

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

Committee of The Whole

April 4, 2023

Minutes

The Tontitown Committee of the Whole meeting is scheduled for **Tuesday April 4, 2023**, 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/UClbUv481CeNFF2JNwoOsrNQ>

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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 Misty Piazza

Motion Passes Unanimously

5. Approval of **March 7, 2023** COW Minutes

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

Motion Passes Unanimously

6. Comments from Citizens

Taylor Samples is the Senior Deputy City Attorney for the City of Springdale and is running for Washington County District Court Judge in March of 2024 and just wanted to introduce himself.

7. Department Reports

a) **Tontitown Museum Board – Museum Board Member**

The THM Board of Directors met in person on Monday, March 6, 2023.

1. Tontitown Heritage Day: Save the day for our upcoming Tontitown Heritage Day on Sunday, May 21st in Tontitown Park. More details to come.
2. Membership Drive: Our Membership drive is in full force. Our renewal letters have gone out. We have a membership that will fit any family. You can find our memberships on our website or you can call the museum. Memberships make a great gift. If you would like more information, there are pamphlets on the table at the back and handed to each council member.
3. Board Member Reappointment: We request Mayor Angie Russell recommend that the City Council Members approve Misty Piazza's reappointment to the THM Board in the April City Council Meeting.
4. 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 who would be interested, please have them reach out on our website or to any of the current board members.
5. Volunteers: The museum is always looking to add more volunteers to our team. A volunteer application is being added to the website for those that would like to apply to help at our events, education tours, or exhibit setup.

Regular Museum Hours: Friday, Saturday, and Sunday 1 pm – 4 pm The THM Board of Directors met for the month of April on Monday, April 1st at 6 pm.

The next THM Board of Directors meeting is scheduled for Monday, May 1, 2023, at 6:00 pm in City Hall Conference Room.

b) Police Department – Chief Corey Jenison

Tontitown Police Monthly Report Month: March 2023

Calls for Service – 719
Accident Reports – 29
Warrants Served – 126
Warrants Outstanding - 1201
Warrants Amount - \$ 1,599,978.50
Training Hours (YTD) – 555
Citation Total - 270
Speeding Citations - 12
(Other) Traffic Citations - 159
Criminal Citations – 43
Improper Driving (City Ordinance) – 56
Warning Total - 381
Speeding Warnings – 103 (
Other) Traffic Warnings – 278

c) Fire Department—Chief Mark Ramsey

Captain John Buchan was name promoted to Battalion Chief.
Daniel Justice has completed all requirements and was promoted to Firefighter.

Fire Department Report March 2023

Total Calls: 40

EMS 19
FIRE 6
MVA 10
FALSE ALARM 1
SERVICE CALL 4
MUTUAL AID 2

The Fire Department responded to 37 calls in the city in March 2022.
Average response time (Alarm to en route) listed at: 50 seconds.
Average on scene/arrival time (Alarm to on scene): 2 minutes 58 seconds.
The fire department completed over 365 hours of training in March.

Ryan Krug, Cody Tucker, and Brodey Bowen completed the 40-hour Core Rescue class.
TFD participated in a live burn day at the Lincoln Training grounds.
Participated in active shooter drill with Tontitown P.D.
Awin radios sent to Smith-two-way for programming.

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

Monthly Report April 2023

Public Works Department

STREETS/PARKS:

Now that we are experiencing warmer weather, the street crew has been filling potholes and making road repairs. If you have issues in your area, please contact me and I will add them to our list. They will have a few weeks to make repairs before mowing season begins. Once that season kicks off, the time for street repairs will be limited.

I would like to take this opportunity to remind everyone again to watch for city employees working along side or in our streets. Whether on foot or in a slow moving machine, the employees are concentrating on their task and may not be able to move out of the way. Please, please, please, if you are driving through a work zone, put your phone down, slow down and watch carefully for our crews.

WATER/SEWER:

The crew began installation of a new water line on Kelly Road last week utilizing the materials that the Council approved at the last meeting.

We received a shipment of water meters last week. This should not be a noteworthy item. However, since COVID, the lead time for meters has become a problem. The last order took roughly four months to ship. Once we received the shipment, I asked our supplier to go ahead and order another batch. He informed me that current orders now have a projected shipping date of January 2024.

