

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  
May 3, 2022  
Minutes**

**The Tontitown City Council is scheduled for Tuesday, May 3, 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  
Penny Baskin motioned to approve the agenda  
Second by Larry Ardemagni  
  
Motion Passes Unanimously
5. Approval of City Council Minutes from April 5, 2022  
Amber Ibarra motioned to approve  
Second by Arthur Penzo  
  
Motion Passes Unanimously
6. Approval of Special City Council Minutes from April 19, 2022  
Arthur Penzo motioned to approve  
Second by Penny Baskin  
  
Motion Passes Unanimously
7. Comments from Citizens  
Rocky Clinton said he had a bad experience last week that made him angry while trying to go to his 8:00 AM physical therapy treatment at the Ozark Outlet Mall. Mr. Clinton took Highway 412 to Barrington and ended up setting at that intersection eight times, the traffic was backup about two miles and when he got to Highway 112 there was no traffic. We always think about Highway 112 as being the bottleneck, but it was Barrington that was the bottleneck. It took Mr. Clinton 40 minutes to get from his house to the Ozark Outlet Mall. So, when this is issue is brought up to the city they say "It's ARDOT" and we can't do anything about it". Mr. Clinton has since taken another route that takes about 15 minutes. Now, in 2017 our Planning Board spent hours every week along with the former mayor and James Clark and staff for a period of a year and a half to come up with a zoning map for a Master Street Plan. Mr. Clinton came to City Hall and asked to see the Master Street Plan,

and nobody could find it. So, it's not being used but after some time James Clark pulled it up on the computer and Mr. Clinton believes the fault falls upon the council. The Planning Board proposed two main arteries in this city to relieve traffic from 412, one on Liberty from 112 to old 68 and one that is Kissinger from 112 to Harmon Rd. And nothing has been done in five years now we are required by the state again to come up with a new revised Master Street Plan, and workshops are about to start. Nothing that we proposed, nothing that this body ratified has been done and Mr. Clinton thinks it's time for the council to do their elected duty and do what it takes to relieve the traffic off 412 and see our city function better and if other cities can do it so can we.

Kenneth Lovett said he heard a little bit of Rocky's speech and he's pointing finger at the council, but the committee has their responsibilities too, but we do need some roads and Mr. Lovett thinks we need to revisit the Master Plan because east and west will help but we need some north and south to.

Also, we need to get some equipment to do air sampling, the cost of the manual type with several different tubes to test is \$1,300.00 or we can hire a company.

And the third thing is in reference to the code of conduct posted on the wall and the way we treat each other. Also, Mr. Lovett doesn't see the Planning Commission and the council communicating with each other, for example last week there was a parking lot expansion discussion at the Planning Commission and then it was moved to the City Council Meeting for approval and there was a breakdown of communication for the request, so it was sent back to the Committee of the Whole for further discussion. Mr. Lovett asked if there is a document somewhere somebody can read or are they reading it.

Councilman Tim Burress explained the way the meeting is currently setup, the planning meeting and a week later is this meeting (city council) which is the only voting meeting we have a month, sure it is possible that we could all attend the planning commission meeting but it doesn't always work out that way, but even after that sometimes it's the first time that we hear, even if we're there and I think there probably could be a little more crystallization for us beforehand but we don't get our packets till Friday and sometimes there's just not enough time, so communication is everything and we could probably do a better job.

Chris Hunt said he is speaking second hand but still just as an FYI he wanted to make the council aware of a situation located downhill from the new development going in on Mantegani. The resident at 625 Javello has been overwhelmed with runoff water from the 20 acres that was cleared of forest to make room for homes. Mr. Hunt doesn't know what the subdivision plans entail for the runoff water, but he wanted to give the council a heads up that there are goats in a little ravine and they're getting flooded out. (James Clark the Public Works Director or Roger Duncan the City Inspector can be contacted).

Lisa Parks wanted to introduce herself, she has lived in Tontitown for about 17 years, and she is running for Arkansas State Senate District 31 which now covers Tontitown.

8. Approval by City Council Members to Waive the 3 Reading Rule for All Ordinances on Agenda  
Penny Baskin motioned to approve  
Second by Arthur Penzo

Motion Passes Unanimously

9. Old Business:

- A. Approval of a Conditional Use Permit south of Hwy 412 to the west of Pozza Lane with conditions – Planning  
Larry Ardemagni motioned to approve  
Second by Penny Baskin

Motion Passes Unanimously

10. New Business:

- A. Approval of an Ordinance amending section 155.01 Fees of the Tontitown Municipal Code; for other purposes and **Declaring an Emergency** – Planning

Larry Ardemagni motioned to approve  
Second by Arthur Penzo

Motion Passes Unanimously

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

Motion Passes Unanimously

- B. Approval of an Ordinance amending section 90.1000.1 through 90.1000.7 of the Excavations and Alterations of the Tontitown Municipal Code; for other purposes and **Declaring an Emergency** – Planning

Penny Baskin motioned to approve  
Second by Larry Ardemagni

Motion Passes Unanimously

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

Motion Passes Unanimously

10. Comments from Aldermen

Tim Burress spoke with the Chief Counsel Lanny Richmond with the Municipal League about that vaccine rights ordinance, and he had no issues it and said that it's a city issue. Also, the \$10.00 permit fee the city charges for the city yard sales seems a bit silly. **Mr. Burress would like to discuss more on both of these items at the next Committee of the Whole Meeting.**

Penny Baskin announced that on May 14<sup>th</sup> at 9:30 AM we will be a planting approximately 16 trees in the park with the Air Quality Committee, City Council, Planning Commission, city groups and would like to see everyone attend.

Larry Ardemagni said after speaking with Mr. Lovett at length Larry understands why Mr. Lovett is getting tired because he's really gone above and beyond, and Mr. Lovett's hard work is very much appreciated.

11. Comments from Mayor

1. Barrington project is going very well, looking at a completion date May 20<sup>th</sup>.
2. The ball field is looking great thanks to the Boy Scouts Troop 777, and Austin if your listening we appreciate you. Austin has led this project for his Eagle Scout Award, and we appreciate all the hard work that has been done.
3. The city has a new employee, Steve McCamey.
4. Air quality meeting is scheduled for May 14<sup>th</sup> at 9:30 AM.
5. The mayor has asked that the Park and Street Committee schedule a meeting.
6. City meeting procedures will be strict for example, being recognized by the chair and the 3-minute comment time. This is to help flow better and that is the purpose and none other.

Rhonda Ardemagni Clerk/ Treasure had a comment in reference to the lack of communication between the Planning Commission and City Council, that was brought up by Mr. Lovett in earlier comments.

They can attend these meeting and if they can't, it is on YouTube everybody's got a phone, people have computers, they can watch it on YouTube. So, I don't feel that there's any excuse to not be able to review the meetings (and be more prepared). That is my thought!

12. Comments from City Attorney- None

13. **Adjournment- Adjourned All in Favor**