

Mayor – Angela Russell
Recorder – Rhonda Ardemagni
City Attorney –Justin Eichmann
Law Firm—Harrington-Miller
City Engineer—Garver Engineers



Ward 1 Position 1 – Misty Piazza
Ward 1 Position 2– Amber Ibarra
Ward 2 Position 1—Daniel Montez
Ward 2 Position 2—Larry Ardemagni
Ward 3 Position 1- Mike Washkowiak
Ward 3 Position 2— Tim Burress

City Council
April 18, 2023
Minutes

**The Tontitown Public Hearing and City Council is scheduled for Tuesday, April 18, 2023, 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 #

Public Hearing

1. Skybrook Subdivision Rezone Appeal: Applicant is appealing a denial of the planning commission. Applicant is requesting rezoning from R-3 to R-4 located at 630 S Klenc Road

Comments:

Tom Joseph 14350 Osage Creek Rd., Tontitown, AR, and is on the Tontitown Planning Commission.

1. Voted against this because the commission and board of adjustments are trying to put in place some leverage for the city like a bill of assurance, to hold the developers accountable for things that are approved.
2. Listed six things he wanted to address.
 - a. The Planning Department supported this increase to R-4.
 - b. Detention ponds are enlarged.
 - c. The contribution towards our municipal road cost by donation and or right-of-way for our resources towards Fletcher Road.
 - d. Reduces the Fletcher Road expense.
 - e. Not a compromise of our moral values.
 - f. Helps our First Responders.
3. Respectfully request to vote in favor.

Kim Carney

1. Request that is stay an R-3.

Terry Williams 615 Tuscan Sun, Tontitown, AR-

1. Opposes the R-4
2. Said it isn't fair to stick four houses in the middle of us citizens.
3. Fletcher Road is going in anyway and shouldn't have anything to do with this part.
4. Requested the council to vote No.

David Compton 671 Tuscan Sun, Tontitown, AR

1. With the additional housing and concrete this will cause more flooding concerns.

Misty Compton 671 Tuscan Sun, Tontitown, AR

1. Many residents have spoken against this and requested that the council vote NO.

2. Infrastructure needs to be put in place for Tontitown.
3. The light at 412 and Barrington seems to be more of an issue than sticking twelve houses on the land behind them.
4. Requested the council vote NO.

Mick Wagner 2087 S. Barrington Rd., Tontitown, AR

1. A good portion of the drainage from upstream does come down to his pond which happens to be the largest retention pond in Tontitown and was not intended to be, but a lot of work has been done regarding that.
2. Said a lot of rainfall in a short period of time has gotten steadily worse and realizes there is a need for R-4 in certain areas.
3. The city has a Master Street Plan somewhere if they ever use it, but the point is if you put 5 lbs. of crap in a 3 lb. bag long enough and suddenly it causes problems so, please consider that when voting.

Michelle Eichler speaking on behalf of 1851 S. Pianalto, Tontitown, AR

1. Is familiar with this developer and has seen what they have done in other cities and strongly request that the council vote this down.

Greg Humphries 690 Via Sangro Rd., Tontitown, AR

1. After hearing what others have said regarding flooding, Mr. Humphries asked if studies like environmental impact be done before adding more concrete and retention ponds and flooding neighborhoods down lower.
2. Do the developers pay for any of these fees?

TK Williams 615 Tuscan Sun, Tontitown, AR

1. Moved to Tontitown because it was a quaint little Italian town and all the farmland and hates to see what is fixing to happen to our town.
2. Do we want Tontitown to look like Centerton?
3. Wants Tontitown to continue to be a nice place to live.
4. Request that the council vote NO.

Oren Davis 266 Arlington Way, Tontitown, AR

1. Echo the comments from other citizens.
2. Request that the council vote NO.
3. Said it's ok to go slow and get it right, we make these changes you can't suddenly go back and say let's reduce from 4 houses to 3 houses.
4. It was disappointing to hear somebody from the Planning Commission come and change their opinion to this committee meeting and discuss it, I hope that would be reflected at the committee level.

Tim Lemons- Project Engineer

1. Spoke of the intension for the project.

Adjournment

City Council

1. Meeting Call to Order
2. Roll Call
All in attendance
3. Pledge of Allegiance
4. Approval of Agenda

Amber Ibarra motioned to approve the agenda.
Second by Larry Ardemagni

Motion Passes Unanimously

5. Approval of March 21, 2023 City Council Minutes

Tim Burress motioned to approve the minutes.
Second by Larry Ardemagni

Motion Passes Unanimously

6. Financial Report
Reference the city website for detailed report.

7. Comments from Citizens

Oren Davis 266 Arlington Way, Tontitown, AR-

1. Thanked those for working on the stoplight at 412 and Barrington, but needs some adjustment, it took him eight light changes to get to tonight's meeting.

