no discussion. Motion carried (7-0).

11. Resolution No. 3-13-18 F: Resolution authorizing the Mayor to enter into an amended agreement with Mitchell, Williams, Selig, Gates and Woodruff for legal services associated with establishing a nutrient water quality trading regulation.

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).

12. Approval to award Bid No. 2018-2, in the amount of \$150,000, to Luttrell Enterprises for removal and disposal of litter and mowing and trimming of State highway right-of-ways within the Bentonville city limits.

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

13. Approval to award Bid No. 2018-6, in the amount of \$10,895.25 per year, to Williams Tractor of Fayetteville, Arkansas for lease of a four-by-four tractor for brush hog activities on City property for two years.

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

14. Approval of a reconciliation change order to the construction contract with J. Johnson Construction, in the amount of \$67,518.50 less than the contracted amount, for the Elm Tree and Highway 72 West intersection improvement project.

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

15. Ordinance No. 2018-51: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Harness Roofing, Inc. for certain repairs to Bentonville City Hall, waiving the requirement of competitive bidding and declaring an emergency

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).

City Attorney Spence read the emergency clause from the ordinance. Motion to pass by Council Member Burckart, second by Council Member Sanchez. There was no discussion. Motion carried (7-0).

Mayor McCaslin noted that this was the first meeting for Council Member Turlouw and welcomed him to the Council.

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

Linda Spence

Linda Spence, City Clerk

Bob McCaslin

Bob McCaslin, Mayor

