

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

**City Council  
April 5, 2022  
Minutes**

**The Tontitown City Council is scheduled for Tuesday, April 5, 2022, at 6:00 p.m. at Tontitown City Hall and via Zoom and YouTube visit <https://zoom.us/j/97053037337>**

**Meeting ID: 970 5303 7337# or join by phone at +1 (312) 626-6799**

**When prompted for Meeting ID: 970 5303 7337# If you do not have a Participant Number: press #**

1. Meeting Call to Order
2. Roll Call  
All in attendance
3. Pledge of Allegiance
4. Approval of Agenda  
Arthur Penzo motioned to approve  
Second by Penny Baskin  
Motion Passed Unanimously
5. Approval of City Council Minutes from March 1, 2022  
Penny Baskin motioned to approve  
Second by Larry Ardemagni  
Motion Passes Unanimously
6. Approval of Special City Council Minutes from March 15, 2022  
Arthur Penzo motioned to approve  
Second by Amber Ibarra  
Motion Passes Unanimously
7. Comments from Citizens  
Bernadette Collins had a packet distributed to the council that shows a Verizon cell tower that was damaged by the F3 tornado that hit Fayetteville and Springdale on March 30<sup>th</sup>. The pole that was damaged was not a monopole like the one that is to be built here in Tontitown. There is a picture in the packet that shows a damaged monopole, and it did not collapse within itself or with in a 35-foot range as designed. Version presented the wrong information when they went before the Planning Commission and was later passed. This wrong information was noticed by former councilman Don Doudna but was still passed by the council. They are asking that the council look at this again based on the information brought to tonight's meeting.

This is to be added to the next Committee of the Whole Meeting.

Tom Terminella wanted to introduce himself because he is running for Washington County Judge as a Republican. If you have any questions Mr. Terminella can be reached at 479-841-1621 and t.terminella@aol.com.

Josh Craine requested that the ball field be revamped mainly home plate and first base be because it holds water.

Angie Russell said the electric boxes on the light poles in the park were not working at the opening of the Farmers Market and asked if that could be fixed.

Kenneth Lovett said Waste Management continues to pollute the area. A.D.E.Q. issued a permit to allow a dye test to be done and its gravity fed. So, a hole was dug near class four and some residents found the dye in the Little Wildcat Creek down by Harmon Church. According to Mr. Lovett this test would determine if Waste Management has a direct access to the creek. A.D.E.Q. has not approved this expansion so we still have an opportunity to do something and make it right.

North Barrington is being cut off and the options are very few. There is supposed to be a traffic light at Klenc and 412 and would like to know when that will happen.

8. Approval by City Council Members to Waive the 3 Reading Rule for All Ordinances on Agenda  
Larry Ardemagni  
Second by Penny Baskin  
Motion Passes Unanimously
9. Old Business:
10. New Business:
  - A. **Approval of a resolution amending section 3.9, Nepotism, of the City of Tontitown personnel handbook for the City of Tontitown, Arkansas – Tim/Justin**  
Larry Ardemagni motioned to approve  
Second by Penny Baskin  
Motion Passes Unanimously
  - B. **Approval of an ordinance to approve revised city ward boundaries in the City of Tontitown, Arkansas – Gene/Justin**  
Gene motioned to Table and move to the next Committee of the Whole Meeting and vote at the special meeting following.  
Second by Larry Ardemagni  
Motion Passes Unanimously
  - C. **Approval of an ordinance rezoning certain lands located at 761 and 829 W Henri De Tonti Blvd from commercial (C-2) to Commercial trades (C-T) in the City of Tontitown, Arkansas – Planning/Justin**  
Amber Ibarra motioned to approve  
Second by Penny Baskin  
Motion Passes Unanimously
  - D. **An Ordinance amending section 153.216 Sidewalks in its entirety of the Tontitown Municipal Code; **Declaring an Emergency** and for other purposes – Planning/Justin**

Arthur Penzo motioned to approve  
Second by Penny Baskin  
Motion Passes Unanimously

Arthur Penzo motioned to approve the Emergency Clause  
Second by Larry Ardemagni  
Motion Passes Unanimously

