

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

**Committee of The Whole**  
**December 20, 2022**  
**Minutes**

The Tontitown Committee of the Whole meeting is scheduled for **Tuesday December 20, 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

Add 10D- Discuss amending resolution expressing the intent of Tontitown related to the Eco-Vista Class 1 and 4 landfill expansion.

Arthur Penzo motioned to approve the agenda  
Second by Penny Baskin

Motion Passes Unanimously

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

Tim Burress motioned to approve the 11/15/22 minutes  
Second by Larry Ardemagni

Motion Passes Unanimously

6. Monthly Financials  
Detailed report is available on the city website

## 7. Comments from Citizens

**Kenneth Lovett 18702 Clearwater Rd., Fayetteville, AR-**

1. Mr. Lovett spoke about why he started attending our city meetings mainly the landfill and the health issues the residents are having.
2. Mr. Lovett's property is not in the city limits of Tontitown but is in the future planning zone.
3. Spoke about the previous mayor and how he ignored the petition signed by 1400 citizens to deny the landfill expansion.
4. Mr. Lovett appreciates the current leadership and seeing the error of the expansion approval protocol and approved it unequivocally to deny it for proper process.
5. Appreciates what Tontitown has done lately toward testing of the air that Eco Vista blatantly releases into the air and our community.

**Scott Ardemagni 765 Ardemagni Rd. Tontitown, AR-**

1. Thanked Penny Baskin, Gene McCartney, and Arthur Penzo for their services and for a job well done.

## 8. Department Reports

### a) Police Department – Chief Corey Jenison

Tontitown Police Monthly Report

Month: November 2022

Calls for Service – 599

Accident Reports – 20

Warrants Served – 57

Warrants Outstanding - 1197

Warrants Amount - \$ 1,594,280.50

Training Hours (YTD) – 2,579

Citation Total – 203

Speeding Citations - 8

(Other) Traffic Citations - 104

Criminal Citations – 41

Improper Driving (City Ordinance) – 50

Warning Total - 232

Speeding Warnings – 59

(Other) Traffic Warnings – 173

### b) Fire Department—Chief Mark Ramsey

Fire Department Report

November 2022

Total Calls: 63

Call Type	City	Rural
EMS	34	5
Fire	5	4
MVA	4	1
False Alarm	1	3
Service Call	6	0
November Total	50	13

YTD Total (11/30/22)	474	116
Last YTD (11/30/21)	344	117

November was the second busiest month of 2022 for call volume.

Completed over 300 training hours for the month.

Ryan Krug, Steven Sporer, and John Buchan completed a 40-hour aerial driver operator course

TFD personnel completed a 40-hour advanced auto extrication class with TAFD.

City crews merged to a 48/96 shift schedule.

Groundbreaking for the new fire station started this month

**c) Public Works Department – James Clark**

Monthly Report December 2022 Public Works Department

**STREETS/PARKS:**

By the time of this meeting the 36” bore under S. Pianalto for storm water drainage, should be completed. K2 Construction began the project on December 14 and hoped to have it completed by the end of day Friday the 16th. It appears that the length of the bore may be more than originally thought. The quote provided by the two contractors was based on 60’ length. It now appears that the actual length is closer to 70’. I may need to bring this additional cost to you at the next council meeting. The project will be wrapped up by then and we will know exact numbers.

You may not have noticed, but our street crew is still repairing stormwater damage from the Spring rains. Recently, an area on N. Barrington where the road edge washed away, was repaired by excavating and installing “shot rock” to stabilize the area and prevent future damage from occurring. On S. Barrington, a drainage ditch was constructed to help carry away flood waters and protect private property from washing away. Garver is still working on our Stormwater Master Plan, but in the meantime, we must continue to address the issues we are aware of from previous events. Sometimes simply cleaning out drainage culverts can have a positive impact in future flooding. However, cleaning out culverts is one of the hardest and most time-consuming jobs to do. Specialized equipment exists that would make this task much quicker and easier. I am sure that we will be talking about acquiring this type of equipment in the near future.

Speaking of new equipment, our new Caterpillar skid-steer was delivered last week. The crew is excited to have an awesome new tool to utilize in their daily adventures, and I am happy that we will be able to pay for it in this year’s budget.

**WATER/SEWER:**

As I mentioned last month, the Arkansas Natural Resources Commission held a meeting on December 2nd to inform cities and counties of the distribution of \$280 million in ARPA funds. Unfortunately, Tontitown did not receive any of those dollars. However, NACA received \$5 million for the upgrade of the treatment plant. As I previously mentioned, the funds we applied for were going to be used to construct an additional water tower. Just because we did not receive ARPA funds, that need does not go away. I will be working for the next few months to find a way to pay for that project. The funding will not be in the form of a grant, because there are none available, but in the form of a low-interest loan. During the ARPA process ANRC made it clear that they have plenty of money to loan. The other option for funding would be through USDA. Our first water tank was funded with a loan from USDA. They are easier to work with,

IMHO, than ANRC.

d) **New Build Permit Report – James Clark**  
Reference the city website for detailed chart/report.

e) **Planning Department – Planning (Mark Latham-Comments on HWY 112)**  
December Agenda:

**1. Deer Valley Subdivision LSD:**

The applicant is requesting an approval for a LSD approval for subdivision development 46 housing lots with 1 for retention pond on 74.82 acres more or less.  
Parcel# 001-16877-000 & 001-16884-400

**2. Accepting planning commission applications:**

Open seat to Michael Lunsford resignation.

f) **Tontitown Museum Board – Misty Piazza**

Tontitown Historical Museum (THM) Report for the COW Meeting, Tuesday, December 20, 2022

The THM Board of Directors met in person on Monday, December 5, 2022.

