

Mayor – Angela Russell
Recorder – Rhonda Ardemagni
City Attorney – Tyler R Farrar
Law Firm—Tyler R Farrar Law
City Engineer – Karstetter
Johnston



Ward 1 Position 1 - Misty Piazza
Ward 1 Position 2—
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

May 5th, 2026

Minutes

The Tontitown Committee of the Whole meeting is scheduled for Tuesday, May 5th, 2026, at 6:00 p.m. at the Tontitown City Hall, Tontitown, Arkansas and via Microsoft Teams.

Join on your computer, mobile app, or room device.

[Click here to join the meeting](#)

Meeting ID: 264 068 997 841

Passcode: eKyS39

[Download Teams](#) | [Join on the web](#)

[Learn More](#) | [Meeting options](#)

1. **Prayer-** Pastor Guy Durkee
2. **Meeting Call to Order**
3. **Roll Call-** Daniel Montez was absent
4. **Pledge of Allegiance**
5. **Approval of Agenda**

The mayor requested to add underneath New Business Item O. Discussion of a settlement offer.

Daniel Montez arrived.

Mike Washkowiak motioned to approve the agenda with the addition.
Second by Misty Piazza

Daniel Montez Voted- ABSTAIN

Tim Burress Voted- YES

Mike Washkowiak Voted- YES

Larry Ardemagni Voted- YES

Misty Piazza Voted- YES

4 Votes- YES to 1 Vote- ABSTAIN

Motion Passes

6. **Approval of April 7th, 2026, COW Minutes.**

Mike Washkowiak motioned to approve the April 7th, COW minutes.
Second by Tim Burress

Daniel Montez Voted- YES

Misty Piazza Voted- ABSTAIN

Tim Burress Voted- YES

Larry Ardemagni Voted- YES

Mike Washkowiak Voted- YES

4 Votes- YES to 1 Vote- ABSTAIN

Motion Passes

7. Comments from Citizens

Kenneth Lovett Hwy. 71 B, Springdale, AR

Mr. Lovett raises concerns about several city issues. He noted that the council plans to discuss splitting the treasurer and recorder positions but won't allow public comment during that discussion. He questioned why the treasurer's office now needs two assistants and how the job has expanded so much. He also said they previously requested an expert review of the town's finances but have not seen any follow-up.

Mr. Lovett accuses two council members of being "in cahoots" with unethical citizens who, in his view, are wasting taxpayer money through excessive FOIA requests. With the upcoming mayoral race, he urges residents to pay attention to what's happening in town government. He describes recent actions as childish and believes some agenda items exist only because of a clique that thinks it controls the town. They argue this behavior is wrong and needs to change.

8. Old Business:

A. A presentation from Ordinal Regarding Platform Updates by Vladimir Lopez. Sponsored by: Mayor

Through Ordinal's platform and its regular updates, this program ensures that the City of Tontitown's municipal codes stay fully aligned with Arkansas State codes.

Reference YouTube for detailed discussion.

B. A discussion of a proposed amendment to §153.172 Detached Accessory Dwelling Units. Sponsored by: Mayor/Brad

Discussion to amend section 153.172

Mike Washkoiak motioned to move to the **next City Council Meeting**.
Second by Misty Piazza

Motion Passes Unanimously

C. A discussion of payment to Black Hills Energy. Sponsored by: Mayor/Mark

Discussion of a resolution authorizing the mayor to negotiate and execute a contract with Black Hills Energy for the relocation of a gas main along the west side of Mantegani Road for the proposed Street Improvements Project.

Mike Washkowiak motioned to move to the **next City Council Meeting**.
Second by Misty Piazza

Motion Passes Unanimously

D. A discussion of Placer AI pricing. Sponsored by: Brad

Placer.ai is a leading location intelligence and foot traffic analytics platform that uses anonymized, aggregated mobile location data to help businesses and governments understand physical visitation trends. It provides insights into customer behavior, trade areas, and competitor benchmarking to

support data-driven decisions in real estate, retail, and marketing.

Misty Piazza motioned to move to the **next City Council Meeting**.