Just a reminder, Goodwin & Goodwin contractors will begin installation of the 18" water main April 17th, on the north side of Highway 412 from Mantegani east to Highway 112. This project has contract time of one year.

Washington Water Authority is anxious to begin discussion of Tontitown acquiring service area to the west and north. There has been no indication thus far of the amount of money it will take to make this happen.

To end this report on a sad note, Charles Ward, our Public Works Supervisor has given his two-week notice. Charles is going back into business for himself. Of course, I wish him the best. However, it will be a setback for the department.

e) **New Build Permit Report – James Clark**

Reference the city website for detailed report.

f) **Planning Department – Planning**

COW April Agenda:

1. **Rezone request GSP NWA, Inc** – The applicant is requesting a rezone of 37.53 acres of a mix of C-2 and R-3 to a mix of C-2 and R-4 at 523 S. Barrington Rd. Parcel #: 830-37664-000.
2. **Rezone request Bitner Trust:** – The applicants are requesting a rezone of 12.48 acres from a mix of C-2 and R-3 to C-2. Parcel #: 830-37669-000.
3. **SMCPDC LSD** - The applicant is requesting approval of a Preliminary LSD at 2771 Henri de Tonti Blvd to construct 3,000 square foot building. 1044 and 1032 E. Henri de Tonti Blvd. to construct a 13,500 square foot building.
4. **Final Plat for Venetto Subdivision** – The applicant is requesting final plat approval and acceptance for the Venetto Subdivision.

Report on grant applications

Mr. Latham wanted to report on some of the grant applications that are being considered.

Addressing stormwater, parks, and streets by currently applying or will be applying for the following.

1. Flood Migration Grant that is due September for possibly Henri De Tonti Blvd to Liberty.
2. The city did apply for a Community Placement Grant for the parks.
3. Considering applying for an Outdoor Recreation Grant for the current park,
4. Considering a Tap Federal Grant for the intersection improvements to include a left hand turn lane on at the intersection of Barrington and Highway 412, along with a tunnel under Highway 412 for the Grape Festival and Greenway Bike Path. A Resolution is required to get started and will be submitted at the next Committee of the Whole Meeting for approval, estimate for both projects is six million dollars, 20 percent would be required by the city over an estimate five-year time period.

8. Old Business:

- A. Discussion of a resolution amending section 51.04 water service rates of Chapter 51 Water service <Tabled at March C.O.W> – Angie (James)

Mick Wagner 1899 S. Barrington, Tontitown, AR

1. Said the city should be happy with the rates, Washington Water is higher and will be increasing their rates as well.

Tim Burress motioned to move to the next City Council Meeting.
Second by Amber Ibarra

Motion Passes Unanimously

- B. Discussion of a resolution to authorize work order NO.19T21063 for the Fletcher Ave Extension Project in the city of Tontitown, Arkansas <Tabled at March C.O.W> - Angie (James)

Daniel Montez motioned to Table this item to the next Committee of the Whole Meeting.
Second by Amber Ibarra

Amber Ibarra Voted- YES
Tim Burress Voted- NO
Daniel Montez Voted- YES
Misty Piazza Voted- YES
Mike Washkowiak Voted- NO
Larry Ardemagni Voted- YES

4 Votes- YES to 2 Votes- NO

Motion Passes

9. New Business:

- A. Discussion of sending out RFQ's for planning services – Angie (Justin)

City Attorney Justin Eichmann explained the legal process.
Reference the city website for details

Mick Wagner cautioned the council on which engineers the city uses, not always the cheapest is the best.

Daniel Montez motioned to send it to the next City Council Meeting.
Second by Amber Ibarra

Motion Passes Unanimously

- B. Discussion of an open admissions/closed admission contract with the Washington County Animal Shelter – Angie (Corey)

Amber Ibarra motioned for a closed contract and to send it to the next City Council Meeting.
Second by Misty Piazza

Motion Passes Unanimously

- C. Information of an appeal of a planning commission discussion, Conditional Use Permit <Informational only. No motion needed> - Angie (planning)

This was a discussion only.

