

## Committee of the Whole

May 19, 2015

### Minutes

The Tontitown Committee of the Whole is scheduled for Tuesday, May 19, 2015 at 7:00 p.m. at the Tontitown City Hall, located at 235 East Henri De Tonti Boulevard, Tontitown, Arkansas.

1. Meeting Call to Order  
Mayor

2. Roll Call  
All in attendance

3. Pledge of Allegiance

4. Approval of Agenda  
Approved

5. Approval of Previous Month City Council  
Approved

6. Monthly Financials

A correction in our budget will need to be made. Part of 2013 and Jan. 2015 taxes were not distributed properly between the water/sewer and street dept. Carl is looking into this to make sure the findings are correct. The legislative auditors are saying the total is around \$113, 00.00, if this is correct, we have permission from the legislative auditors to pay this out but want it paid by the end of this year.

7. Comments from Citizens

Diane Boarder- Discussed the fluctuating fees for the business licenses in the past years and asked that the council review and correct fees to a flat rate for all.

Zac Fincher- Asked why the light at 412/112 cost 60,000.00.

James- Due to state regulations the city has to purchase a new pole and arm instead being able of use a extension on the arm.

8. Department Reports

8a. Police Department – Captain McCormick

334 calls of the month, 105 in traffic citations, 78 warnings. The state hwy. was contacted about this issue and will send an official report. They did say moving the speed limit will not fix our problem.

A warning sign will be placed at 112/Georges Road in hopes to slow down traffic.

Officer Freeland carried the torch 7 miles in the Torch Run.

Also officer Freeland did some investigating in a hot check ring which was located in Atlanta. He was able to help other law enforcement make some arrests.

The Tontitown PD now has a Facebook page.

8b. Public Works Department – James Clark

For the next 2 Sundays we will be advertising for bids on the traffic light at 412. Bid opening is scheduled for June 16, 2015 at 11:00 am at City Hall, due to the C.O.W., and the C.C. schedules. We need to have a special meeting, to accept or reject bids. Time to be set.

We are looking into widening and surface milling on S. Barrington at Read Valley and Steele Road. Speed and weather are the issues.

6 new housing permits were issued in April and 6 more in May- all in Westbrook Sub., the plan is to bring 6 housing permits a month.

Looking into houses hooked up to the 8" water main 412 down S. Pianalto to Kelley and due away with the 3' line. Cost is approx. \$40,000.00. Houses on Possa, Klenc, South to Kelley is about \$500,000.00. We are looking at other options and available funds.

Still working on the SCADA system, should be completed in the next few weeks

Little interest in the city wide, free permits yard sale, possibly due to timing.

Robert Dunlap went through a 40 hour cross connection control training last week and past both the written and physical test. He has to take 1 more test in Little Rock for the plumbing division and then he will be a certified assembly testing tech.

Need to make an increase in our sewer rate. The last increase was in 2011. The company that did our rate study in 2011 was paid 18,000.00, an update will cost 20,000.00.

Now we are looking into other avenues.

**8c. Planning Department – Darrell Watts**

Darrell Watts- We are reviewing regular planning requests. On the May 8th work session we began the process of, how to go about looking at the ordinances, specially 152 and 153 regarding the coding, businesses and zoning areas. We learned the historical part of it, on how we got to where we are now and how to move forward. We want nothing but the best for the future of Tontitown. We will talk about another work session at our next planning meeting.

**8d. Tontitown Museum Board – Beverly Cortiana or Heather Peachee-Ranalli**

Please ref. the Museums detailed report on website.

**9. Old Business:**

**9a. IT Services – Edgmon**

Joe- Need to bid out to be in compliance with state law. This has been mentioned in prior meetings.

Rhonda- Asked Joe how to go about resolving this issue since we are in a contract.

Joe- Talk to the city attorney.

Rhonda said the attorney and the Municipal Ledge said nothing can be done until the contract runs out at the end of this year.

**9b. Discuss Speed Limit Signs--Doudna**

Discussed earlier but added that we lower the speed limit to 30 mph on S. Mantegani, Tommy said to bring it up at the next CC meeting for a vote.

**10. New Business:**

**10a. Discuss Ambulance Proposal- Mayor**

Becky Stewart with Central EMS met with the city of Elm Springs.

The Quorum Court meets this week to vote on the \$238,000.00 a year to the ambulance service. If the court vote yes they will want an answer from the cities.

**10b. Discuss Code 110.05 Business License Fees—Edgmon**

Joe would like to have a flat rate for the business licenses fee put in place. After a lengthy discussion.

Mayor asked Joe to get the ordinance drafted and for the council to come up with a flat rate dollar figure and bring to the next C.C. meeting for a vote.

