

Acting Mayor – Gene McCartney  
Recorder – Rhonda Ardemagni  
City Attorney –Justin Eichmann  
Law Firm—Harrington-Miller  
City Engineer—Garver Engineers



Ward 1 Position 1— Gene McCartney  
Ward 1 Position 2— Amber Ibarra  
Ward 2 Position 1—Arthur Penzo  
Ward 2 Position 2—Larry Ardemagni  
Ward 3 Position 1—Penny Baskin  
Ward 3 Position 2— Tim Burress

**Special City Council  
March 15, 2022  
Minutes**

**The Tontitown City Council is scheduled for Tuesday March 15, 2022 directly following the Committee of the Whole meeting at Tontitown City Hall and via Zoom and YouTube visit**

**<https://zoom.us/j/92076441456>**

**Meeting ID: 920 7644 1456# or join by phone at +1 (312) 626-6799**

**When prompted for Meeting ID: 920 7644 1456# If you do not have a Participant Number: press #**

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1. Meeting Call to Order
  2. Roll Call

All in attendance

3. Pledge of Allegiance
4. Approval of Agenda

Arthur Penzo motioned to approve the agenda

Second by Larry Ardemagni

Motion Passes Unanimously

5. Comments from Citizens

Kenneth Lovett said the gases from Eco Vista Management is still an issue, the landfill still stinks after hours and weekends because they're not covering it properly, in his opinion. And Mr. Lovett has one picture that proves it, the catch fence is either not tall enough or it's improperly positioned, so trash blows over it instead of into it. Waste Management cancelled the meeting for this month because they want us to meet with a PR firm and not sure what a PR Firm is going to help them with on the smell and operations. Mr. Matt Berner with Waste Management said that flames never admit odor and Mr. Lovett disagrees he said the flames may not admit an odor but there is a vapor. Vapors in the air kills trees and Mr. Lovett presented documentation to what the effects are to woody and plant species from ozone air pollution. Mr. Lovett took a picture of a ring that was hovering over the landfill. The documentation Mr. Lovett presented will be given to the council for review.

Dennis Boyer had one more comment, he said no citations have been issued to Waste Management since January 1, 2019, so what is the point of discussing citations. Russ Green

lays out some confusions on the city codes about times when there could be noise whether it's five or six o'clock and Russ Green has put in many complaints about the noise with the dump trucks and nobody does anything and certainly no citations. If the council is with us on this and you do not want the expansion, then we need a resolution at your meeting in two weeks and if each member of council does support the non-expansion, then in two weeks it'll be your chance to show us and if you're not going to act then we'll know where you stand.

6. Approval by City Council Members to Waive the 3 Reading Rule for All Ordinances on Agenda

Larry Ardemagni motioned to approve  
Second by Penny Baskin  
Motion Passes Unanimously

7. Old Business: None

8. New Business:

- A. Approval of an ordinance to waive competitive bidding and authorize the mayor to purchase two (2) 2022 Dodge Durango (WDEE75) pursuit AWD for the Tontitown Police Department; for other purposes and **declaring an Emergency** – Corey/Gene

The Superior dealership in Siloam contacted the chief about the 2 Durango's that our Police Department ordered. The order has been canceled by Dodge because they are not producing police package vehicles due to supply chain issues. The chief did contact other dealerships but nothing that could help our situation. Superior does have two vehicles on their lot, and they are holding for Tontitown. The chief is asking the councils permission to move forward with the purchase.

Amber Ibarra motioned approve the purchase  
Second by Penny Baskin  
Motion Passes Unanimously

Larry Ardemagni motioned to approve the Emergency Clause  
Second by Penny Baskin  
Motion Passes Unanimously

Bushy Creek Project-Culverts-

This was not added to the Special Meeting agenda due to the timing and the minimum requirements, generally 2 hours' notice. But in this case more time would have been needed to have the resolution completed which would have taken a few more days and

would push this project back approximately three few weeks if a special meeting was scheduled.

Stepping back in time, the City of Tontitown had culverts that were available locally for the Bushy Creek Project. There was a four-day period between the time we found them and our next city council meeting where we could have voted to approve the mayor to purchase those culverts, in that four-day period those culverts sold to someone else and with the supply chain issues getting those culverts available again has been terrible. So, the contractor who is doing the job offered to pour those culverts in place and the contractor can do it for the same cost that we were going to purchase them for and according to the engineer the same specs which A.R.D.O.T. recommends this project would now be completed by May 20, 2022. If the council agrees to move forward with this change the City Attorney Justin Eichmann will bring a resolution that ratifies it to the next meeting. If the council chooses not to move forward this would just bump us back further.

All council members verbally agreed to allow the mayor to move forward and have the resolution brought to the next city council meeting in April.

9. Comments from Aldermen- None
10. Comments from Mayor- None
11. Comments from City Attorney- None
12. Adjournment- Arthur Penzo motioned to adjourn    Second by Amber Ibarra    All in Favor