8. Approval by City Council Members to Waive the 3 Reading Rule for All Ordinances on Agenda

Larry Ardemagni motioned to approve.
Second by Amber Ibarra

Motion Passes Unanimously

9. Old Business: None

10. New Business:

- A. Approval of the reappointment of Misty Piazza to the Tontitown Historic Museum Board – Angie

Amber Ibarra motioned to reappoint Misty Piazza to the museum.
Second by Tim Burress

Amber Ibarra Voted- YES
Tim Burress Voted- YES
Daniel Montez Voted- YES
Misty Piazza Voted- ABSTAINED
Mike Waskowiak Voted -YES
Larry Ardemagni Voted- YES

B. Approval of an appeal of a planning commission denial to grant Copart a conditional use permit at parcel number 830-37909-001, 830-37897-007, and 830-37897-006 – Angie (Planning)

Stuart Hindmarsh with Kutak Rock who represents Copart.
Mike Friedman with Operations, Project Engineer John Blinker, and Property Manager Eric Trumbach were present at tonight's meeting to address citizen concerns and council questions.

Mr. Stuart Hindmarsh gave a lengthy presentation on the history of Copart and addressed the concerns brought up by the Planning Commission and the residents.

Reference YouTube for the detailed presentation.

James Dean 1025 Trailwood Street, Tontitown, AR

1. Spoke with the mayor of Prairie Grove and he referred Copart as a junk yard.
2. Concerned about truck traffic.
3. Tontitown would not receive any sales tax unless a resident bought and tagged the vehicle, sales tax will go to other places.
4. Tontitown would not benefit from this business.
5. Requested the council to vote NO.

Jeb Duggar 2902 West Liberty, Tontitown, AR

1. Said this is not a savage yard.
2. Traffic accidents have been at a minimum since the speed limit was lowered.
3. Impressed with Copart facilities and how they operate.
4. Will bring in revenue in other ways when they come to Tontitown to look at vehicles.

Rhonda Doudna 462 Pozza Ln., Tontitown, AR

1. Has no issues with Copart said they are a great company.
2. Has a problem with the location and the dangerous hilltop.
3. Request the council to table this item if they are on the fence about this and let's rethink this business/location.
4. People who see these wrecked cars will see this as a junk yard.

Mary Alice Granata 168 Harmon Rd., Tontitown, AR

1. In the last few years, she has seen fatalities due to vehicle accidents.
2. Asked how the big trucks and auction goes get off Highway 412 safely.
3. Agrees that this type of business is the first thing people see when coming in to Tontitown.
4. Asked how all this traffic is to be handled.

Jim Bob Duggar 548 Arbor Acers Rd., Tontitown, AR and current property owner

1. Has bought several vehicles from Copart and with minimal damage.

2. Mr. Duggar has purchased eight acres beside where the Copart driveway will be and is to close on another seven acres. His plans are to build seven 60x 100-foot buildings, approximately 6,000 square feet, with 1500 square foot units, similar to the flex building in Elm Springs. This will bring commercial business space to Tontitown and employment.
3. Would appreciate the council's approval.
4. Addressed the concerns for entering and exiting from Highway 412.

Candy Black 361 S. Pianalto Rd., Tontitown, AR

1. Has no problem with Copart sounds like a great company to buy a car and fix it up.
2. Visited the Prairie Grove location and said it looked like a junkyard, she expected to see a nice fence, and trees.
3. This will be the first thing everyone sees when driving into Tontitown.
4. The city needs to look ahead and see how our city presents itself and what it will look like in the future.

Mr. Stuart Hindmarsh and City Attorney Justin Eichmann have added several more conditions to this project from the city council, if approved. Copart was more than accommodating regarding the added conditions.

Reference YouTube for detailed conditions.

Tim Burress motioned to approve along with the proposed conditions, that were discussed.

