

Mayor – Angela Russell
Recorder – Rhonda Ardemagni
City Attorney –Tyler R Farrar
City Engineer–CK Civil
Engineering



Ward 1 Position 1 – Craig Graves
Ward 1 Position 2– Mick Wagner
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
September 15th, 2026
Minutes**

**The Tontitown City Council meeting is scheduled for Tuesday, September 15, 2026, at 6:00 p.m. at
Tontitown City Hall.**

Join on your computer, mobile app or room device.

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Meeting ID: 220 667 057 989 Passcode: Aepw56

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City Council

- 1) **Call to order**
- 2) **Prayer led by Pastor Steve Borland, Journey Church**
- 3) **Pledge of Allegiance**
- 4) **Roll Call- All in attendance**
- 5) **Approval of September 1st, 2026, City Council Minutes.**

Mike Washkowiak motioned to approve the September 1st, 2026, City Council Minutes.
Second by Tim Burress

Motion Passes Unanimously

6) Approval of Agenda

Mike Waskowiak motioned to amend the agenda and add Item F) Discussion when to hold
The Committee Meetings.
Second by Larry Ardemagni

Motion Passes Unanimously

Mick Wagner motioned to add Items G) Discuss unpaid Sale Tax. and Item H) Correction of
adopting language for Impact Fees.
Second by Mike Washkowiak

Motion Passes Unanimously

The meeting proceeded with the amended agenda.

- 7) **Approval of City Council Members to Waive the 3 Reading Rule for All Ordinances on the
Agenda.**

Mick Wagner motioned to approve to Waive the 3 Reading Rule for All Ordinances on the Agenda.

Second by Larry Ardemagni

Motion Passes Unanimously

8) **Old Business:** NONE

9) **Public Comment on agenda items-** NONE

9B)

Mayor Russell motioned to allow a citizen to address the Council regarding the body cam footage that was worn by the Code Enforcement Officer.

Second by Mick Wagner

Mick Wagner Voted- YES

Daniel Montez Voted- YES

Tim Burress Voted- NO

Larry Ardemagni Voted- YES

Craig Graves Voted- YES

4 Votes- YES to 1 Vote- NO

Motion Passes

Troy Barbour 1465 Wildcat Creek Tontitown, AR

Mr. Barbour addressed the Mayor and City Council regarding a June 23rd code enforcement visit to his 5-acre property by city employees Jodi Tarver and Roger Duncan involving citations for grass, barbwire, debris, and stagnant water. Mr. Barbour alleged that during the encounter, Mr. Duncan used profanity, Ms. Tarver made inappropriate comments to his wife, and both employees entered deep into his property, past several no-trespassing signs without permission or a warrant.

Mr. Barbour noted that while Mayor Russell recently informed him that an administrative review deemed the personnel matter resolved, he requested the Council address a separate, unresolved public records issue. He stated that body camera footage was first requested on June 27th and again on August 11th through Detective Lowe. According to subsequent communication, Ms. Tarver discarded the camera on August 11th, the same day as the second request, and the city has confirmed it cannot locate the footage or backups.

Mr. Barbour stated this is an issue of government accountability and requested that the City Council investigate the records matter independently of the personnel review, specifically asking:

- What happened to the June 23rd recording and whether the footage is recoverable.

- If the June 27th request was considered before the camera was discarded and where it was thrown away.
- What occurred between June 27th and August 11th, and if the timing of the disposal and the memory card were investigated.

Mr. Barbour concluded by asking the City Council not to close the door on the public records investigation simply because the personnel case had been resolved.

Carrie Barbour 1465 Wildcat Creek Tontitown, AR

Mrs. Barbour addressed the Council to follow up on the comments made by her husband, Troy Barbour, focusing on the legal, financial, and ethical risks posed to the City of Tontitown regarding the destruction of public records.

Mrs. Barbour reminded the Council of Tontitown's history with expensive Freedom of Information Act (FOIA) litigation, noting that public record failures incur significant costs for taxpayers. She questioned what precedent the city is setting by failing to terminate the employee responsible for disposing of the evidence.