**10c. Discuss Municipal League Convention—Edgmon**

Joe wanted to know if the city was going to budget for the M.L.C. there is one being held in June 2015. The mayor suggested that we wait for the winter convention because it was going to be held in Springdale this year and it would no cost anything. We have missed the June deadline.

**10d. Memorial Spot in Park for Sunny Hinshaw—Doudna**

I would like permission to possibly designate a spot in the park in Sunny's memory. Something like planting a tree, have a park bench or flower garden. The Master Gardeners and the museum already have funds to help. Tommy suggested that she get with Jeff Hawkins the Parks Committee because of questions that came up in the discussion. Rhonda will collect more info for the next C.O.W.

**10e. Discuss Ethical Behavior of Council Members—Doudna**

Rhonda Doudna asked Joe Edgmon to respectfully give her the floor and she will do the same for him. This item was put on the agenda prior to the incident concerning Joe Edgmon. This is in ref. to a meeting Joe Edgmon called for in April 2015 including the media. Joe Edgmon was interviewed by the media which concerned the council and citizens of this town. There were accusations in reference to over \$100,000.00 of missing funds, concerning the TAFD. Rhonda Doudna FOI the city for anything Joe Edgmon sent to a auditor in reference to this issue. After further investigating, there were no funds missing and no proof to support Joe Edgmon's accusations. The TAFD has every right to sue Joe Edgmon, but at this time they do not. Concerned citizens of this town want Joe Edgmon removed for his seat (he was appointed by the prior council not voted in). What needs to be done to make this happen the citizens ask? Rhonda Doudna would like to find some common ground with Joe Edgmon so the city can finally move forward if they have to continue to work together.

Joe Edgmon says he did not receive the adequate information from the TAFD, 1099's, statements and specific details on where the funds were spent, according to the contract. Joe Edgmon says he is just now getting this information. He says he is not picking on the TAFD.

For more comments listen to the audio.

10f. Discuss Changes to the Open Air Vendor Ordinance—James Clark  
Vendors would like more options. He has made some suggestions and will bring to planning meeting.

10g. Discuss Resolution 2005-05-122R regarding the One Cent Sales Tax—Colvin  
The bookkeeper has been looking into the city's financial structure. According to the resolution 2005-05-122R it is setup - 40% to street department / 40% to the sewer dept./20% to the general fund. As the resolution states now funds cannot be touched or used where funds are needed, so the bookkeeper suggests the following change, 20/20/60 to make it more flexible. We will be meeting with a bonding company, legislative auditors, and the city attorney the 28th to insure what we are doing. The city attorney is drafting a resolution, for amending the current resolution. We are asking to make this retroactive starting Jan. 1, 2015. Tommy asked why the 20/20/60?

For more flexibility

Mayor- To keep the funds required to go to NACA. We will be setting up new accts. for 6 months' worth of NACA payments to be held in this acct. with the approval from the legislative auditors. After a lengthy discussion, council is to bring any suggestions to the next C.C. meeting.

Motion by Tommy Second by Henry Passes

10h. Discuss Salary Allocations and Setting up New Bank Accounts—Colvin  
Going to ask for permission to setup a new payroll acct. and pull out a percentage of funds from the general, street and water accts., that way each dept. pays the city employees their share.

McCormick says Mary's percentage needs to be changed due to her constant rolls in different depts.

Mayor suggest 20%

Council members are also included

See employee percentage sheet on website.

Motion by Rhonda Second by Arthur Passes

10i. Discuss Policy & Procedures for FOIA Requests—McCormick  
A FOI form can be filled out (not required) so it will make it faster and make it more efficient and know exactly what the person wants.

Asking to adopt this procedure.

Move to C.C. meeting

Motion by Rhonda Second by Tommy Passes

10j. Discuss TFD Equipment—Chief Pinalto  
Carl Giles-(Bernard unable to make meeting having issues with the commentary) We were originally in charge of inventory and was to decide on what to do with some items in the dept. This should be completed by the June 1, 2015.

We do not need the current computers; we will be setting up our own because we are familiar with them, no need for the office equipment and surplus items. Photos of items belong to the city. Our board has discussed and are doing our own audits. And pictures to show the members here, we also have legal counsel working with us to clarify some of this.

For those who know me, know I do not want a penny that does not belong to me and I do not want you to have one penny that belongs to me, we have very good legal counsel, so do not threaten us with lawyers.

11. Comments from Alderman

Henry- If any person elected or appointed to this board does not want to work for the city, they need to leave.

12. Comments from Mayor

City is working on having movie night in the city park, possibly in 2 weeks. We are getting the projector screen set up, tarps setup etc. this will be a family movie PG. rating.

Possibly a car show

13. Comments from Attorney

14. Adjournment