- E. Approval of a resolution authorizing and approving change order No. 1 for the Bushy Creek Restoration Project in the City of Tontitown, Arkansas – Gene/Justin

Amber Ibarra motioned to approve  
Second by Penny Baskin  
Motion Passes Unanimously

- F. Approval of a Conditional Use Permit for 761 and 829 W Henri De Tonti Blvd (Paramount Metals) with Conditions – Planning/Justin

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

- G. Approval of a Conditional Use Permit South of Hwy 412 to the West of Pozza Lane with conditions– Planning/Justin

Larry Ardemagni motioned to Table and move to the next Committee of the Whole Meeting  
Second by Arthur Penzo  
Motion Passes Unanimously

- H. Approval of an ordinance amending section 153.217 Street Frontage-access easement in its entirety of the Tontitown Municipal code; **Declaring an Emergency** and for other purposes – Planning/Justin

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

Arthur Penzo motioned to approve the Emergency Clause  
Second by Penny Baskin  
Motion Passes Unanimously

- I. Approval of an ordinance amending section 152.084 Review Criteria in its entirety of the Tontitown Municipal Code; **Declaring an emergency** and for other purposes – Planning/Justin

Larry Ardemagni motioned to approve  
Second by Amber Ibarra  
Motion Passes Unanimously

Arthur Penzo motioned to approve the Emergency Clause  
Second by Amber Ibarra  
Motion Passes Unanimously

- J. Approval of an ordinance amending section 152.080 Applicability in its entirety of the Tontitown Municipal Code; **Declaring an emergency** and for other purposes – Planning/Justin  
Penny Baskin motioned to approve

**Second by Larry Ardemagni  
Motion Passes Unanimously**

**Arthur Penzo motioned to approve the Emergency Clause  
Second by Penny Baskin  
Motion Passes Unanimously**

- K. Approval of an ordinance amending section 152.095 Applicability in its entirety of the Tontitown Municipal Code; Declaring an emergency and for other purposes – Planning/Justin Amber Ibarra motioned to Table and move to the next Committee of the Whole Meeting  
Second by Penny Baskin  
Motion Passes Unanimously**

#### 11. Comments from Aldermen

Tim Burress requested that a simple “In God We Trust” sign be put in City Hall.

The city needs to be looking for solutions for road improvements and need to revisit the Future Land Use Map.

Tim also thanked everyone for coming to tonight’s meeting.

Penny Baskin would like to look at and discuss “The Future Land Use Map” at the next Committee of the Whole Meeting. Penny encouraged everyone to come out and support the Farmers Market. Penny also, wanted to thank everybody that worked at the Police Department they did hotdogs, hamburgers and really appreciate the help.

Arthur Penzo understands we need streets, but he is one of the lucky ones that the state is coming through his property and Arthur’s not sure what he’s going to get for his property but pretty sure there will be a difference in what the property is worth and what the state will pay. The property value of the land would be expensive for the city to buy, or we would have to condemn it to take it and that is what the state is going to do to a lot of it. He knows we need streets, but we also need to fix ours existing roads and all this is called M-O-N-E-Y.

Amber Ibarra agrees with Tim Burress’s comments, and she reminded everyone that the Farmers Market kicked off on Saturday.

Larry Ardemagni said Tontitown has a lot of trash that needs picked up and has requested that the City/Police Department be in contact with Washington County jail.

#### 12. Comments from Mayor

Barrington Road closer and detour signs will be out.

Still in talks with T.A.F.D. over the contract.

Still working on the contract with Waste Management. Have been discussing a recycling program and a voucher system for the citizens.

The mayor election is May 24<sup>th</sup> this is election is to finish the term of the prior mayor, so please come out and vote.

April 15<sup>th</sup> at 9:00 AM for the Rollins Dedication, all city department are encouraged to come.

The Municipal League Handbook is available for the council to review.

A.R.D.O.T. will be addressing road edges.

12. Comments from City Attorney

13. **Adjournment** – Arthur Penzo motioned to adjourn Second by Penny Baskin All in Favor