Second by Mike Washkowiak

Larry Ardemagni Voted- YES

Daniel Montez Voted- YES

Misty Piazza Voted- YES

Tim Burress Voted- ABSTAIN

Mike Washkowiak Voted- YES

4 Votes- YES to 1 Vote- ABSTAIN

Motion Passes

E. A discussion acknowledging the resignation of council-member Amber Ibarra. Sponsored by: Mayor

The council acknowledged the resignation of council-member Amber Ibarra.

Daniel Montez Voted- YES

Tim Burress Voted- ABSTAIN

Mike Washkowiak Voted- YES

Larry Ardemagni Voted- YES

Misty Piazza Voted- YES

4 Votes- YES to 1 Vote- ABSTAIN

Motion Passes

9. New Business:

A. A discussion and update on a progress report for the 412/Barrington project from Jonathan Ely, Burns and McDonald Engineering. Sponsored by: Mayor/Mark

Mr. Latham wanted to provide an update and push the council to make a decision on whether to continue pursuing the tunnel option or move on to another plan. They need to apply for construction funding next year, which requires securing the right-of-way and addressing utility work. Although they have funding for utilities this year, progress is stalled because the plans aren't ready yet.

Mike Washkowiak motioned to move to the **next City Council Meeting**.

Second by Daniel Montez

Motion Passes Unanimously

B. A discussion on ACT 848 Artificial Intelligence Policy. Sponsored by: Mayor

The City of Tontitown discussed adopting an official Artificial Intelligence (AI) Policy to comply with Arkansas Act 848 of 2025. The Act requires public entities to regulate how AI and automated decision tools are used, ensure human oversight of any important decisions involving AI, and establish rules and disciplinary procedures for misuse.

- The resolution states that:
- The city is formally adopting an AI Policy (Exhibit A).
- All AI-involved decisions must be reviewed and finalized by a human.
- Certain uses of AI are prohibited, including political activity, unlawful conduct, and attempts to bypass cybersecurity protections.
- Employees will receive training and must acknowledge the policy in writing.
- Violations will be handled through existing personnel disciplinary procedures.
- If any part of the resolution is found invalid, the rest remains in effect.

Overall, the city aims to use AI responsibly, securely, and in compliance with state law while maintaining human oversight.

Misty Piazza motioned to move to the **next City Council Meeting**.
Second by Mike Washkoiak

Motion Passes Unanimously

C. A discussion of a resolution to accept amendments to the Employee Handbook. Sponsored by: Mayor

Misty Piazza motioned to move to the **next City Council Meeting**.
Second by Mike Washkowiak

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

4 Votes- YES to 1 Vote- NO

Motion Passes

D. A discussion of an ordinance for the city to request SOQ's and RFQ's for IT Services. Sponsored by: Danny

The City of Tontitown discussed adopting a formal process for selecting and contracting professional service providers to comply with Arkansas Code § 19-11-802. The goal is to ensure transparency, fairness, and consistency in procurement.

The ordinance:

- Establishes that professional services—such as legal, engineering, architectural, surveying, construction management, and financial advisory services—must be selected through a qualifications-based process rather than competitive bidding.
- Allows additional consulting or IT services to be included if approved by a two-thirds vote of the City Council.
- Requires the use of Requests for Qualifications (RFQs) and Statements of Qualifications (SOQs), unless existing qualifications on file are used.
- States that firms must be evaluated solely on competence, experience, past performance,

capacity, and related qualifications.

- Requires the city to negotiate with the highest-ranked firm and move to the next if negotiations fail.
- Allows waivers of the RFQ process in emergencies, for continuity of existing services, or when only one qualified provider exists, with written justification and approval.
- Requires documentation of all procurement activities and compliance with public records laws.
- Makes contracts entered in violation of the ordinance voidable and allows suspension of payments.
- Provides for disciplinary action against officials or employees who knowingly violate the ordinance.
- States that if any part is invalid, the rest remains in effect, and that state law prevails in case of conflict.
- Takes effect upon passage and publication.

Overall, it creates a uniform, legally compliant system for hiring professional service providers.

Tim Burress motioned to move to the **next City Council Meeting**.