She noted that former employee Jodi Tarver admitted to throwing away the body camera, allegedly citing the presence of embarrassing personal and bathroom-related footage on the device. Mrs. Barbour pointed out that Ms. Tarver had already been informed that personal footage could be legally redacted. She expressed deep concern that allowing employees to destroy city devices to conceal personal embarrassment leaves citizens completely unprotected when requesting government recordings.

Furthermore, Mrs. Barbour highlighted the unknown scope of the loss, noting that Ms. Tarver had interacted with hundreds of Tontitown residents, meaning an unknown number of other public interactions may have been permanently erased when the camera was discarded.

In response to the mayor's statement that city expectations regarding record handling and professionalism has since been 'reinforced,' Mrs. Barbour argued that reinforcing these expectations proves a severe failure occurred. She stated that inadequate disciplinary consequences do not eliminate municipal liability but instead prolong it. She concluded by asking the Council to protect the city's integrity, taxpayers, and public trust by establishing that such conduct will not be tolerated.

10) Written Public Comments-

Robert Wiser submitted a written comment to the City of Tontitown and requested that the comment be acknowledged and entered into the official record. The comment was acknowledged. No discussion or action was taken.

Councilman Daniel Montez presented a formal communication from the Tontitown Community Foundation Board.

Tim Burress motioned that someone from the foundation would read the letter aloud.
Second by Larry Ardemagni

Motion Passes Unanimously

Councilman Daniel Montez presented a formal communication from the Tontitown Community Foundation Board, which was read aloud by Dr. Wendle Weed. The letter reaffirmed the organization's core purpose, structural framework, and operational integrity. The correspondence has been entered into the official record and is attached hereto as an integral part of these minutes.

11) New Business

A. A discussion and approval of a proposed Ordinance updating section 32.02 regarding Bid Preferences. Sponsored by: Mick

Introduction-

Detailing a research review of the city's competitive bidding laws following recent inquiries regarding a 5% local vendor leeway. It was clarified that while Arkansas State Law permits a bid preference of up to 5% for qualified local firms, Tontitown's current ordinance was structured around a separate state "safe harbor" provision applying to out-of-state vendors. The proposed amending ordinance aligns city policy with state law, explicitly granting the city the authority to allow up to a 5% bid preference for Tontitown businesses over outside competitors.

Daniel Montez motioned to approve an Ordinance updating section 32.02 regarding Bid Preferences.

Second by Mike Washkowiak

Daniel Montez Voted- NO

Craig Graves Voted- YES

Tim Burress Voted- NO

Larry Ardemagni Voted- YES

Mike Washkowiak Voted- YES

Mick Wagner Voted- YES

Motion Passes

B. A discussion and Proposal of a proposed Ordinance updating Municipal Check-Signing and Dismemberment controls. Sponsored by: Mick

Introduction-

A proposed ordinance amendment designed to clarify and strengthen the City of Tontitown's internal controls over the disbursement of public funds. It was noted that while current code permits the mayor, recorder-treasurer, or any alderman to sign checks, prior audits revealed past instances where standard spending qualifications were not met. Additionally, reference was made to past municipal documentation regarding a \$16,000 disbursement for unreceived computer equipment that lacked proper receiving records. The proposed amendment establishes a strict dual-signature internal control standard requiring that every physical check issued by the city must be signed by both the mayor (as Chief Executive Officer) and the City Treasurer. Exceptions are explicitly outlined for automated transactions, including electronic checks and bank drafts for recurring utility bills. He concluded by stating that the measure removes ambiguity surrounding authorization responsibilities and requested a positive vote from the council.

Mick Wagner motioned to approve the Ordinance updating Municipal Check-Signing and Dismemberment controls.

