

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
Ward 3 Position 1 – Rhonda Doudna
Ward 3 Position 2 – Tommy Granata

City Council January 13, 2015 Minutes

The Tontitown City Council is scheduled for Tuesday, January 13, 2015 at 6:30 p.m. at the Tontitown City Hall, located at 235 East Henri De Tonti Boulevard, Tontitown, Arkansas.

1. Meeting Call to Order

2. Roll Call – All present were Henry Piazza, Joe Edgmon, Rhonda Doudna, Larry Ardemagni, Arthur Penzo, Tommy Granata, Mayor Paul Colvin, City Attorney Nick Corcoran and R/T Alicia Collins.

3. Pledge of Allegiance

4. Approval of Agenda – A motion made by Penzo to approve the agenda and 2nd by Edgmon. No vote.

5. Comments from Citizens –

Holly Childs, 1126 Reed Valley Road, the outgoing council passed a bunch of ordinances but that I can find are not public listed anywhere. The minutes for the last meeting aren't either.

Clint Penzo, 445 Liberty Avenue, stated that the Police Chief that was fired needs to be over turned by the Council because this has set the City up for a possible law suit. You can't fire someone because you don't like them. The current Acting Chief cannot be hired per the current Job Doc stating that the Chief must have a Bachelor's Degree. He has also retired twice already. One of the reasons he was asked to be let go last time was because he didn't set up the Police Department with LOPFI (retirement plan) that cost one of the Police Officers 5 years of retirement. Penzo went over the bank accounts that he requested and the finances of the City of Tontitown. Getting rid of the City Fire Department is a big mistake because we now have 24 hour protection. Penzo doesn't think that the TAFD can take care of a going City.

6. Old Business:

a)

7. New Business:

a) **Ordinance for Water & Sewer dept** – Mayor Colvin stated that this Ordinance wasn't voted on correctly last time and needs to be voted on correctly. Attorney Corcoran read the Ordinance Title. Doudna stated that this is paperwork clean up and taking it from a committee to a department. A motion made by Doudna to approve this ordinance and 2nd by Piazza, motion passed unanimously. A motion made by Penzo to accept the emergency clause and 2nd by Piazza, motion passed unanimously.

b) **Ordinance repeal of Bill of Rights – City Council** – Denny Upton stated that this statue has been around for 24 years that a City can adopt for disciplinary procedures. I'm supportive of the Officer's Bill of Rights. Doudna stated that the reason that this was pulled is because there wasn't time to review everything that was passed last month. Ardemagni stated that the only reason



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that he had a problem with this is because if a clause was put in the ordinance the Municipal League wouldn't support the City anymore. Upton stated that the For Clause wasn't put in the ordinance. A motion made by Doudna to table this ordinance for good and 2nd by Edgmon, motion passed unanimously.

- c) **Resolution to repeal of Handbook passed 12/2/14 – City Council** – A motion made by Doudna to table it for good and 2nd by Edgmon. Tommy asked if it is being left like it is. A motion made by Doudna to table it to the COW and 2nd by Ardemagni, motion passed unanimously.
- d) **Resolution to repeal the Police Manual passed 12/2/14 – City Council** – Doudna stated that they haven't had a chance to look at it so that is why it is on here. Upton stated that what he has looked out is where 2 sections were added at the end and would like to recommend to table it until it is read. A motion made by Piazza to table to the COW and 2nd by Doudna, motion passed unanimously.
- e) **Discussion of Freeze Promotions, Salaries and New Positions – City Council** – Ardemagni stated that not knowing if Mr. Penzo was correct in his assessment and we were going on the assumption that we were close to being broke. I suggested that we freeze all promotions and salaries until we find out where we are. If we are good than I think they should be given. If not, then I don't see how we can do it. Upton asked if this is for the current 2014 promotions or the any future promotions. Mayor Colvin and Attorney Corcoran stated that there can't be any changes made without the budget being amended. What the last City Council passed is set by the budget and can be changed but the specifics to that need to see how it is going to affect the budget first. Mayor Colvin stated that there is going to be a budget session so if you want to review it in that then come back to it. A motion made by Ardemagni to table to the COW and 2nd by Penzo, motion passed unanimously.
- f) **Resolution to repeal Fire Department Manual passed 12/2/14 – City Council** – Mayor Colvin asked Chief Secor if he has anything on this. Chief Secor stated that all the protocols and manuals are straight from Springdale. The only thing that is changed is from Springdale to Tontitown. A motion made by Doudna to send to COW and 2nd by Ardemagni, motion passed unanimously.
- g) **A Resolution repeal EMS Protocol passed – City Council** – Chief Secor stated that same for this one it is done from Springdale except the Medical information that was deleted from our manuals. A motion made by Doudna to move to the COW and 2nd by Edgmon, motion passed unanimously.
- h) **Ordinance for the Administrative Assistant Position – City Council** – Granata stated that there should be an Administrative Assistant to the Mayor because he has a lot of stuff going on. This person can help with the Recorder/Treasurer. This will need to have monies put into the budget. Attorney Corcoran stated that if you are going to amend the budget then you can vote on the Ordinance then amend the budget with the salary in place to pay that person. Clint Penzo stated that the Municipal League states that the Administrative Assistant doesn't need to have an Ordinance to have a position. Granata stated that he isn't sure but he believes it is already in the Ordinance. Attorney Corcoran stated that there is an Administrative Assistant but didn't have the duties that this body wants. A motion made Granata to waive the requirements that the

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Ordinance should go in front of the COW first and 2nd by Doudna, motion passed unanimously. A motion made by Granata to read by title one time only and 2nd by Doudna. Ordinance read by Attorney Corcoran. Motion passed unanimously. A motion made by Granata to suspend the reading of 3 times and 2nd by Penzo, motion passed unanimously. A motion made by Granata to approve and 2nd by Piazza, motion passed unanimously. A motion made by Doudna to except the emergency clause and 2nd by Penzo, motion passed unanimously.

- i) **Discussion of TFD – Tommy Granata** – Granata stated that this is on there as a discussion so I will discuss. Listening to the financial numbers as well as everyone else, being a pass Mayor, looking at this year there is a substantial increase. He would like for TAFD to give us some alternatives. He doesn't have it right now so he would like to have it tabled. A motion made by Granata to table to the COW and 2nd by Piazza, motion passed unanimously.

8. Comments from Alderman

Piazza thanked the people who have showed up and enjoy the big group

Edgmon stated that in the past the City saved 10's of 1000's of cost for more of a contract service.

Doudna thanked everyone for coming and reminded everyone that the meetings have been changed to 7:00 pm

Ardemagni stated that he has been told that there were some authorizations for bills to be paid by him when he wasn't even authorized to make those decisions and asked Collins if that was correct. Collins stated that is untrue because the paper work with those authorizations are in the files.

Penzo – No Comment

Granata – No Comment

9. Comments from Mayor

Mayor Colvin stated that he goes in everyday to see what is in our bank accounts. We authorized to pull one of the CD's out in the amount of \$100,000 to pay for bills.

10. Comments from City Attorney

NONE

- 11. Adjournment** – A motion made by Granata to adjourn and 2nd by Penzo, motion passed unanimously.