

TONTITOWN CITY COUNCIL MINUTES
REGULAR MEETING
February 3, 2009

- I. Pledge of Allegiance

- II. Roll Call
 - Ken Robertson - Present
 - Arthur Penzo - Present
 - Bobby Pianalto - Present
 - Julie Bowling - Present
 - David Bolinger - Present
 - Henry Piazza - Present
 - Mayor Edgmon - Present
 - Also Present - Amy Pianalto,
J.R. standing in for Mark Dossett

- III. Approval of Agenda--Approved with Amendments
 - A. Ordinance amending Code of Ordinances for City of Tontitown, AR, providing procedures for purchases using city funds and other purchases (IX.b)- Arthur Penzo

 - B. Storm damage and plans (IX.c) - Ken Robertson
Approval of Agenda with amendments to IX.
Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pianalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

- IV. Approval of Minutes--Approved for January 6 and 22
 - A. January 6, 2009
Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pianalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

 - B. Work Session January 22, 2009
Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pianalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

- V. Comments by Citizens for Future Consideration
 - A. Mick Wagner 2087 S. Barrington Rd.
Thanks to fire department and aldermen for help with streets and getting clean up started.

- VI. Financials & Comments - Amy Pianalto
 - A. Hosting fee is paid by Waste Management for use with landfill
 - B. Ken Robertson suggests wants the most recent full month financials (ex. January 1 thru January 31 rather than January 1 thru February 3)

VII. Committees and Commissions

- A. Police - no questions
- B. Planning - Tommy Granata, Vice Chair - meeting was cancelled due to weather. No need for special meeting. Next scheduled meeting is 4th Tuesday of February.
- C. Building - Todd Witzigman - 6 permits issued. Would like to get the 2nd position filled in the Building Department before busy season in spring. Ad is ready to submit. Salary would be \$30-35k per year. It is in the budget--no need to amend the budget.
Bobby Pianalto made motion to hire the assistant. Ken second.
Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pianalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes
- D. Remove Code & Ordinances for next meeting
- E. Streets - BIG THANK YOU for work done after ice storm.
- F. Finance - no report
- G. Museum - Bev Cordiana, President - Six members need to be added, Two new members (Jennifer DeMartino, Cathy Montegani). Mayor gave approval to add the six members.
Ken Robertson - Yes second
Arthur Penzo - Yes
Bobby Pianalto - Yes motion
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes
Reminder: May 17th - 100th Year Celebration of Tontitown being incorporated. Museum welcomes anyone who would like to help coordinate.
Joy Penzo is leaving as well as Cathy Pianalto-Miller. Thank you for work on commission.
- H. Parks - It's going to need a lot of work and clean up.
- I. Water & Sewer - Steve Gunderson - Meeting 4th Tuesday of every month at 3pm.
Springdale increasing rates so we have to raise our rates. It will be an average increase of \$3.50 per household.

Ken Robertson - garbage and trash collection CPI 4.99% (increase to \$12.43 base rate per month) effective March 1.

Mick Wagner - voice dial notification of items of importance like these increases above. Cost .15 versus postage. If council is interested, we need to create a script.
- J. Advisory - no report

VIII. Old Business

- A. Ordinance creating Committee of the Whole - Vetoed by the Mayor
Veto overridden by City Council
Ken Robertson - Yes
Arthur Penzo - Yes second

Bobby Pinalto - Yes made motion
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

B. Replacement of 2 vacancies on Planning Commission - Vetoed by the Mayor
Veto overridden by City Council
Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

C. Motion for Joe Edgmon to personally pay for the cost of FOIA copies - Vetoed by the Mayor
Veto overridden by City Council
Ken Robertson - Yes made motion
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes
David Bolinger - Yes second
Henry Piazza - Yes

D. Resolution declaring that certain actions of the Mayor of Tontitown were not authorized by the city of Tontitown, disavowing the actions of the Mayor of Tontitown and not authorizing the use of city funds to defend these actions - Vetoed by the Mayor
Veto overridden by City Council
Ken Robertson - Yes made motion
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes second
David Bolinger - Yes
Henry Piazza - Yes