Second by Mike Washkoiak

Motion Passes Unanimously

E. A discussion of awarding a bid for a Mini Excavator for the street department. Sponsored by: Mayor/Mark

Overall, Price Comparison (Lowest to Highest)

- Takeuchi – \$88,762.16
- Bobcat – \$95,654.63
- CAT – \$101,784.73
- Volvo – \$102,734.06
- Kobelco – \$108,121.57

Daniel Montez motioned to approve the Riggs Cat 306CR and move to **the next City Council Meeting**.

Second by Tim Burress

Motion Passes Unanimously

F. A discussion or a contract with CPA Firm, Landmark for auditing services. Sponsored by: Mayor/Mark

Landmark CPA Firm was the only submission.

Discussion Only:

The council discussed whether to contract with Landmark, a CPA firm, for auditing services. Several members note confusion because they thought the city was considering hiring an in-house CPA instead.

Council also discussed whether a CPA or CPA firm could legally serve in the role of treasurer, who the CPA would report to, and how other cities handle this. An example is given: Rogers has a finance

director who is a CPA but still reports to the clerk-treasurer and still uses outside CPA support.

Overall, the conversation centers on clarifying whether to hire a CPA employee, contract with a CPA firm, or use a hybrid approach to cover auditing, treasurer duties, and financial oversight.

G. A discussion of a contract to complete a 20-year pavement maintenance plan for streets. Sponsored by: Mayor/Mark

The council discussed entering into a contract with Crafton Tull to develop a 20-year pavement maintenance plan for the city's streets at an estimated cost of \$19,500.00.

Daniel Montez motioned to move to the **next City Council Meeting**.

Second by Misty Piazza

Motion Passes Unanimously

H. A discussion of a resolution establishing the process for nomination and appointment to fill the vacancy of City Council Alderman Ward One Position One. Sponsored by: Danny

The council discussed a resolution establishing a formal process to fill a vacant City Council seat. State law requires the Council to appoint a qualified individual, and this resolution sets the rules for how that appointment will occur.

Key Points

- Any current council member may nominate a candidate.
- Nominees must meet all legal qualifications under Arkansas law.
- Nominees may be allowed to speak to the Council before voting.
- The Council will vote by roll call, and a majority of the remaining members is required to appoint someone.
- The nominee who receives the majority vote will serve the rest of the unexpired term.
- The appointed individual must take the oath of office before beginning their duties.

Daniel Montez motioned to move to the **next City Council Meeting with discussed changes**.

Second by Misty Piazza

Motion Passes Unanimously

I. A discussion of an Engineering contract for 3rd party reviews. Sponsored by: Mayor/Mark

Mr. Latham explains that because Zach, the city engineer, is involved in designing certain projects—such as the new police station—he cannot review his own firm's work. This creates a need for third-party engineering reviews. He recommends using ISG, a qualified and competitively priced firm, for these on-call reviews.

These third-party review costs would not be paid by the city; they would be charged to the developer or contractor, just like subdivision review fees. The arrangement would be per-project with no retainer.

Council asked whether they must request statements of qualifications since it's a professional service. Mr.

Latham confirmed they already received multiple qualifications submissions earlier in the year—about twelve—so the requirement is satisfied.

Daniel Montez motioned to move to the **next City Council Meeting**.
Second by Misty Piazza

Motion Passes Unanimously

J. A discussion of proposed ordinance establishing the mayor as a full-time position with benefits. Sponsored by: Misty

The council discussed an ordinance to formally make the Mayor of Tontitown a full-time position with full employee benefits and sets the mayor’s annual salary at \$100,000, effective January 1, 2027 (after the November 2026 mayoral election).

Key Points

- The mayor’s role is officially designated as a full-time job due to the city’s growth and increased administrative demands.
- The mayor continues to serve as the chief executive officer of the city, responsible for enforcing ordinances, overseeing departments, managing daily operations, preparing the annual budget, and presiding over City Council meetings.
- The ordinance lists the mayor’s powers and duties, including veto authority, appointment and removal of department heads, and approval of invoices.
- The mayor will receive health insurance, retirement, and other benefits offered to full-time City employees.
- The mayor’s salary is set at \$100,000 per year, paid according to City payroll policies.

Conflicting ordinances are repealed, and if any part of this ordinance is found invalid, the remainder stays in effect.

