

Bentonville City Council
Meeting Minutes
August 28, 2018

The City Council of Bentonville, Arkansas, met in regular session Tuesday, August 28, 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, with Jonathan Terlouw absent. 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 Sanchez to approve the minutes of the August 14, 2018 meeting as presented, second by Council Member Burckart. There was no discussion. Motion carried (7-0), with Council Member Terlouw 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 Terlouw absent.

- 1a. Ordinance No. 2018-122: Ordinance accepting a property line adjustment of Lot 3 of Elm Tree Center Subdivision to the City of Bentonville, Arkansas. (PLA18-0026)

[Applicant: Sky One Property, LLC;
Location: 1310 Southwest Elm Tree Road]

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 Terlouw absent.

- 1b. Ordinance No. 2018-123: Ordinance accepting a final plat of Oak Meadows Subdivision to the City of Bentonville, Arkansas. (FP18-0005)

[Applicant: Crestwood Homes, LLC;
Location: 1601 Been Road]

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 Terlouw absent.

- 1c. Ordinance No. 2018-124: Ordinance accepting a final plat of PE Livingston Square Subdivision to the City of Bentonville, Arkansas. (FP18-0006)

[Applicant: Jamal and Stephanie Parker;
Location: 1111 Southwest Parnell 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 (7-0), with Council Member Terlouw absent.

2. Presentation of the Residential Landscaping Award for the month of August. Mayor McCaslin presented the award to Thomas and Kathy Duba, owners of the property.
3. Presentation of the Commercial Landscaping Award for the month of August. Mayor McCaslin presented the award to Patrick Woodruff, accepting on behalf of Bank OZK.
- 4a. Ordinance No. 2018-125: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Total Security

Solutions to install window barriers in the Community Development building 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 (7-0), with Council Member Terlouw absent.

- 4b. Approval of a budget adjustment for Planning Services, in the amount of \$34,000, for installation of barrier windows on the first and second floor of the Community Development building.

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

5. Approval to award Bid No. 18-46 to Frank Sharum Landscape, in the amount of \$32,718, for purchase and delivery of 450 trees for the 6th Annual Tree Planting Blitz to be held on November 7, 2018.

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

6. Ordinance No. 2018-126: Ordinance vacating an alley right-of-way located between Lot 1 and Lots 15 and 16 of Cooks Addition to the City of Bentonville, Arkansas, Benton County, Arkansas.

[Applicant: Terry Ging;

Location: Northwest B Street and Northwest C Street]

Mayor McCaslin declared a public hearing open for comments. There was no response so Mayor McCaslin declared the hearing closed.

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), with Council Member Terlouw absent.

7. Resolution No. 8-28-18 A: Resolution setting a public hearing for September 11, 2018, on a petition filed by CEI Engineering requesting an alley right-of-way vacation in W.A. Burk's 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), with Council Member Terlouw absent.

8. Resolution No. 8-28-18 B: Resolution authorizing the Mayor and City Clerk to enter into a through-the-fence airport access agreement with VBT Flying Centre, LLC.

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

- 9a. Resolution No. 8-28-18 C: Resolution authorizing the Mayor and Clerk to enter into guaranteed maximum price amendment No. 1 to the existing agreement with Clinard Construction Management, Inc. for phase one of the Bentonville fire station No. 7 construction.

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), with Council Member Terlouw absent.

- 9b. Approval of a budget adjustment for the Fire Department, in the amount of \$263,004, to complete phase one construction of fire station No. 7.

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

10. Ordinance No. 2018-127: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Sunbelt Fire for the purchase of a 2019 E-One support apparatus for the City of

Bentonville Fire Department 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), with Council Member Terlouw absent.

- 11a. Resolution No. 8-28-18 D: Resolution authorizing the Mayor and City Clerk to enter into a professional services agreement with CEI Engineering Associates, Inc. for services associated with the design and construction of a sanitary sewer interceptor in southwestern 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 (7-0), with Council Member Terlouw absent.

- 11b. Approval of a budget adjustment for the Public Works Department, in the amount of \$121,350, to enter into a professional services agreement with CEI Engineering, Inc.

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

Mayor McCaslin noted the sales tax receipts report which had just been sent out to Council and stated that the receipts continued to track as in line with the City's budget.

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



Linda Spence
Linda Spence, City Clerk

Bob McCaslin
Bob McCaslin, Mayor