

Bentonville City Council
Meeting Minutes
April 24, 2017

The City Council of Bentonville, Arkansas, met in regular session Tuesday, April 24, 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, Aubrey Patterson and Jonathan Terlouw. 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. Brian Rohlman was recognized and spoke regarding Item 3. Kristen Switzer and Olivia Nagel were recognized and spoke regarding Item 13. Council Member Burckart was recognized and read a letter from Jan Venters regarding Item 13.

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 Sanchez to approve the minutes of the April 10, 2018 meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (8-0).

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 (8-0).

1. Bentonville Library 2017 annual report.

Mayor McCaslin recognized Hadi Dudley, Bentonville Public Library Director. Ms. Dudley presented the report and spoke of the upcoming Youth Literature Festival.

- 2a. Ordinance No. 2018-73: Ordinance accepting a lot split of Lots 46 and 47 of Fountain Plaza Subdivision to the City of Bentonville, Arkansas.

[Applicant: Kenneth R. Mourton;
Location: 798 Southeast Plaza Avenue]

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 (8-0).

- 2b. Ordinance No. 2018-74: Ordinance accepting a property line adjustment of Lot 21 of Westpark Square Subdivision to the City of Bentonville, Arkansas.

[Applicant: Pinnacle Highway 102, LLC;
Location: Southwest 14th 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 (8-0).

- 2c. Ordinance No. 2018-75: Ordinance accepting a property line adjustment of Lots 24 through 43 of the Bluffs Subdivision to the City of Bentonville, Arkansas.

[Applicant: Connie Blackmon;
Location: Palladium Drive]

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 (8-0).

- 2d. Ordinance No. 2018-76: Ordinance accepting a final plat of Harbin Pointe Addition Phase II to the City of Bentonville, Arkansas.

[Applicant: J & M Investments of NWA, LLC;
Location: Southwest Buckeye 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 (8-0).

- 2e. Ordinance No. 2018-77: Ordinance accepting a final plat of Kensington Square Subdivision Phase IV to the City of Bentonville, Arkansas.

[Applicant: Kensington Square, LLC;
Location: 3900 East Central Avenue]

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 (8-0).

- 2f. Ordinance No. 2018-78: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural to R-E, residential estate.

[Applicant: Barrett Family Trust;
Location: Mill Dam 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 (8-0).

- 2g. Ordinance No. 2018-79: Ordinance accepting a lot split of Lots 1 through 5 of Mill Dam Farms Subdivision to the City of Bentonville, Arkansas.

[Applicant: Barrett Family Trust;
Location: Mill Dam 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 (8-0).

- 2h. Ordinance No. 2018-80: Ordinance accepting a lot split of Lots 27 through 30 of Mid-Cities Crossing Subdivision to the City of Bentonville, Arkansas.

[Applicant: Barron Revocable Trust;
Location: Southeast John Rollow Drive]

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 (8-0).

3. Approval to award Bid No. 18-7 to the second lowest bidder Seven Valleys Concrete, in the amount of \$431,200, for a wastewater utilities project. Item tabled from the April 10, 2018 council meeting.

Mayor McCaslin recognized Mike Bender, Public Works Director. Mr. Bender passed out copies of a memorandum from Chris Buntin of Garver Engineering and a construction contract change order to Council.

Mr. Bender stated that after further review there were inaccuracies presented at the last council meeting regarding Crow Paving such as a reference from Conway Corporation and a pattern of underbidding jobs. Mr. Bender apologized to Crow Paving for the inaccuracies. He added that it was still the Staff's recommendation that the City award the bid to the second lowest bidder Seven Valleys Concrete and listed a number of past issues with Crow Paving.

Council Member Goss expressed appreciation for the clarification of information from the last meeting and to Crow Paving for their efforts and attending the meetings.

Mayor McCaslin stated that by the time an item comes before the Council it has been vetted by staff and that the recommendations made are their best judgment of the wisest and most appropriate use of taxpayer money.

Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no further discussion. Motion carried (8-0).

