

Mayor – Paul Colvin Jr.  
City Clerk – Alicia Collins  
City Attorney – Slinkard Law Firm  
City Engineer - Terry Carpenter



## City Council

Ward 1 Position 1 – Joe Edgmon  
Ward 1 Position 2 – Henry Piazza  
Ward 2 Position 1 – Arthur Penzo  
Ward 2 Position 2 – Larry Ardemagni  
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## **City Council March 03, 2015 Minutes**

**The Tontitown City Council is scheduled for Tuesday, March 03, 2015 at 7:00 p.m. at the Tontitown City Hall, located at 235 East Henri De Tonti Boulevard, Tontitown, Arkansas.**

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1. **Meeting Call to Order**
2. **Roll Call** - All council members present – Also in attendance city attorney and Deputy Recorder/Treasure Rebecca Bennett
3. **Pledge of Allegiance**
4. **Approval of Agenda** - James Clark asked to add item M as Tontitown Parks Committee. Alderman Tommy Granata made a motion to approve the agenda, seconded by Alderman Joe Edgmon. Vote passed 5-1
5. **Approval of City Council Minutes February 10, 2015, February 12, 2015, and February 17, 2015** - Motion made to pass by Alderman Henry Piazza, Seconded by Joe Edgmon. Vote passed unanimously.
6. **Comments from Citizens** -
  - a) **Clint Penzo, 445 Liberty Avenue;** Commented that he does not see a need to purge Global Relay in 60 days because there is no cost savings to the city. Also commented on City Ordinance Amending 31.05 and waiving competitive bidding, Mr. Penzo stated that he believes it is not the best course for city because he had a meeting with TFD and TAVFD. At the meeting all the firefighters discussed working together and it doesn't make sense for the city not to have own fire department. Mr. Penzo stated that it would make sense for a mutual aid agreement it is in the best interest to sign.
  - b) **Diane Border, 1235 E Henri de Tonti Blvd;** Ms. Border advised that she does not usually agree with Clint Penzo; would like to know if the expertise and training are the same with either choice. Advised that there have been other problems that have come up such as last spring there were petitions that were not handled correctly by a current city council member; advised that she did sign the first one but did not sign the second one; Alderman Rhonda Doudna stated that she did get second signatures; Ms. Border commented that when people think they are about the law it causes problems, the city council members are not showing up to the Town Hall meetings that Larry and Joe are having.
7. **Old Business:**
  - a) **Ordinance Amending Chapter 31.05, Providing for Alternative Provisions of Operating Fire Protection Services; And Declaring An Emergency – Granata** – Combined A & B together and discussed. Two full time firefighters – 12 hour shifts Monday through Saturday all other times will be covered by volunteer firefighters; contract is for two years and paying salaries of \$175,000.00; Tontitown equipment only used in city limits unless deemed to be used otherwise; contract will begin 30 days after signed to allowing existing TFD firefighters to apply to TAVFD; departments will need to do full inventory. Motion made by Alderman Tommy Granata to waive requirement to be read on three separate days, seconded by Alderman Henry Piazza. Vote passed unanimously. Motion made by Tommy Granata to pass Ordinance Amending Chapter 31.05 for alternative Provisions of Operating Fire Protection Services and Declaring an Emergency, seconded by Alderman Henry Piazza. Discussion from Alderman Joe Edgmon; he spoke with David Shoen and there has to be a reason to have an emergency clause. House Representatives have a bill to allow cities to go into contract for services if needed. At the meeting last night there were no problems. Asked why the council thought that they needed an emergency clause. We need to see if departments

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can work together. Vote passed Joe Edgmon- No Henry Piazza-Yes, Arthur Penzo, Larry Ardemagni-Yes, Rhonda Doudna- Yes, Tommy Granata- Yes; vote passed 5-1

- b) **Ordinances Waiving Competitive Bidding and Authorizing A Contract with Tontitown Area Volunteer Fire Department, Inc. for Fire Protection Services; And Declaring An Emergency – Granata** – Added into discussion for topic A.
  - c) **A Resolution To Repeal EMS Protocol passed – Edgmon** – Motion made by Alderman Joe Edgmon, Motion dies from lack of being seconded.
  - d) **Ordinance for 2015 Revised Budget – City Council** – Alderman Rhonda Doudna went over her proposed budgets from numbers that she got from 2014. Motion made by Tommy Granata to table the budget to Special Meeting, seconded by Alderman Henry Piazza. Vote passed unanimously.
  - e) **Organizational Chart – Edgmon** – Repeal as an ordinance and just have a motion. Alderman Joe Edgmon made a motion to repeal the Ordinance 2014-12-491 Organizational Chart, seconded by Alderman Larry Ardemagni. Vote passed unanimously.
8. **Personnel Handbook – Doudna** - Alderman Rhonda Doudna explained that the last council in 2013 passed the handbook and it was a very good handbook, and there was a section that was recently changed from an at will employer to a for cause employer. Explained that Municipal League will not represent us if they change to a for cause employer. Attorney advised that there was discussion about changing the handbook but they never took action on it. Alderman Rhonda Doudna motioned to table the Personnel Handbook, seconded by Alderman Larry Ardemagni. Vote Passed unanimously.
9. **New Business:**
- a) **Global Relay System Purge After 60 Days – Doudna** – Added both A & B together to discuss. Alderman Rhonda Doudna explained that it is great to have the extra emails, but the purge system will help with the FOIA's because you don't have, you don't have and going to the 60 day purge is a logical explanation. Alderman Rhonda Doudna also explained that she spoke with Ronnie the IT guy and put a letter out to anyone who opposes and explain to them that they have 60-90 days to get the emails that they need out of a portal before the purge. Alderman Rhonda Doudna made a motion to send the letters and a 60 day purge. Mayor Colvin explained that there is a current lawsuit going on and to avoid any risks that the other side might want. Explained that it is too expensive to buy a server to save the emails on. Alderman Henry Piazza made a motion to table, Alderman Rhonda Doudna seconded. Vote passed unanimously.
  - b) **Discussion of Email Storage – Doudna**- Included in 9a.
  - c) **Discussion of Information Technology Security Policy & Procedures – Doudna** – Alderman Rhonda Doudna explained that there is more privacy and monitoring of computers for employees of the city. Alderman Rhonda Doudna explained that there are some corrections that need to be made. Motion made by Alderman Rhonda Doudna to move to COW meeting, seconded by Larry Ardemagni. Vote passed unanimously.
  - d) **Fire Department EVS (Emergency Vehicle Specialists) Sales Quote (Lease Contract) – Colvin** – Mayor Colvin explained that this topic was briefly talked about at the COW meeting and the agreement that was made by previous administration is for turnout gear, that costs around \$54,000.00. EVS the company that sold the equipment is now requesting the down payment that has not yet been paid. The concern that was brought up is that the lease agreement states turn out gear and the invoices that are totaling about \$15,000.00 is not turn out gear. Mayor Paul Colvin advised that he is just trying to keep the council informed that they are requesting about \$12,000.00 in total. Council made the decision with Mayor to pay bill for EVS.
  - e) **United Fire Fighter Proposal – Edgmon** – Has to do with both departments working together. Looks like it may go to an initiative.

