

Bentonville City Council  
Meeting Minutes  
October 9, 2018

The City Council of Bentonville, Arkansas, met in regular session Tuesday, October 9, 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, Octavio Sanchez, Aubrey Patterson and Jonathan Terlouw, with Bill Burckart 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. 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 September 25, 2018 meeting as presented, second by Council Member Goss. There was no discussion. Motion carried (7-0), with Council Member Burckart 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 Robinson. There was no discussion. Motion carried (7-0), with Council Member Burckart absent.

1. Ordinance No. 2018-140: Ordinance accepting a lot split of Lots 29 and 30 Block 5 Dunn & Davis Addition to the City of Bentonville, Arkansas. (Project No. LS18-0034)

[Applicant: 6<sup>th</sup> and C, LLC;  
Location: 127 Southwest C 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), with Council Member Burckart absent.

2. Presentation of the 2017 audit report prepared by BKD, LLP of the 2017 Comprehensive Annual Financial Report for the City of Bentonville.

Mayor McCaslin recognized Jake Harper, Finance Director. Mr. Harper stated that this matter was being presented to Council in compliance with State law. He also stated that it was a clean report and that no issues were raised.

3. Approval for the reappointment of George Spence to the Northwest Arkansas Conservation Authority board, said term to expire on December 31, 2021.

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

4. Approval for the appointment of Mike Bender to the Northwest Arkansas Conservation Authority board, said term to expire December 31, 2022.

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

5. Approval of a budget adjustment for the Electric Department, in the amount of \$908,377, to purchase and outfit four new vehicles: one supervisor's truck, two 60-foot bucket trucks and one digger truck.

Mayor McCaslin recognized Travis Matlock, Engineer Director. Mr. Matlock stated that the reason the new equipment was needed was to equip a new line crew. He added that in 2016 four apprentices were hired in anticipation of forming an additional

line crew once they had progressed far enough in their training and education, and that would occur in 2019.

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

6. Ordinance No. 2018-141: Ordinance authorizing the Mayor and Clerk to enter into an agreement with Chain Electric Company for certain electric improvements and waiving the requirement of competitive bidding.

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

7. Ordinance No. 2018-142: Ordinance providing for the installation of small cell wireless facilities to be placed in City rights-of-way in the City of Bentonville, Arkansas, and for other purposes.

City Attorney Spence read the ordinance by title only. Motion to pass by Council Member Sanchez.

Council Member Orman asked for an explanation of small cell wireless facilities. Mayor McCaslin recognized Travis Matlock.

Mr. Matlock stated that this matter needed to be addressed to keep up with new technology, specifically wireless technology advancing from 4G to 5G. He stated the new technology would result in shorter cell poles spaced closer together, particularly in high data traffic areas, and would likely be what he described as "stealth poles" meaning poles having the wires encased in the interior of the pole.

Mr. Matlock indicated that the new FCC regulations related to this new technology would likely be challenged in court and might result in the need to adjust the standards currently before the Council, but that these proposed standards were needed in the interim.

A second to the motion to pass was made by Council Member Goss. There was no further discussion. Motion carried (7-0), with Council Member Burckart absent.

8. Approval of a budget adjustment, in the amount of \$5,810.27, for the Street Department to pay for additional asphalt quantities that were used in the 2018 overlay program.

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

9. Resolution No. 10-9-18 A: Resolution authorizing the Mayor and Clerk to enter into an agreement with Ozark Tennis Academy for a tennis program at Memorial Park.

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

Mayor McCaslin stated that Council members could expect the 2019 budget November 1<sup>st</sup> and to plan for a budget meeting after the first meeting next month on November 13<sup>th</sup> with a second meeting to consider the budget on Monday the 26<sup>th</sup>.

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

  
Linda Spence, City Clerk

  
Bob McCaslin, Mayor

