

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

Committee of The Whole

March 15, 2022

Minutes

The Tontitown Committee of the Whole meeting is scheduled for **Tuesday March 15, 2022**, at 6:00 p.m. at the Tontitown City Hall, Tontitown, Arkansas and via Zoom and YouTube visit <https://zoom.us/j/95097016958>

Meeting ID: **950 9701 6958** or join by phone at +1 (312) 626-6799. When prompted for Meeting ID: **950 9701 6958#**
If you do not have a Participant Number: press #

If you wish to watch Online without interactively participating, you can stream the meeting online via YouTube, from our YouTube Channel:

- By PC, Mac, iOS (iPhone), or Android: Navigate to the “Tontitown City Hall” channel:

<https://www.youtube.com/channel/UCIbUv481CeNFF2JNwoOsrNQ>

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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 Penny Baskin

Motion Passes Unanimously

5. Approval of **February 15, 2022** COW Minutes

Amber Ibarra motioned to approve the minutes

Second by Penny Baskin

Arthur Penzo voted- ABSTAINED

Tim Burress voted- YES

Larry Ardemagni voted -YES

Amber Ibarra voted- YES

Gene McCartney voted- YES

Penny Baskin voted- YES

Motion Passes

6. Recognition of Garrett Henry

Justin Eichmann read a proclamation on behalf of the Tontitown City Council, for Officer Garrett Henry who went above and beyond the call of duty and selflessly rescued a citizen trapped in a burning vehicle and whereas Officer Henry sustained injuries during the event, but worked relentlessly until the citizen was pulled to safety. The Tontitown City Council wishes to honor and recognize Officer Henry for sacrificing his own life for his community by officially declaring April 10th to be known as "Garrett Henry Day".

Mayor Gene McCartney personally thanked Officer Henry for everything he has done. Also, Arkansas State Representative Robin Lundstrum awarded Officer Henry a "Citation Award" on behalf of the House of Representatives for his courage and bravery. On March 1, 2021, Officer Henry was named "Washington County Officer of the Year" by Attorney General Leslie Rutledge.

7. Monthly Financials-

Reference the city website for detailed report.

8. Comments from Citizens-

George Scott said they are having issues with speeding vehicles and truck traffic on S. Barrington. Mr. Scott has requested that the city change the 40 MPH speed sign to 30 MPH or consider moving the 40 MPH speed sign to another location.

Dennis Boyer said zero progress has been made with Waste Management regarding the gas discharge issue with Eco Vista and any future progress is doubtful. Waste Management decided moved the issue to their Public Relations Firm, and no explanation was given, (this information email will be provided to the council). Mr. Boyer is asking the council to consider voting on a resolution opposing the expansion at the next meeting so it can be forwarded to D.E.Q.. Mr. Boyer has provided a sample resolution for the council to review and possibly use as a working draft. Waste Management promised to provide a list of places in which they operate, where the proximity and density of the homes is similar to here. Waste Management responded in writing that they will now- nor ever provide this promised information. In closing Mr. Boyer asked that the council vote on a resolution opposing the expansion at the council's next meeting.

Mark Calcagni said he visited some landfills and how they use 6 inches of clean dirt as covering and Waste Management does not practice this at our facility. Mr. Calcagni asked that public safety and health be the priority over cost.

Angie Russell researched the smell at other landfills, and said they use a combination of ash and leachate, and they have no problems with vapors or smell. Mrs. Russell said she would setup a tour and would like the council to attend. Also, she asked for state support.

Jamie Morgan said Waste Management has broken city codes and promises and has asked that the council pass a resolution for "NO" future landfill.

9. Department Reports

a) Police Department – Chief Corey Jenison

Reference the city website for detailed report.

b) Fire Department—Operations Chief Todd Witzigman

Reference the city website for detailed report.

c) Public Works Department – James Clark

A short report was presented by Leslee Shadrick who is Tontitown's Administrative Assistant. Leslee substituted for James Clark who is out of the office due to illness.

