

Mayor – Angela Russell
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

**Public Hearing / City Council
August 1, 2022
Minutes**

The Tontitown City Council is scheduled for Monday, August 1, 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

Gene McCartney motioned to approve the agenda

Second by Penny Baskin

Motion Passes Unanimously

5. Comments from Citizens

Tontitown City Attorney Justin Echmann explained the appeal process to the council.

The Planning Commission denied this request so the applicant went through the appeals process in hopes the council will overturn the Plannings Commission's decision.

Tom Hennly with Crafton Tull Engineering spoke on behalf of the owners and would answer any questions the council may have.

Tina McDonald (952 Foster Lane) said she is impacted by the water more than anybody and is one of the sellers of the property and realizes adjustments will need to be made for the water which most of the water comes through the valley from 412. Mrs. McDonald, said whatever the engineer does, will make it better than what it is now, and this rezoning should be passed, the lot sizes will look better, and she would love to see a neighborhood there.

Clint Penzo with ReMax and is the realtor for this property said the future zoning for that area is medium density and the runoff is probably going to be improved when the detention or retention ponds are put in place. And if the future plan is for that area is to be medium density, he doesn't see why low-density rezoning would be a problem. Mr. Penzo asked that the council go with the future plans for that area.

Logan Geels (2151 Liberty) said the 100-year floods are happening every 2 years and the water makes the roads impassable and is against it for runoff reasons, roads, and safety issues.

Kevin Boortz, Vice Chairman for the Planning Commission read aloud the below letter from Josh Craine who was unable to attend tonight's meeting and who is also on the Planning Commission.

Council-

I would like to comment on the Liberty Rezoning Appeal. I will not be able to attend tonight's meeting due to scheduling conflicts, but feel this is too important of a topic to remain silent on. As everyone is well aware, Tontitown has a serious infrastructure issue pertaining to roads that needs to be addressed. Members of the planning commission, as well as citizens, have been echoing these concerns for months. Up until now, we as a city have failed to meet this problem head on. In my opinion, it is the planning commissions responsibility to plan for the well-being of the community and its citizens. We have doubled in population in the last couple years. That means twice as many cars on the road in our city. Increasing density BEFORE we have a way to fund the road infrastructure that our city desperately needs is premature and irresponsible to our community. The planning commission is now starting to see and understand this issue. We have been diligently brainstorming various avenues to try and accommodate the, some would say, unprecedented growth in our area. Increasing density is not the answer, not right now. As always, the planning commission looks forward to working hand in hand with city council to make Tontitown a better place to live.

I respectfully ask this council to uphold the planning commission's UNANIMOUS vote to DENY this rezoning request.

Public hearing

1. 2384 Liberty Rezoning Appeal request – The applicant is appealing a denial decision by planning commission. The applicant is requesting to rezone 23.63 acres of property from R-E (Residential Estates, 2-acre minimum lot size) to R-1 (Residential, 1-acre minimum lot size). The project is located on parcel #830-37976-400.

The owner/applicant for this project is the Robert E. Pianalto Revocable Trust. The property is located north on Liberty Ave, and east on Foster Lane. There appear to be several existing residences on this site.

The applicant is requesting to rezone 23.63 acres of property from R-E (Residential Estates, 2-acre minimum lot size) to R-1 (Residential, 1-acre minimum lot size).

Adjournment- Adjourned

City Council

1. Meeting Call to Order
2. Roll Call
All in attendance
3. Pledge of Allegiance
4. Approval of Agenda
Penny Baskin motioned to approve
Second by Tim Burress

Motion Passes Unanimously

5. Approval of City Council June 7, 2022, Minutes
Gene McCartney motion approve
Second by Penny Baskin

Motion Passes Unanimously

6. Comments from Citizens- None
7. Approval by City Council Members to Waive the 3 Reading Rule for All Ordinances on Agenda
Larry Ardemagni motioned to approve
Second by Gene McCartney

Motion Passes Unanimously

8. Old Business: None
9. New Business:
 - A. Approval of appeal to the City Council to rezone 23.63 acres of property from R-E (Residential Estates, 2-acre minimum lot size) to R-1 (Residential, 1-acre minimum lot size) – Planning

Amber Ibarra said she did not attend the Planning Commission Meeting (or watch the video recording on YouTube), so she was not prepared to vote on this item and wanted it Tabled.