Mike Washkoiak motioned to move to the **next City Council Meeting** with discussed changes.
Second by Misty Piazza

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

3 Votes- YES to 2 Votes- NO

Motion Passes

K. A discussion of proposed ordinance separating the offices of City Clerk and Clerk Treasurer. Sponsored by: Misty

The ordinance would separate the current combined City Clerk–Treasurer position into two distinct roles—an elected City Clerk and an appointed City Treasurer—beginning January 1, 2027, following the November 2026 election. The change is intended to improve financial oversight, internal controls, and operational efficiency.

Key Points

1. Separation of Offices

- The combined City Clerk–Treasurer position would be abolished effective January 1, 2027.
- Two new positions would be created:
- City Clerk (elected)
- City Treasurer (appointed by the City Council)

2. City Clerk

- Would be elected every four years.
- Responsible for maintaining official records, preparing minutes and agendas, managing public notices, handling FOIA requests, maintaining the city seal, administering oaths, and other duties required by Arkansas law or city ordinance.

3. City Treasurer

- Would be appointed and confirmed by the City Council.
- Responsible for receiving and managing city funds, maintaining financial records, preparing financial reports, ensuring proper disbursements, maintaining internal controls, assisting with audits, managing investments, and supporting the budget process.

4. Implementation

- The current Clerk–Treasurer would continue in office until the end of the current term (Dec. 31, 2026).
- The ordinance takes effect January 1, 2027.

5. Code Amendments

- Municipal Code § 30.52 (City Clerk-Treasurer) would be repealed.
- Two new sections—§ 30.52 (City Clerk) and § 30.53 (City Treasurer)—would be added with detailed duties for each office.

6. General Provisions

- Conflicting ordinances would be repealed.
- A severability clause would ensure the rest of the ordinance remains valid if any part is struck down.
- The code could be renumbered or reformatted as needed.

A workshop will be scheduled in May.

Misty Piazza motioned to TABLE to the [June Committee of the Whole Meeting](#).

Second by Mike Washkowiak

Motion Passes Unanimously

[L. A discussion of proposed ordinance establishing the position, duties, and compensation of the City Clerk.](#)
[Sponsored by: Misty](#)

The council discussed formally separating the combined City Clerk–Treasurer role into two independent positions: City Clerk and City Treasurer. This ordinance creates the City Clerk as a part-time elected official, effective January 1, 2027.

The council discussed how a separate Clerk could improve transparency, accountability, and proper record keeping.

Duties of the City Clerk include:

- Maintaining ordinances, resolutions, minutes, contracts, and all official documents.
- Keeping accurate records of City Council meetings and preparing minutes.
- Preparing and publishing agendas, notices, and meeting materials.
- Managing the City’s official seal.
- Recording and filing official documents, including county filings when required.
- Handling Freedom of Information Act (FOIA) requests when needed.
- Receiving and retaining financial interest statements from officials.
- Administering oaths of office.
- Publishing official notices as required by law.
- Maintaining records for city boards and commissions.
- Ensuring compliance with records-retention laws.
- Supervising deputy clerks if authorized.
- Performing any additional duties assigned by law or City Council.
- The position is part-time and not eligible for full-time benefits unless changed by future ordinance.
- Tontitown Municipal Code § 30.52 (City Clerk-Treasurer) would repeal as of January 1, 2027.
- Two new code sections would replace it, including a new § 30.52 – City Clerk, restating the Clerk’s responsibilities.

Summary of § 30.53 – City Treasurer

The City Treasurer would establish as an appointed official responsible for all financial management duties required by Arkansas law. The role centers on safeguarding city funds, maintaining accurate financial records, and ensuring compliance with financial regulations.

Key Responsibilities

- Manage all City funds: Receive, receipt, track, and deposit all municipal money into approved accounts.
- Maintain financial records: Keep complete and accurate records of receipts, disbursements, balances, liabilities, and other financial data.
- Provide financial reports: Submit monthly (or as requested) financial reports to the City Council detailing the City’s financial condition.
- Oversee disbursements: Ensure all payments follow approved budgets, ordinances, internal controls, and required authorization procedures.
- Maintain internal controls: Establish accounting safeguards, including approved electronic payment systems, to protect public funds and support audits.
- Work with auditors: Prepare documents and cooperate with independent auditors during annual audits or financial reviews.
- Invest City funds: Invest surplus funds according to Arkansas law and City Council direction, and report on investment activity.
- Sign financial instruments: Sign or attest to bonds, notes, and other debt instruments when authorized.
- Assist with budgeting: Provide financial data, projections, and recommendations during preparation and administration of the annual budget.