Reference the city website for detailed report.

d) New Build Permit Report – James Clark

No report.

e) Planning Department – Planning

Kevin Boortz with the Planning Commission apologized to the council because, at the last planning meeting on Feb. 22, 2022, some members did not attend the meeting at all, and another left the meeting after the Public Hearing Section was adjourned and that left the commission without a quorum. So, the commission was forced to stop the meeting. This meeting was rescheduled for March 17, 2022, at 6:00 PM. Steps have been taken so this does not happen again.

- f) **Tontitown Museum Board – Beverly Cortiana or Katherine Karras**
Reference the city website for detailed report.

10. Old Business:

11. New Business:

- A. **Discussion of an ordinance to amend to section 130.03 in the City Code: Road Spills – Gene/Justin**

The council agreed to move this item to the next Committee of the Whole meeting, to allow further review of the ordinance.

Amber Ibarra motioned to move to the next Committee of the Whole meeting
Second by Larry Ardemagni
Motion Passes Unanimously

- B. **Discussion of a resolution to amend section 3.9 in the City of Tontitown Personnel Handbook: Nepotism – Tim/Justin**

The city council members along with the city attorney discussed in detail regarding this resolution.

Reference YouTube for lengthy discussion.

Tim Burress motioned to move this item to the next city council meeting
Second by Amber Ibarra

Motion Passes Unanimously

- C. **Discussion of an ordinance to revise the ward boundaries in the City of Tontitown – Gene/Justin**

Jeff Hawkins with Northwest Arkansas Regional Planning Commission sent the council a statistical evaluation of the city wards, utilizing the 2020 census. According to the Arkansas statutes the city council has a duty and responsibility to see that each ward has nearly an equal population as would best serve the interest of the people of the city. The council is to review all information and contact Jeff Hawkins with any questions or clarification.

Larry Ardemagni motioned to move to the next city council meeting
Second by Penny Baskin

Motion Passes Unanimously

- D. **Discussion of the Southeastern Cooperative Wildlife Disease Study – Gene**

Levi Horrell with wildlife diseases study was present to answer questions and clarify the results of the bird carcasses that were collected back in December 2021 by private citizens, located around Waste Management and the surrounding neighbors. The species of bird was the European Starling, the cause of death was a combination of caffeine and theobromine, this combination methylxanthine compounds is commonly found in chocolate. Below is the detailed report that can be found on the city website under the Committee of the Whole -March 15, 2022, agenda/minutes.

[11D.-SCWDS-Report-W22-00006-1645655843193.pdf](#)

12. Comments from Council Members

The council said that they appreciate everyone coming to tonight's meeting and for bringing the information and giving additional insight. The council congratulated Garrett Henry for his services and the new addition to his family. Also, the council wanted to welcome Steven Sporer to the Tontitown Fire Department.

13. Comments from Mayor

Met with Waste Management about the city contract.

Had a good turnout regarding the communities' input for the new Fire Station, we had a few changes in the footprint and covered most of the bases for the station.

Still in discussion with T.A.F.D. regarding the contract.

Matt Berner from Waste Management reached out to the mayor, and they are working with the Rollins Elementary School, and they are starting a program called bottle caps to benches. This will be a recycling program for plastics such as detergent type plastics. There will be a facility here and a drop off at Waste Management.

There are two additional amendments to the professional service agreement for Weir and that would be the estimating, they do have an estimator that would assist us in the building process to keep us on track. The mayor has requested four different time frames for doing estimates potentially five.

Due to supply chain issues on getting culverts a meeting following this meeting which is our Special City Council Meeting we'll be discussing this issue.

The Air Quality Committee has had some meetings and we are currently looking at purchasing at least one of the hand held unit. The mayor did request two monitors in our meeting with A.D.E.Q. several weeks ago.

During the snowy weather we had five accidents on 112, so our police and fire were very busy. The mayor appreciates these departments and everything they do.

More information on the partial closing of N. Barrington and down to 1 Lane on Arlington Way, so we can start installing the culverts, this will be discussed at the Special Meeting following this meeting.

The city has some job openings for the street, water/sewer, and police departments, applications are available on the city website or call City Hall, also the mayor is considering a job fair.

14. Comments from Attorney

15. Adjournment- Arthur Penzo motioned to adjourn Second by Amber Ibarra All in Favor