

Bentonville City Council
Meeting Minutes
November 13, 2018

The City Council of Bentonville, Arkansas, met in regular session Tuesday, November 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, Chris Sooter, Bill Burckart, Octavio Sanchez, Aubrey Patterson and Jonathan Terlouw, with Tim Robinson 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. Jennifer Pokrandt, Jennifer Schafer and Leeth Harper were recognized and spoke regarding agenda Item 2.

Mayor McCaslin 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 October 23, 2018 meeting as presented, second by Council Member Sanchez. There was no discussion. Motion carried (7-1), with Council Member Robinson 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 Burckart. There was no discussion. Motion carried (7-1), with Council Member Robinson absent.

1. Presentation on the state of the recycling program.

Mayor McCaslin recognized Jennifer Fagan of Republic Services. Ms. Fagan reported on the state of recycling locally and worldwide, specifically the effects of the China Sword.

Mayor McCaslin recognized Gary Wilson, Utilities Billing and Collection Manager. He stated that there would be upcoming recommendations to deal with the issues related to the City's recycling program.

2. Animal shelter update.

Council Member Burckart presented a report and power point presentation on the status of the task force. He asked that a resolution reauthorizing the task force be placed on the agenda for the next Council meeting. He also noted that \$350,000 needed to be budgeted by the first of 2019 to fund the project going forward.

3a. Ordinance No. 2018-148: Ordinance accepting a property line adjustment of Lots 5 and 6 of Lewis Foster Addition to the City of Bentonville, Arkansas. (Project No. PLA18-034)

[Applicant: Taildragger, LLC;
Location: 1209 Northwest 9th 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 (7-1), with Council Member Robinson absent.

3b. Ordinance No. 2018-149: Ordinance accepting a property line adjustment of Lot 13 Block 15 of Deming's 2nd Addition to the City of Bentonville, Arkansas. (Project No. PLA18-035)

[Applicant: Jared Smith and Molly Darragh;
Location: 507 Northwest A 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 (7-1), with Council Member Robinson absent.

- 3c. Ordinance No. 2018-150: Ordinance changing real estate in the City of Bentonville, Arkansas, from its present zoning classification of A-1, agricultural to R-1, single family residential. (Project No. RZ18-031)

[Applicant: JRJC II, LLC;
Location: 5036 Southwest Shell 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 (7-1), with Council Member Robinson absent.

- 3d. Ordinance No. 2018-151: Ordinance accepting a lot split of Lots 21 and 22 Block 4 of Railroad Addition to the City of Bentonville, Arkansas. (Project No. LS18-037)

[Applicant: Jay Simon;
Location: 206 Southeast B 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 (7-1), with Council Member Robinson absent.

4. Ordinance No. 2018-152: Ordinance amending Ordinance No. 2018-36 to correct lot split and property line adjustment application fees for the City of Bentonville.

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 (7-1), with Council Member Robinson absent.

5. Ordinance No. 2018-153: Ordinance authorizing the Mayor and the City Clerk to amend the agreement with Total Security Solutions to install window barriers in the Community Development Building.

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 (7-1), with Council Member Robinson absent.

6. Resolution No. 11-13-18 A: Resolution authorizing the Mayor and Clerk to enter into an agreement with Top Engineers to provide the Bentonville Electric Utilities Department with fiber design related to electric Substation F.

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 (7-1), with Council Member Robinson absent.

7. Ordinance No. 2018-154: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with ALTEC for the purchase of two ALTEC aerial devices, an ALTEC digger derrick and three MHC Kenworth cab/chassis for the City of Bentonville Electric Department and waiving the requirement of competitive bidding.

City Attorney Spence read the resolution by title only.

Mayor McCaslin noted that a correction had been made to the resolution earlier sent out to Council to reflect the correct purchase price of \$787,638.

Motion to pass by Council Member Sanchez, second by Council Member Goss. There was no discussion. Motion carried (7-1), with Council Member Robinson absent.

8. Resolution No. 11-13-18 B: Resolution setting a public hearing for November 27, 2018, on a petition filed by CEI Engineering requesting access and utility easement vacations for Southwest Runway Drive in Straube Business Park.

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 (7-1), with Council Member Robinson absent.

9. Resolution No. 11-13-18 C: Resolution setting a public hearing for November 27, 2018, on a petition filed by Rob Caster requesting an alley right-of-way vacation for 801 Northwest 7th Street.

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 (7-1), with Council Member Robinson absent.

10. Resolution No. 11-13-18 D: Resolution authorizing the Mayor to enter into an amendment to an agreement with Morrison-Shipley Engineers, Inc. to provide construction observation services for the City of Bentonville.

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 (7-1), with Council Member Robinson absent.

11. Resolution No. 11-13-18 E: Resolution authorizing the Mayor and City Clerk to enter into a memorandum of agreement and temporary license and development agreement with Lonesome Tree Properties, LLC and Game Composites, LLC in relation to the Bentonville Municipal Airport.

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 (7-1), with Council Member Robinson absent.

12. Resolution No. 11-13-18 F: Resolution declaring certain property belonging to the City of Bentonville Police Department as surplus property. (eighteen retired ballistic vests)

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 (7-1), with Council Member Robinson absent.

13. Resolution No. 11-13-18 G: Resolution declaring certain property belonging to the City of Bentonville Police Department

as surplus property. (2005 Chevy 1500 extended cab long wide bed pickup)

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 (7-1), with Council Member Robinson absent.

14. Ordinance No. 2018-155: Ordinance establishing certain fees for the City of Bentonville Parks and Recreation Department and Community Center.

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 (7-1), with Council Member Robinson absent.

15. Approval to award Bid No. 18-59 to Crossland Heavy Contractors, in the amount of \$369,719, for Razorback Greenway improvements through the Parks and Recreation Department.

Motion to pass by Council Member Sanchez, second by Council Member Burckart. There was no discussion. Motion carried (7-1), with Council Member Robinson absent.

16. Ordinance No. 2018-156: Ordinance authorizing the Mayor and the City Clerk to enter into an agreement with Temple, Inc. for the purchase and installation of hardware for traffic signals 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 (7-1), with Council Member Robinson absent.

17. Resolution No. 11-13-18 H: Resolution authorizing the Mayor and Clerk to enter into an agreement with Temple, Inc. for the purchase of software related to traffic signalization.

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 (7-1), with Council Member Robinson absent.

Motion to adjourn by Council Member Goss, second by Council Member Sanchez. Motion carried (7-1), with Council Member Robinson absent.

Linda Spence
Linda Spence, City Clerk

Bob McCaslin
Bob McCaslin, Mayor