- Ensure legal compliance: Monitor adherence to all federal, state, and local finance and reporting laws.
- Perform additional duties: Carry out any other financial tasks assigned by ordinance or City Council resolution.
- Additional Provisions
- The City Council may later adjust the duties of the City Clerk or City Treasurer by ordinance, as long as changes comply with Arkansas law.
- The Municipal Code codifier may renumber or reformat sections as needed to implement this ordinance.

Misty Piazza motioned to TABLE to the [next Committee of the Whole Meeting](#)
 Second by Mike Washkowiak

Motion Passes Unanimously

M. A discussion of proposed ordinance establishing the position and appointment of the City Treasurer.
Sponsored by: Misty

The City of Tontitown would formally separate the combined City Clerk–Treasurer role into two independent positions. This ordinance would create the City Treasurer as an appointed position, effective January 1, 2027.

Purpose

- Improve financial oversight, accountability, and internal controls.
- Ensure the City’s finances are managed by a qualified, professionally appointed individual.
- Clarify that the City Clerk handles non-financial records, while the Treasurer manages all financial matters.

Key Provisions

1. Establishment of the Position

- The City Treasurer becomes an appointed official, serving as the City’s Chief Financial Custodian.
- Responsible for receiving, safeguarding, managing, and lawfully disbursing all City funds.
- May delegate clerical tasks but remain fully accountable for financial integrity.

2. Appointment Process

- The mayor appoints the Treasurer.
- The City Council must confirm the appointment.

3. Duties of the City Treasurer

- Receive and deposit all City funds.
- Maintain complete and accurate financial records.
- Provide monthly (or requested) financial reports to the City Council.
- Ensure all disbursements follow budgets, ordinances, and internal controls.
- Maintain internal accounting controls and approved electronic payment systems.
- Work with independent auditors and prepare audit documentation.
- Invest City funds according to Arkansas law and Council direction.

- Sign or attest to financial instruments when authorized.
- Assist with budget preparation and financial forecasting.
- Monitor compliance with all municipal finance laws.
- Perform any additional financial duties assigned by ordinance or Council resolution.

4. Compensation

- Set annually through the city budget or separate ordinance.

5. Effective Date

- January 1, 2027.

6. Municipal Code Amendments

- Repeals the existing City Clerk-Treasurer code section.
- Replaces it with two new sections:
- § 30.52 – City Clerk (elected, responsible for official records)
- § 30.53 – City Treasurer (appointed, responsible for financial management)

7. Additional Provisions

- The City Council may later adjust duties of the Clerk or Treasurer by ordinance.
- The code codifier may renumber or reformat sections as needed.

N. A discussion of mini excavator options for the Water Department. Sponsored by: Mayor/James

The City of Tontitown received a quote for one new 2026 Caterpillar 304A compact excavator (Stock AN47544, Serial OAN407544). The machine includes standard equipment plus a detailed list of additional features such as a heated/A-C cab, long stick, angle blade, LED lights, extra counterweight, and multiple software and control upgrades.

Pricing

- Sell Price: \$75,555.24
- Extended Warranty: Included
- CSA Package: Included
- Trade-in Allowance: –\$30,000.00 (for a 2015 Caterpillar 304, Serial CJ200345)
- Net Amount After Trade: \$45,555.24

Financing Terms (subject to approval)

- Amount to finance: \$45,905.24
- Term: 60 months
- Monthly payment: \$908.76
- Interest rate: 6.99%
- Document fee: \$350.00

Warranty Coverage

- Standard: 24 months / 2,000 hours

- Extended: 72 months / 3,000 hours (Premier)
- Additional service package: Riggs Advantage Plus (24 months / 1,000 hours)

Other Conditions

- Pricing and financing terms may change until a purchase order is signed.
- Tariff or government-fee changes may adjust final pricing.
- Signing the quote initiates the machine order.
- Purchase order available within 120 days of scheduled ship date.