4. Resolution No. 4-24-18 A: Resolution setting a public hearing for May 8, 2018 regarding a petition filed by Kim Fugitt to vacate a fire access easement at 2505 Southwest Arbor Road.

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 (8-0).

5. Resolution No. 4-24-18 B: Resolution setting a public hearing for May 8, 2018 regarding a petition filed by CEI Engineering to vacate a utility easement at 1401 Northeast John De Shields Boulevard.

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 (8-0).

6. Approval to accept a grant in the amount of \$90,000 from the State of Arkansas Department of Aeronautics and approval of a corresponding budget adjustment for the Bentonville Municipal Airport.

Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

7. Approval to award a bid to TriStar Contractors in an amount not to exceed \$70,000 for the construction of the hangar infrastructure improvement project at the Bentonville Municipal Airport.

Motion to approve by Council Member Burckart, second by Council Member Sanchez. There was no discussion. Motion carried (8-0).

8. Resolution No. 4-24-18 C: Resolution authorizing the Mayor and Clerk to enter into an agreement with the Arkansas Highway and Transportation Department for the construction of a traffic signal at the intersection of Moberly Lane and Southeast 8th Street.

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 (8-0).

9. Approval to award Bid No. 18-14 to Mark McLarty Ford, in the amount of \$51,289, for the purchase of a Ford F-550 crew cab and chassis for the Street Department.

Motion to approve by Council Member Sanchez, second by Council Member Sooter. There was no discussion. Motion carried (8-0).

10. Presentation of the 2018 street overlay plan.

Mayor McCaslin recognized Tony Davis, Street Manager, to answer any questions about the plan.

Council Member Orman asked for an explanation as to how the streets were selected. Mr. Davis stated that last year Bentonville was able to contract with an independent firm and that this firm is connected with the University of Arkansas transportation team. This set up a procedure which entailed cars driving all the streets in Bentonville with cameras on the cars to provide a video and map that showed the different conditions of the roads. The results showed different colors for different levels of repairs that needed to be made. He also noted that budget restraints were a part of the decision-making process.

Mr. Davis stated he anticipates this procedure being performed every three years. He stated that due to software limitations

this map was only available for viewing at the Street Department or maybe at a future committee of the whole meeting.

Motion to approve the street overlay plan by Council Member Burckart, second by Council Member Sooter. There was no further discussion. Motion carried (8-0).

- 11a. Ordinance No. 2018-81: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with the City of Centerton for a cooperative road improvement project on Brookside Road 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 Sooter. There was no discussion. Motion carried (8-0).

- 11b. Approval of a budget adjustment in the amount of \$20,067.26 for the Street Department to pay for the overlay of Brookside Road.

Motion to approve by Council Member Sanchez, second by Council Member Robinson. There was no discussion. Motion carried (8-0).

12. Approval to award Bid No. 18-15 to Evans Enterprises, Inc., in the amount of \$22,340, for the purchase of a Model 8100 AC custom water pump for the I Street water storage facility.

Motion to approve by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (8-0).

13. Resolution No. 4-24-18 D: Resolution of the City of Bentonville, Arkansas, by the City Council members establishing a special task force to consider a new animal shelter for the City of Bentonville residents. The mission of the task force will be to provide for stakeholder input, conduct an assessment of needs and review the feasibility of a new facility and program. Upon completion, written recommendations shall be made by this work group to the City Council for consideration.

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 (8-0).

Council Member Burckart noted that two council members need to be appointed to the task force. He suggested himself and Council Member Orman be selected.

Council Member Sooter, Chairman of the Council, stated that he knew of at least one other council member interested in being on the task force. He suggested that anyone else interested may want to contact the Mayor's office and that perhaps the selection could be handled at the next committee meeting in May.

Council Member Sanchez proposed that the two council members be selected by the Council now to move the process forward.

City Attorney Spence noted the resolution that just passed stated that the chairman of the council is the one who selects the members.

Motion to adjourn by Council Member Robinson, second by Council Member Sooter. Motion carried (8-0).


Linda Spence, City Clerk


Bob McCaslin, Mayor

