

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

April 19, 2022

Minutes

The Tontitown Committee of the Whole meeting is scheduled for **Tuesday April 19, 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
Penny Baskin motioned to approve the agenda
Second by Arthur Penzo

Amber Ibarra Voted- YES
Tim Burress Voted- Abstain
Gene McCartney Voted- YES
Penny Baskin Voted- YES
Arthur Penzo Voted- YES
Larry Ardemagni Voted- YES

Motion Passes

5. Approval of **March 15, 2022** COW Minutes
Tim Burress motioned to approve the minutes
Second by Penny Baskin

Motion Passes Unanimously

6. Monthly Financials-
Reference YouTube or the City website for detailed report.
7. Comments from Citizens-

Angie Russell wanted to speak about the Verizon monopole that was discussed back in November 2021 and later approved. Mrs. Russell presented pictures of the 3-legged Verizon cell tower that was destroyed in the tornado that hit Springdale and Fayetteville on March 30th. Mrs. Russell said the citizens and council were given incorrect and misleading information by the Verizon representative, and questions by a councilman went unanswered before the vote. Mrs. Russell presented her research from different online websites on monopoles, and the fall zones, if the cell tower were to collapse.

Bernadette Collins is most definitely opposed to the cell tower, she had plans for a future home to be built and probably won't be now. Mrs. Collins asked the council to consider what this is doing to them and for the citizens who get to look at it every day. Verizon said this is for the customers of Verizon and she just doesn't see it that way. Mrs. Collins is very disheartened by the whole thing and heartbroken. Mrs. Collins would like the council to reconsider the decision and location.

Candy Black said her property is right up against where the Verizon pole is to be built. Mrs. Black agrees with Mrs. Collins and is asking the council to reconsider what this is doing and seeing what happened in Johnson with that cell tower by an EF-3 tornado. Also, this tower will devalue her property. The gentleman whose land the tower is to be built, doesn't live there and it doesn't hurt his property value because it's commercial. Moving the location of the tower like to a cow pasture so it doesn't affect where someone is living.

Kenneth Lovett asked that the roads remain on the council's mind. Mr. Lovett knows it takes money and land, and the city is growing and so is the traffic no matter which way you go. A few more codes and maybe stipulations he believes have been created, but we are getting trash blowing across the road from Waste Management, Mr. Lovett called and tried to work through that this past month. The Code Officer was called, and Waste Management cleaned up the trash, but Mr. Lovett doesn't want to cause trouble, so we need to find out what path to take so he doesn't have to keep calling.

8. Department Reports

- a) **Police Department – Chief Corey Jenison**
Reference YouTube or the City website for detailed report.
- b) **Fire Department—Operations Chief Todd Witzigman**
The new fire station design was sent in to get a cost and we are over budget, so we went back and to find areas where we could cut cost to get back on budget.
Reference YouTube or the City website for detailed report.
- c) **Public Works Department – James Clark**
Reference YouTube or the City website for detailed report.
James Clark wanted to thank everyone for their thoughts and prayers and to the employees for coming together and taking up slack in his absence.
- d) **New Build Permit Report – James Clark**
Reference YouTube or the City website for detailed report.
- e) **Planning Department – Planning**
Reference YouTube or the City website for detailed report.
- f) **Tontitown Museum Board – Beverly Cortiana or Katherine Karras**
Reference YouTube or the City website for detailed report.

9. Old Business:

- A. Discussion of the previously approved Verizon Wireless Tower at 1853 W Henri De Tonti Blvd – Tim

The council feels like more discussion is needed and would like to setup a meeting with Verizon and the Tontitown City Attorney.

- B. Discussion of an Ordinance to revise the ward boundaries in the City of Tontitown – Gene

Jeff Hawkins with NW Arkansas Regional Planning Commission explained how and why ward boundaries are needed and the city can have the appropriated ward representation. Jeff explained to the council what resources are used when mapping ward boundaries, and this helps the council make a better decision. Jeff also presented two plans for the council to review.

Larry Ardemagni motioned to approve Plan 2 and move to the Special Meeting
Second by Penny Baskin

Penny Baskin Voted- YES
Amber Ibarra Voted- Abstain
Gene McCartney Voted- YES
Larry Ardemagni Voted- YES
Arthur Penzo Voted- YES
Tim Burress Voted- YES

Motion Passes

- C. Discussion of an Ordinance amending section 152.095 Applicability in its entirety of the Tontitown Municipal Code. – Planning Department

After discussion there was no Motion by the council, so this Item is dead.

- D. Discussion of a Conditional Use Permit South of Hwy 412 to the west of Pozza Lane with conditions – Planning Department

Larry Ardemagni motioned to approve and move to the next City Council Meeting
Second by Penny Baskin

Motion Passes Unanimously

10. New Business:

- A. Discussion of an Ordinance amending section 155.01 Fees in its entirety of the Tontitown Municipal Code. – Planning Department

Larry Ardemagni motioned to approve and move to the next City Council Meeting
Second by Penny Baskin

Motion Passes Unanimously

- B. Discussion of an Ordinance amending section 90.1000.1-90.1000.05 Excavations in its entirety of the Tontitown Municipal Code. – Planning Department
Discussion of amending penalty fees. The council is to submit any other changes James Clark and Courtney McNair will amend the ordinance.

Penny Baskin motioned to move to the next City Council Meeting with changes from 150% to 300% penalty fees
Second by Arthur Penzo

Motion Passes Unanimously

- C. Discussion of an Ordinance expressing support for individual rights and choice as it relates to vaccines – Tim
The council would like the City Attorney to be present, so this Item was Tabled and will be discussed at the next Committee of the Whole Meeting in May 2022.

Larry Ardemagni motioned to Table
Second by Arthur Penzo

Motion Passes Unanimously

- D. Discussion of a Resolution authorizing the mayor to negotiate and enter into an independent contractor agreement with Danielle Delille for City Event Coordination services – Gene**

This discussion is for all city events except the Farmers Market.

Danielle has numerous events planned and some are already scheduled but the city council felt it was not necessary to enter into a contract agreement with Daniella Delille for City Event Coordination Services. Tim Burress feels that it would be better to put city money towards the roads. Tim also mentioned that there were several people who were interested in the vacant planning commission seat and those people were wanting to be more involved with the city. Tim said we have a street and park committee and suggests that we have an event committee and he Tim would be happy to volunteer his time.

Moving forward- The mayor has put Tim Burress, Amber Ibarra, and Penny Baskin as the city's volunteer Event Coordinators.

Tontitown citizens are encouraged to contact Tim Burress, Amber Ibarra, or Penny Baskin or contact city hall for ways you can help with city events.

11. Comments from Council Members

Tim Burress thanked everyone for coming to the meeting and is happy to live here and thinks together we can do some good in this place, even when we disagree.

Penny Baskin said the Air Quality Committee is having an event in the park the week of May 2nd through the 9th, tree planting and more information will be given later.

Arthur Penzo apologized for his outspokenness.

Amber Ibarra said Danielle works very hard and hopes she's not to disappointed.

Larry Ardemagni said the early voting will take place here in the city council chambers on starting May 9, 2022.

12. Comments from Mayor

The mayor will give his comments at the special meeting following the meeting.

13. Comments from Attorney

- 14. Adjournment- Tim Burress motioned to adjourn Second by Arthur Penzo All in Favor**