IX. New Business

A. Fire Department Insurance - \$269.00 per month to add building to city insurance plan
Ken Robertson - Yes made motion
Arthur Penzo - Yes
Bobby Pinalto - Yes second
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

B. Ordinance amending Code of Ordinances for City of Tontitown, AR, providing procedures for purchases using city funds and other purchases (IX.b)- Arthur Penzo

Suspend the Rules
Ken Robertson - Yes made motion
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes
David Bolinger - Yes second
Henry Piazza - Yes

Approve the Ordinance as Read

Ken Robertson - made motion
Bobby Pianalto - second

Discussion:

This ordinance addresses concerns regarding the mayor spending city money. This ordinance lowers the spending amount for the mayor from \$1000 to \$1. The council would have to vote on every expenditure before payment would be made. Backhoes were rented by the mayor without coordinating with Todd. Before equipment is purchased or rented, priorities need to be defined.

Ken Robertson feels that the amount is too low and it would be a waste of the city council's time to approve every single transaction. City Attorney concurred.

Ordinance approved with amount amended from \$1 to \$250

Ken Robertson - Yes
Arthur Penzo - Yes made motion
Bobby Pianalto - Yes
Julie Bowling - Yes second
David Bolinger - Yes
Henry Piazza - Yes

Accept ordinance as read

Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pianalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

Accept with emergency clause

Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pianalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

C. Storm damage and plans

Discussion:

Thanks to everyone. Emergency phase is over. Clean up begins. County and city meetings both occurred yesterday. Suggestion - limbs stacked in right of way for clean up. Discussed Public Assistance and Individual Assistance provided by FEMA. This is all determined after FEMA analyzes the situation.

Motion to buy or lease chipper/shredder and/or related equipment

David Bolinger - made motion
Bobby Pianalto - second

Discussion: Difference between buying/leasing, 3 year extended warranty, city can lease to buy, waive bids, etc. FEMA gives funding based on weight of chips. We have no authorizations for storage of chips right now. Landfill has agreed to take care of Tontitown needs first since we are its host city. At this point, they are awaiting approval from ADQ. Time estimate is unknown. Tommy Granata mentioned that Roger Griffith offered his 17 acre property for storage of chips. One important note: the limbs can only be loaded from right of way. Public access jeopardizes all public funding from FEMA.

Approximately 10k for an extra trailer. This is an immediate need so we probably need to lease locally. It will be 2-3 weeks before a trailer can be delivered. Lease purchase allows us to get started. We will then have to open bids.

Labor - pay an hourly rate or contract labor?

Motion to lease purchase a chipper/shredder

Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

Motion to open bids for purchase of one trailer (16' goose neck dump trailer)

Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

Motion to contract use of trailer and labor

Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

Motion for Todd to be authorized party in charge of the contract

Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

X. Comments from City Council Members

A. Henry Piazza - holiday pay for employees

Motion to add employee paid holidays MLK and Veteran's Day

Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes
David Bolinger - Yes
Henry Piazza - Yes

Motion to retract previous motion

Henry Piazza

Motion to match employee paid holidays with Water Sewer

Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pinalto - Yes

Julie Bowling - Yes
David Bollinger - Yes
Henry Piazza - Yes

- B. David Bollinger - no comment
- C. Julie Bowling - we need clarity. Asks the mayor to communicate with Todd.
- D. Bobby Pinalto - no comment
- E. Art Penzo - no comment
- F. Ken Robertson - discussed power issues, budget amendments, budget revisions, 4th Thursday of every month Committee of the Whole meeting

- XI. Comments from the City Attorney
Centurytel - -corrected tax issues in 2008. They owe us money and are willing to pay us \$1,500.00 to settle.

Motion to accept \$1500 settlement from Centurytel
Ken Robertson - Yes
Arthur Penzo - Yes
Bobby Pinalto - Yes
Julie Bowling - Yes
David Bollinger - Yes
Henry Piazza - Yes

Solid Waste billing issues - money is coming in
Form for Emergency

- XII. Comments from the Mayor
Thank you to everyone for time.
- XIII. Adjournment
Motion to adjourn - Bobby Pinalto
Second - Julie Zulpo

Approved 3-3-09
Amy Pinalto
John E. Eh