Misty Piazza motioned to TABLE to the [next Committee of the Whole Meeting](#)
Second by Mike Washkowiak

Motion Passes Unanimously

O. Discussion of the pending lawsuit and review the plaintiff's settlement proposal. Mayor/City Attorney

The city attorney updated the council on a settlement offer from the plaintiff's attorney, Steve Zega.

The proposal includes three terms:

- The city pays the plaintiff's attorney fees and costs — totaling \$26,705.00 in fees and \$1,089.51 in costs.
- Mayor Russell would be required to enter a consent decree agreeing never to run for any elected office in the City of Tontitown again, making her previous statement about not seeking office legally binding.
- The city would admit to two FOIA violations related to the plaintiff's November 4, 2024, and July 24, 2025, FOIA requests.

The attorney explained that accepting the offer would allow the city to avoid further legal expenses and finally put the matter to rest. Mayor Russell refuses to sign the settlement because of condition #2, stating it violates her rights and she will not agree to surrender them.

Daniel Montez motioned to counteroffer for condition #1 only but will not agree to conditions 2 & 3.
Second by Misty Piazza

Daniel Montez Voted- YES

Misty Piazza Voted- YES

Tim Burrese Voted- YES

Larry Ardemagni Voted- YES

Mike Washkowiak Voted- NO

4 Votes-YES to 1 Vote- NO

Motion Passes

10. Comments from Council Members

Tim Burress

- A seat is open on the city council, and two or three people have already expressed interest, but none attended the meeting. Tim emphasized the importance of candidates showing up, learning what the role involves, and demonstrating a genuine desire to serve the community. Tim praised the current council for its hard work, long hours, and willingness to debate issues to protect taxpayer dollars. They encouraged future candidates to bring life experience, business experience, and passion for the town.
- Tim also mentioned learning about protected species—the blind cave fish and the Benton County crayfish—and suggested forming a committee to ensure local development does not harm them, informally nominating two individuals to explore the issue.
- Tim closed by thanking the council and the public for their involvement and encouraged interested candidates to attend the next meeting so the council can meet them.

Larry Ardemagni

- Expressed appreciation for all city employees and thanked everyone who stayed through the long meeting, wishing them a good rest of the evening.

Misty Piazza

- Thanked everyone for attending and staying late and thanked the council for discussing the items presented. They emphasized that the goal is to prepare the city for the future, strengthen the council, and support proper city operations.
- Misty announced an upcoming vacancy: the museum registrar position, as Julie Salings has accepted a teaching job. The position is posted on both the city and museum pages, with applications due by May 25. Julie will remain through the end of May to assist with Heritage Days.
- They noted that the city is seeking someone with museum experience and encouraged interested individuals to apply or contact city staff or museum board members. Again, thanking everyone for attending.

Daniel Montez

- Thanked everyone for attending and acknowledged the council for the lengthy discussion.
- Daniel suggested that, along with conversations about the clerk-treasurer role and the full-time mayor position, the city should also consider how to increase engagement for council seats — including possibly reviewing council pay.
- Daniel closed by wishing everyone a good night and reminding them of the next meeting on May 19th.

The mayor read a thank-you letter from firefighter Daniel Justice, who expressed deep gratitude to the mayor, the council, and the citizens for sponsoring his paramedic training. He described the program as challenging but said he had strong support from Chief Krug, fellow firefighters, Central EMS paramedics, and other regional providers. He praised the department's commitment to serving a growing community and said he is proud to be part of it. Justice said he looks forward to giving back by supporting and educating his peers. The mayor closed by thanking the council for making opportunities like this possible, noting the long-term benefit to the community.

12. **Comments from Attorney- NONE**

13. **Adjournment- All in Favor**

PASSED AND APPROVED this ___ day of _____ 2025.

APPROVED: _____

Angela Russell, Mayor

ATTEST: _____

Rhonda Ardemagni, City Clerk-Treasurer

(SEAL)

Sponsor (Initiated By): _____

Motion to Introduce Made By: _____

Seconded By: _____

Adopted / Passed: _____

Vote: Ayes _____ Nays _____ Abstain _____ Absent _____