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- f) **Repeal of Ordinance for the Budget Process – Edgmon-** Always modifying the budget it should be a motion not an ordinance. Attorney stated that it is required by law to be either ordinance or motion, not much of a difference to do it by a resolution. Alderman Joe Edgmon made motion to change to a resolution, seconded by Alderman Tommy Granata. Vote passed unanimously.
- g) **Discuss Ordinance 2013-02-409 NACA Representative – Colvin –** The city needs a chairman of the COW meeting for NACA representative which is Alderman Tommy Granata. James Clark will be his representative.
- h) **One Springdale Rezoning –** Planning Board recommended to City Council to be approved. Planning Board explained that it is going to be phase 2 of the Tuscany Subdivision in Springdale and the entrance will be in Springdale, acreages, etc. Will be the same as the original Tuscany Subdivision. Attorneys advised that Springdale had no issues on it and is waiting for the council's approval. Alderman Rhonda Doudna motioned to approve the rezoning, seconded by Alderman Joe Edgmon. Vote Passed unanimously.
- i) **Townhomes Planned Residential Development –** Planning Board explained that it is the multiplex that will have four units per building with a total of seventeen buildings. They have an agreement to connect to 112 and a road behind with a gate for fire access only. Planning Board recommended to move to City Council to approve. Alderman Arthur Penzo motioned to accept, seconded by Alderman Rhonda Doudna. Vote passed unanimously.
- j) **Eddleman Minor Subdivision –** Explained that this is just a lot split and Planning Board recommended to City Council to approve. Alderman Rhonda Doudna motioned to approve, seconded by Alderman Henry Piazza. Vote passed unanimously.
- k) **Loise Rouse Subdivision –** Subdivision into existing subdivision, all requests about easements from engineer have been taken care of. Planning Board recommended to approve. Alderman Tommy Granata motioned to approve, seconded by Alderman Rhonda Doudna. Vote passed unanimously.
- l) **Bixler Minor Subdivision -** Triangular property lot line adjustment. Planning Board recommended to City Council to approve. Alderman Henry Piazza motioned to approve, seconded by Joe Edgmon. Vote passed unanimously.
- m) **Tontitown Parks Committee – Clark-** Email request for use of City Park asking specific questions about what can be used at the park. City Council made decision to make a park committee with two city council members. Alderman Tommy Granata made motion to have Henry Piazza Arthur Penzo, Larry Ardemagni volunteered; seconded by Alderman Rhonda Doudna. Decision was unanimous.
- n) **Recorder/Treasurer Deputy Appointment – Doudna -** Mayor advised that Rebecca requested not to have duties of the Deputy Recorder/Treasurer. Rhonda Ardemagni spoke up as being interested in the position, lived in the city for 17 years but in the area for 20 years. Attorney advised that only a Deputy Recorder can appointed not a Deputy Recorder/Treasure. Alderman Rhonda Doudna made a motion to appoint, seconded by Alderman Arthur Penzo. Vote passed with 4-1 with 1 abstained.

#### **10. Comments from Alderman:**

- a) Joe Edgmon – Town Hall Meeting March 12, 2015, students from Har-Ber High will be there from different classes.
- b) Henry Piazza - Glad to see people showing up to the meetings.
- c) Arthur Penzo – Presented a copy of reports from TAFD on 10/21/2013 and stated that TAFD responded in 4min, and transported within 16 min.
- d) Larry Ardemagni – No Comment
- e) Rhonda Doudna – Stated that she felt verbally attacked, explained about incorrect and corrected referendums. Alderman Rhonda Doudna read a statement to the community.
- f) Tommy Granata – No Comment

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11. **Comments from Mayor** – Thanked staff and Rebecca for all of their work and the extra hours that have been put in. Explained to the alderman that this will be this last time allowed by the alderman to bring up any past issues; in future City Council meetings they will discuss issues one on one and not on public display.
12. **Comments from City Attorney** - None
13. **Adjournment** – Motion made by Alderman Arthur Penzo