Rhonda Doudna 462 Pozza Lane, Tontitown, AR and Tammy Graham 1984 S. Pinalto Rd., Tontitown, AR had the same concerns.

1. This type of business would add more dangerous traffic issues with big trucks entering and exiting on and off highway 412.
2. Doesn't have a problem with the company but just doesn't believe this is a good fit for Tontitown.

3. Tontitown will not receive any tax revenue from this business unless you purchase a car from them and register it.
4. When highway 612 comes through you'll be able to see the damaged vehicles.
5. Asked why a multi-million-dollar company needs variances.

Stuart Hindmarsh with Kutak Rock who represents Copart.

Mike Friedman with Operations, Project Engineer John Blinker, and Property Manager Eric Trumbach were available by zoom.

1. Gave a little history on the company.
2. Answered questions that were raised by the citizens and any that the council had.
3. Said they would employ people in the community.
4. Copart doesn't pay sales tax because they do not own the vehicles.
5. Local businesses would benefit, for example fuel stations and restaurants.
6. Would appreciate the council's consideration.

Any comments/opinions please contact Tim Burress at 479-320-2122.

D. Information of an appeal of a planning commission discussion, rezoning <informational only. No motion needed> - Angie (planning)

[Discussion Only this appeal is already going to City Council](#)

Rhonda Doudna 462 Pozza Lane, Tontitown, AR

1. Said R-4 was created in January and February of 2021 by former Mayor Paul Colvin and appointed planning person and present girlfriend Renee Bybee.
2. Following the paper trail Mrs. Doudna feels that R-4 was created for TRI-Star to make more money on their properties.
3. TRI-Star already said that former Mayor Paul Colvin got a cut of the pie.
4. Asked the council how many acres they owned personally and multiply that by 4 and that is how many you could put on your property was zoned an R-4, she and her husband own 4 acres so that means 16 homes could be crammed in that 4 acres.
5. Said another company coming in and is wanting more R-4 zoning.
6. The city didn't have R-4 zoning before but all of a sudden it was created, and it doesn't help our town in any shape or form.
7. Said we didn't need an R-4 zoning then and we don't need it now.

Terry Williams 615 Tuscan Sun Lane, Tontitown, AR

1. Opposes the R-4
2. Said it isn't fair to stick four houses in the middle of us citizens.
3. Said they should develop the way everything around it is if we're going to put homes in these areas.
4. Said if there has been money changed under the table, then he's not sure we need a company like this in our community.
5. Said this issue should be put on hold until an investigation regarding the money exchange. (City Attorney Justin Eichmann said this issue goes to a whole different jurisdiction and it has been sent to the proper parties.)

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

1. Said she has been following Tri-Star's involvement in Centerton and wants to prevent the same issues they are having for example, having property rezoned for multi family homes, tons of duplexes/town homes, then having it annexed into the city, then going back and getting change orders for additional lots.
2. This company asks for additional setbacks so more housing can be added.
3. Mrs. Eichler highly recommends that the city deny all this because if allowed the city is perhaps looking at more multi-family housing and this will be a disaster just like in Centerton.
4. This company doesn't stick to what they say they will do and ask for different variances for the right-of-way and try to bargain for what they want.

Janet Stockton Taylor 992 Kleenc Rd., Tontitown, AR

1. Opposes the R-4 zoning in this area.
2. Traffic on Kleenc Rd. is unbelievable and to add the additional houses that an R-4 would bring to this area is unfathomable.
3. If we cram in these houses, it's going to ruin Tontitown.
4. People see the not so good things and get an opinion about us, like the trash along Kleenc Rd. going to Waste Management and construction trash.
5. This company bought the property as an R-3 and if they to make it profitable for them they should have asked the R-4 before buying the property.
6. Having space around us is why she is in Tontitown.

There was no representative from TRI-STAR to answer any of tonight's questions.

Any comments/opinions please contact Daniel Montez at 501-444-2207.

E. Discussion of a sewer line cost share – Beriloche Subdivision – Angie (James)

Per James Clark this has already been approved and is in construction, but for future growth the engineers stated that the city will need a 12-inch sewer line through this subdivision. If the city would pay for the cost of the pipe, they would install it.