Amber Ibarra motioned to Table to the next Committee of the Whole meeting
Second by Gene McCartney

Penny Baskin Voted- NO
Amber Ibarra Voted- YES
Gene McCartney Voted- YES
Larry Ardemagni Voted- NO
Arthur Penzo Voted- YES
Tim Burrell Voted- NO

Motion is a Tie - Mayor Russell has the deciding vote

Mayor Russell Voted- YES

Motion Passes

- B. Confirm the Appointment of Ethan Oxford to the Museum Board – Angie

Amber Ibarra motioned to approve
Second by Larry Ardemagni

Motion Passes Unanimously

- C. Approval of an Ordinance to amend chapter 110 General Licensing Provisions in the Tontitown Municipal Code: Declaring an emergency and for other purposes – Angie

Tim Burress motioned to approve
Second by Larry Ardemagni

Motion Passes Unanimously

Larry Ardemagni motioned to approve the Emergency Clause
Second by Amber Ibarra

Motion Passes Unanimously

- D. Approval of an Ordinance to amend chapter 111: Sale of Fireworks in order to include and define regulations for the use of fireworks in the Tontitown Municipal Code – Angie

Tim Burress motioned to Table to the next Committee of the Whole meeting
Second by Penny Baskin

Motion Passes Unanimously

- E. Approval of a Resolution waiving competitive bidding and authorizing the purchase of one (1) Kubota Skid Steer Loader from Springdale Tractor the City of Tontitown, Arkansas – James

James Clark requested this be Table

Tim Burress motioned to Table to the next Committee of the Whole meeting
Second by Amber Ibarra

Motion Passes Unanimously

- F. Acknowledgement of the 2021 water/Sewer Audit – Angie

Tim Bures acknowledged
Second by Amber Ibarra

Motion Passes Unanimously

- G. Approval of a Resolution authorizing the Mayor to negotiate and execute a service agreement with Telecomp Holdings, Inc. for IT services in the City of Tontitown, Arkansas – Angie

Gene McCartney motioned to Table
No Second
Motion Failed

Tim Burress motioned to approve with the condition that the RFQ's are to be verified by Gene McCartney
Second by Penny Baskin

Gene McCartney Voted- Abstained

Larry Ardemagni Voted- YES
Tim Burress Voted- YES
Penny Baskin Voted- Yes
Arthur Penzo Voted- YES
Amber Ibarra Voted- YES

Motion Passes

- H. Approval of an Ordinance to rezone approximately 40.13 acres of real property located on Klenc Road within the city limits of Tontitown, Arkansas from single-family residential (R-1) to planned unit development (PUD) – Planning

Penny Baskin motioned to Table to the next Committee of the Whole Meeting
Second by Gene McCartney

Gene McCartney Voted- YES
Larry Ardemagni Voted- NO
Tim Burress Voted- NO
Penny Baskin Voted- YES
Arthur Penzo Voted- YES
Amber Ibarra Voted- YES

Motion Passes

10. Comments from Aldermen

Tim Burress thanked all those who came and spoke tonight.

Attend the Grape Festival
Mayor is doing a good job.

Penny Baskin thanked all who came and spoke tonight and all city departments.
Congradulated Mark Ramsey as Tontitown's Fire Chief.
Attend the Grape Festival.

Gene McCartney said please attend the Grape Festival.

Larry Ardemagni said he left the planning meeting and was upset because we want to discuss everything to death and continually tabling items. We have tabled so much that the price keeps going up like the Fire Department, we are approxamatley 5,000 square feet smaller, because we tabled it away and we have people at tonight's meeting that were tabled and we all talk about having a job, well they have a job to, now we have some upset people. Larry said he was dead set against more development but if we are going to do that, we need to change the map/code/zoning because planning does what they have to do, and so do we and can't just say we don't want it, so we need to change the zoning or have none at all.
Come to the Grape Festival.

11. Comments from Mayor

1. Mark Ramsey is Tontitown's new Fire Chief.
2. Luann Jenison is now our administration/HR.
3. Congradulations to Steve Black and Hunter Calico who graduated from the Police Academy and was honored last Friday.
4. Come to the Grape Festival starts Tuesday August 2 through Saterdag 6.
5. Events meeting will be Monday August 8 @ 6:00 PM at City Hall to discuss the Bocce Ball Tournament, motorcycle antique show, Trick or Treat in the Park we are looking for volunteers.
6. Community Meeting August 18th @ 6:00 PM at City Hall.
7. Thanked Mrs Timmons for the dounuts.
8. Thanked Rhonda for ice cream cake.
9. A lot of money is being spent on paper to make the meeting packets so we are going to have a QR code on the door so you can scan it and have everything on you phone this will start at our next meeting.
10. Come to the Grape Festival.

12. Comments from City Attorney

13. Adjournment