Second by Larry Ardemagni

Mike Washkowiak Voted- YES

Tim Burress Voted- YES

Larry Ardemagni Voted- YES

Amber Ibarra Voted- YES

Daniel Montez Voted- NO

Misty Piazza Voted NO

4 Votes- YES to 2 Votes- NO

Motion Passes

- C. Approval of an appeal of a planning commission denial to rezone approximately 18.95 acres located at 630 S Klenc Road from single family residential, Minimum 9,600 square foot lot size (R-3) to single family residential, minimum 8,000 square foot lot size (R-4) in the city of Tontitown, Arkansas – Angie (Planning)

No Motion- Dead

- D. Approval of a resolution authorizing the issuance of RFQ's for engineering and planning services – Angie

Tim Burress motioned to approve.

Second by Amber Ibarra

Motion Passes Unanimously

- E. Approval of a resolution to authorize the execution of a closed admissions contract with the Washington County Animal Shelter – Angie

Daniel Montez motioned to approve the closed admission contract.
Second by Mike Washkowiak

Motion Passes Unanimously

- F. Approval of a resolution to waive competitive bidding and enter into a cost share agreement – Angie (James)

Larry Ardemagni motioned to approve.
Second by Daniel Montez

Motion Passes Unanimously

- G. Approval of an ordinance to amend section 30.05: order of business. **Declaring an emergency and for other purposes** – Angie

Tim Burress motioned to approve the ordinance.
Second by Daniel Montez

Motion Passes Unanimously

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

Motion Passes Unanimously

- H. Approval of a resolution expressing the willingness of the city of Tontitown to utilize federal-aid transportation alternative program or recreational trails program funds for the bike/pedestrian tunnel project under 412 highway – Angie (planning)

Amber Ibarra motioned to approve the resolution.
Second by Tim Burress

Motion Passes Unanimously

- I. Approval of an ordinance amending section 51.04: Water Service Rates of Chapter 51: Water Service. **Declaring an emergency and for other purposes** – Angie (James)

Amber Ibarra motioned to approve.
Second by Mike Washkowiak

Motion Passes Unanimously

Larry Ardemagni motioned to approve the Emergency Clause
Second by Mike Washkowiak

Motion Passes Unanimously

- J. Approval of a resolution expressing the willingness of the city of Tontitown to utilize federal-aid surface transportation block grant program for a left turn lane on Barrington and other improvements – Angie (Planning)

Misty Piazza to approve the resolution.
Second by Amber Ibarra

Motion Passes Unanimously

- K. Information regarding Washington Water Authority service area <Informational only> - Angie (James)

Mick Wagner with Washington Water Authority said that they are willing to release lands to Tontitown.

Reference YouTube for detailed discussion.

11. Comments from Aldermen

Mike Washkowiak

1. Coming into tonight's meeting Mike said he was pretty much against Copart but after Copart addressed the concerns and complied with every code and agreed to the additional conditions requested by the council, this is what convinced Mike otherwise. Copart may also help the aesthetics on that end of town.
2. Thanked everyone for attending tonight's meeting.
3. Asked that the citizens stay involved.

Tim Burress

1. Thanked everyone for being engaged.
2. Thanked Copart for being so accommodating.
3. Congratulated Misty Piazza on her reappointment to the Museum Board.
4. Thanked the mayor and James Clark for addressing the traffic light.

Larry Ardemagni

1. Congratulated Misty Piazza on her reappointment to the Museum Board.
2. Thanked everyone for attending tonight's meeting.

3. Tries to do what is best for Tontitown when voting.

Amber Ibarra

1. Reads all the emails the citizens send her.
2. Echoed pretty much everything that Mike said on Copart and Amber said she did a lot of research so she could make the best-informed decision, and traffic safety was her main concern and that was addressed.
3. Thanked Copart for accepting the additional conditions.
4. Thanked everyone for attending tonight's meeting.

Misty Piazza

1. Thanked the council for the reappointment.
2. Thanked Mark Latham and James Clark and the efforts on the traffic light.
3. Let the citizens know we hear them and for their patients, the projects are not cheap.
4. Happy she was able to attend the meeting by zoom.

Daniel Montez

1. Thanked everyone for attending tonight's meeting.
2. Excited about the possible underground tunnel for bike paths, streets, and Washington Water Authority.
3. Thanked the efforts of Copart.
4. Echoed everything that was said.
5. Citizen involvement and hearing different points of views is very important.

12. Comments from Mayor

1. The Farmers Market starts May 6th, 8:00 AM to 1:00 PM at the park. We currently have thirteen vendors signed up and a few more to come.
2. The City-Wide Yard Sale starts May 5th. We currently have twenty households signed up and the map will be posted on social media.
3. Business license forms will be mailed May 5th.
4. Thanked everyone for attending tonight's meeting.

13. Comments from City Attorney- None

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