Some of the council questioned why this was not part of the approval process when it was passed. This sounds exactly like the scenario that Mrs. Eichler has been telling us about on two occasions and that this was not budgeted.

Reference YouTube for detailed discussion.

**Tim Burress motioned to Table until May.
Second by Mike Washkowiak**

**Mike Washkowiak Voted- YES
Tim Burress Voted- YES
Larry Ardemagni Voted- NO
Amber Ibarra Voted- NO
Daniel Montez Voted- NO
Misty Piazza Voted- NO**

**2 Votes YES and 4 Votes NO
Motion Fails**

**Amber Ibarra motioned to send to the next City Council Meeting
Second by Misty Piazza**

Mike Washkowiak Voted- NO

Tim Burress Voted- NO
Larry Ardemagni Voted- YES
Amber Ibarra Voted- YES
Daniel Montez Voted- YES
Misty Piazza Voted- YES

2 Votes NO and 4 Votes YES
Motion Passes

F. Discussion of solutions for department reports – Angie

Five options were presented to the council by staff.

Daniel Montez motioned to choose option 3 and amend 30.05 to the next City Council Meeting.
Second by Amber Ibarra

Motion Passes Unanimously

10. Comments from Council Members

Tim Burress

- 1. Thanked everyone for coming and to those who spoke tonight.**
- 2. Told Larry Ardemagni that he did an amazing job.**

Mike Washkowiak

- 1. Thanked everyone for coming and to those who spoke tonight.**
- 2. Apologized for not attending the Planning Meetings because he has been out of town but did watch them.**
- 3. Bad weather is coming in so please stay safe.**
- 4. First responders stay safe out there.**

Daniel Montez

- 1. Congratulated Battalion Chief Buchan, Daniel Justice, Ryan Krug, Cody Tucker and all the cadets.**
- 2. Told James Clark that he was hurt hearing about the Washington Water Authority discussion about wanting the city to acquire the service area and looks forward to having that discussion and seeing that come to fruition.**
- 3. Looking forward to attending the Tech. Reviews.**
- 4. Thanked Charles Ward and wished him the best of luck.**
- 5. Thanked the citizens that spoke tonight.**
- 6. Suggested purchasing a grapple.**

Misty Piazza

- 1. Congratulated Battalion Chief Buchan, Daniel Justice, Ryan Krug, Cody Tucker and all the cadets.**
- 2. Thanked them for the Active Shooter Training.**
- 3. Thanked James Clark and the road department.**
- 4. Thanked Mark Latham for all the hard work on the grants.**
- 5. Thanked all those who came to tonight's meeting and for speaking up.**
- 6. Will not be at the next meeting in person but will be on Zoom.**

Amber Ibarra

- 1. The Park Committee met last week with Mr. Latham and had a great Comp. Plan Meeting and had some great ideas flowing.**
- 2. Wished Mark Latham a Happy Birthday.**

Larry Ardemagni

1. **Congratulated Battalion Chief Buchan, Daniel Justice, Ryan Krug, Cody Tucker and all the cadets.**
2. **Happy Birthday to Amber Ibarra.**
3. **Thanked all those who came to tonight's meeting.**

11. Comments from Mayor

1. **Thanked those who came out this past Saturday to help with the cleanup.**
2. **Thanked Cross Point Church who supplied lunch.**
3. **Community Yard Sale May 5th and 6th.**
4. **May 6th is the start of our season for the Farmers Market, yard signs are available to help promote this event.**
5. **Council if you attend the Arkansas Municipal League Conference in January you have received credit toward you certification with the league, if you want to continue those credits, they will be having a Planning and Zoning class April 19th please contact Leslie by this Friday to sign up.**
6. **Thanked everyone for their time and patience.**

12. Comments from Attorney

1. **Had a meeting with Stevens, Mayor Russel, James Clark and Pat Pianalto on the financing and looking at the city's 2017 sales tax and 2021 sale tax issue. We have lots of projects for water/sewer, streets, drainage and will be looking into Revenue opportunities as well as Revenue Bond opportunities with USDA, this will hopefully be on the next Committee of the Whole Meeting.**

13. Adjournment- Daniel Montez motioned to adjourn All in Favor