1. End-of-year celebration: At our December meeting we celebrated all of our accomplishments of the year such as a successful May event and Polenta Smear as well as each other. Each of our board members volunteers over 200 hours each year.

2. Thank You: The Museum Board would like to thank the City Council for their approval of additional dollars for another part-time employee for the museum. We have started the process and hope to be posting the job in January. We are very excited about this move forward and all of the amazing things it will open for the museum and the city. We will continue to keep the council updated as things happen.

3. Board Member expansion: As our museum continues to grow, we are looking to add three additional board members and one additional Jr. Board Member. If you know someone in the area that would be interested, please have them reach out on our website or to any of the current board members.

Regular Museum Hours: Friday, Saturday, and Sunday 1 pm – 4 pm

The next THM Board of Directors meeting is scheduled for Monday, January 9th, 2022, at 6:00 pm in City Hall Conference Room due to the New Years' holiday.

**9. Old Business:**

**10. New Business:**

**A. Discussion on how the 1% sales tax is allocated within the city – Larry Ardemagni**

The council discussed possibly changing the percentage allocated within the city and put more towards city streets.

Mark Latham with the Tontitown Planning Department addressed the council regarding city streets and how the city needs to find ways to generate funds for the street maintenance and add more employees and equipment to the Street Department.

Now that three members of council will be replaced after tonight's meeting, the mayor is to setup a work session, and this will get the new council members involved.

**B. Discussion of an ordinance amending section 155.01 Fees of the Tontitown Municipal code – Angie**

The council discussed adding and changing fees and cleaning up the verbiage.  
The council said more research needs to be done before approving.

Penny Baskin motioned to Table  
Second by Amber Ibarra

Motion Passes Unanimously

- C. Discussion of an ordinance calling for an election in the city of Tontitown, Arkansas on the question of electing two council members from each ward to four-year terms and prescribing other matters pertaining thereto – Gene

This ordinance is to address the issue of a possible full council being voted out at an election and with the knowledge that would be lost, so more research is needed. Council is aware that there is a time limit to make this decision.

- D. Discuss amending resolution expressing the intent of Tontitown related to the Eco-Vista Class 1 and 4 landfill expansion- Mayor

The mayor spoke with attorney Mitchell Dowden with ADEQ and he suggested changing some wording on our current resolution and use stronger language on what the council wants and suggested putting a period after denied and nothing after that, in Section 1. Have clear communication with EQ on what Tontitown needs. The mayor said Waste Management is doing everything the city has asked but they are still issues to figure out. This expansion is still in the public comment phase and no date is set for a vote.

Tim Burress motioned to move to the next City Council Meeting  
Second by Penny Baskin

Motion Passes Unanimously

## 11. Comments from Council Members

Larry Ardemagni-

1. Be aware and be safe when traveling, let's not have anything happen to us during the holiday.
2. Thanked all the people with all the knowledge on the council.

Amber Ibarra-

1. Will miss everyone that is leaving the council.
2. Thanked Arthur Penzo and Gene McCartney for all their help and the kindness they showed her when she first joined the council, Arthur is a pillar in this community and she has a ton respect for him, Amber said she appreciates all they have done for the city, and she will miss sitting next to Arthur at the council meetings.
3. Penny Baskin will be missed as well.
4. Merry Christmas and Happy New Year

Arthur Penzo-

1. Merry Christmas and Happy New Year.

Tim Burress-

1. Thanked Scott Ardemagni the park looks fabulous.
2. Thanked Police Chief Jenision and Fire Chief Ramsey for all the hard work.

3. Thanked Misty Piazza and the Museum Board that we were able to find a compromise that worked and thankful she will be joining the council.
4. Thanked Arthur Penzo for his kindness and wisdom and all he has done for the city and all the stories he has heard about Arthur.
5. Thanked Gene McCartney for his help and kindness and service while on the council and as acting mayor.
6. Thanked Penny Baskin for her hard work she has done for the city even before joining the council. They will all be missed.
7. Welcomed the new council members Mike, Danny, and Misty.

#### **Penny Baskin**

1. It has been an honor to serve the citizens and a privilege to serve on the council.
2. Thanked all city departments.
3. Merry Christmas

#### **Gene McCartney-**

1. Reflected back when we were in the old building and was elbow to elbow and had worn out furniture, to a new building and everyone was very excited, we have come a long way. Gene spoke about the work that was put into all the city departments and all the progress that has been made to make them bigger and better. Gene reminded the council of the things they have done to better serve the citizens, like a new two-million-dollar water tower, ten-million-dollar transmission system, and a 1.8-million-dollar street and there is much more progress that has been done and the council did this and Gene is very proud to have been a part of this council.

#### **12. Comments from Mayor**

1. Thanked Arthur, Gene, and Penny for their service to the City of Tontitown and appreciates all they have done
2. Welcomed the new council members and said get ready.
3. There will be snacks and fellowship after the meeting in honor of Arthur, Gene, and Penny.
4. Merry Christmas

#### **13. Comments from Attorney**

14. Adjournment- Arthur Penzo motioned to adjourn      All in Favor