

Bentonville City Council
Meeting Minutes
March 27, 2018

The City Council of Bentonville, Arkansas, met in regular session Tuesday, January 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, Bill Burckart, Octavio Sanchez, Jim Webb and Jonathan Turlouw, with Aubrey Patterson absent. 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. Delinda Mace, Graham Cobb and Brenda Anderson were recognized and spoke regarding the rezoning items on the agenda for downtown Bentonville.

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. 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 March 13, 2018 meeting as presented, second by Council Member Sanchez. There was no discussion. Motion carried (7-0), with Council Member Patterson 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 Sanchez. There was no discussion. Motion carried (7-0), with Council Member Patterson absent.

1. Resolution No. 3-27-18 A: Resolution recognizing the retirement of K9 Officer J.R. Cooper, Jr. from the Bentonville Police Department.

Mayor McCaslin recognized Police Chief Jon Simpson and Officer Cooper. Chief Simpson provided a brief history of Officer Cooper's career.

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

2. Resolution No. 3-27-18 B: Resolution recognizing the retirement of Police K-9 Nico and authorizing the K-9 to be transferred to his handler, Officer J.R. Cooper, Jr.

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

- 3a. Ordinance No. 2018-52: Ordinance accepting a lot split of Lots 18 through 23 Block 1 of T.J. Holland's Subdivision to the City of Bentonville, Arkansas.

[Applicant: Bern's Capital, LLC;
Location: 401 Southwest B 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), with Council Member Patterson absent.

- 3b. Ordinance No. 2018-53: Ordinance accepting a property line adjustment of Lot 11 of Deming's Addition to the City of Bentonville, Arkansas.

[Applicant: Jennifer and David Gandy;
Location: 204 Northwest 4th 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 Patterson absent.

- 3c. Ordinance No. 2018-54: Ordinance accepting a property line adjustment of Lot 1 of Bentonville Downs Subdivision to the City of Bentonville, Arkansas.

[Applicant: Julie Rader;
Location: 204 Northwest 4th 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), with Council Member Patterson absent.

- 3d. Ordinance No. 2018-55: Ordinance accepting a property line adjustment of Lots 181 through 183 of Stone Meadow Addition to the City of Bentonville, Arkansas.

[Applicant: ELB Land Holdings, LLC;
Location: 1904 Southwest Riverstone 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 (7-0), with Council Member Patterson absent.

- 3e. Ordinance No. 2018-56: Ordinance accepting a property line adjustment of Lots 13 through 16 of Gilmore's Addition to the City of Bentonville, Arkansas.

[Applicant: Roth Family, Inc.;
Location: 502 and 506 Southwest D 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), with Council Member Patterson absent.

- 3f. Ordinance No. 2018-57: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to DN-3, downtown high-density residential.

[Applicant: Bentonville Housing, LLC;
Location: Southeast 3rd Street and Southeast D Street]

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 (7-0), with Council Member Patterson absent.

- 3g. Ordinance No. 2018-58: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to DN-3, downtown high-density residential.

[Applicant: Bentonville Housing, Inc.;
Location: 501 Southeast 3rd Street]

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 (7-0), with Council Member Patterson absent.

- 3h. Ordinance No. 2018-59: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of I-2, heavy industrial to DN-4, downtown mixed-use residential.

[Applicant: Bentonville Housing, LLC;
Location: 608 Southeast 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 Patterson absent.

- 3i. Ordinance No. 2018-60: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to DN-4, downtown mixed-use residential.

[Applicant: Bentonville Housing, Inc.;
Location: 401 Southeast D 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), with Council Member Patterson absent.

- 3j. Ordinance No. 2018-61: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of R-1, single family residential to DN-1, downtown low-density residential.

[Applicant: Jon Atkins;
Location: Northwest 2nd 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 Patterson absent.

- 3k. Ordinance No. 2018-62: Ordinance amending Chapter 14 Zoning Code of the Bentonville Municipal Code.

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 Patterson absent.

4. Approval to add one police officer position to the Bentonville Police Department.

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

5. Approval to appoint Kimberly Seay to the Library Advisory Board, said term to expire on December 31, 2021.

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

6. Approval to appoint Melissa Godoy to the Library Advisory Board, said term to expire on December 31, 2020.

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

7. Approval to award Bid No. 18-009 to Dan's Canopies and Metals, in the amount of \$22,640, to purchase eighteen canopies to cover the bleachers at the baseball and softball parks in Memorial Park.

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

8. Approval to award Bid No. 18-008 to Riggs Cat, in the amount of \$196,510.89, to purchase a Caterpillar 315F for the Street Department.

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

9. Ordinance No. 2018-63: Ordinance authorizing the Mayor and City Clerk to purchase equipment and components for the protected left turns at South Walton Boulevard and Southeast 28th Street 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), with Council Member Patterson absent.

10. Approval to reimburse Whittington Holdings in the amount of \$56,430.51 for one half of the cost to build the road to Fire Station 7.

Council Member Sanchez asked whether other situations such as this existed. Fire Chief Brent Boydston stated that this situation was the result of a 2007 contract agreement with the adjoining land developer that was just coming to fruition now and that payment required Council approval. He indicated the delay was due to the economic downturn following the contract

being entered into. Mayor McCaslin stated that he was not aware of any other situations such as this one.

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

11. Approval of a budget adjustment for the Electric Department in the amount of \$12,000 to purchase updated SAG-10 software.

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

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


Linda Spence, City Clerk


Bob McCaslin, Mayor