Second by Tim Burress

Craig Graves Voted- NO

Mike Washkowiak Voted- YES

Daniel Montez Voted- YES

Mick Wagner Voted- YES

Tim Burress Voted- YES

Larry Ardemagni Voted- YES

5 Votes- YES to 1 Vote- NO

Motion Passes

**C. A discussion and approval of a resolution for the Amalfi Subdivision Final Plat.
Sponsored by: Danny**

Introduction-

Councilman Daniel Montez is requesting the council's consideration to accept the final plat and dedicated Right-of-Ways for the Amalfi Subdivision. Mr. Brad Spurlock presented the item, noting that the Tontitown Planning Commission had approved the subdivision at its last meeting subject to specific conditions. Mr. Spurlock confirmed that all planning stipulations—including specified aesthetic requirements and the submission, review, and approval of necessary developer bonds—have now been fully satisfied. Representatives for the developer were noted as present to answer any questions from the council.

Daniel Montez motioned to approve the resolution for the Amalfi Subdivision Final Plat.

Second by Mick Wagner

After Discussion-

Daniel Montez amended his motion to TABLE the resolution and move the item to Item I on the agenda.

Second by Mike Washkowiak

Motion Passes Unanimously

D. A discussion and approval of a resolution to purchase three (3) in car radios and three (3) portable Motorola Radios. Sponsored by: Danny

Introduction-

Councilman Daniel Montez is the Chair for the Public Safety Committee and presented a request from Police Chief Jenison to purchase three vehicle-mounted mobile radios and three portable handheld radios. It was noted that while the car radios were already included in the active budget, the portable radios were not originally budgeted. Chief Jenison addressed the Council to explain that rapid city growth and an influx of personnel—particularly evident during the recent city festival—have left the department short on spare handheld units under Washington County's radio agreement. Chief Jenison confirmed that despite not being initially appropriated, sufficient matching funds are available between 988 funds and existing departmental budget lines to fully absorb the cost of the additional portable equipment.

Tim Burress motioned to approve the resolution to purchase three (3) in car radios and three (3) portable Motorola Radios.

Second by Daniel Montez

Motion Passes Unanimously

E. A discussion and approval of a resolution to purchase three (3) in car camera systems (3) body worn cameras. Sponsored by: Danny

Introduction-

Councilman Daniel Montez is requesting the council's consideration to purchase emergency outfitting equipment for upcoming police department vehicles. Police Chief Jenison addressed the Council to provide details, stating that three vehicles currently on order are expected to arrive this month. Chief Jennison confirmed that one vehicle is already at the lot, with the remaining two scheduled for delivery between the 16th and 26th of the month. Once received, the vehicles will be sent out for emergency equipment installation. It was noted that these outfitting expenses are already fully accounted for in the current year's capital expense budget.

Daniel Montez motioned to approve the resolution to purchase three (3) in car camera systems (3) body worn cameras.

Second by Tim Burress

Motion Passes Unanimously

F. A discussion on when to hold Committee Meetings. Sponsored by Mike

Discussion only

Introduction-

A discussion regarding the formatting and scheduling structure of city committee meetings. Councilman Washkowiak noted that while committees are traditionally structured on an ad hoc basis, transitioning to a fixed, regularly scheduled meeting calendar would significantly improve organizational efficiency, public awareness, and press notification procedures. He recommended implementing a predictable system—suggesting that either all six committees meet on a single designated evening or be split into three-committee blocks held on the first and third Mondays of the month prior to regular Council meetings. He added that if a committee lacks active agenda items for a scheduled date, the meeting could simply be kept short or canceled. Councilman Washkowiak concluded by requesting feedback from the rest of the Council on the best approach moving forward.

G. A discussion of unpaid Sales Tax. Sponsored by Mick

Discussion Only-

Councilman Wagner raised concerns about sales-tax collection and approximately \$900 in unpaid sales tax involving a local vendor.

- He said the issue has been under discussion since March 2024 and that he requested state sales-tax remittance records to verify whether local businesses were properly reporting and paying taxes.
- He identified a local vendor that had charged the city roughly \$800–\$900 in sales tax on 2023 invoices but apparently did not remit that sales tax according to the report.
- He said the situation was especially concerning because the business was located on the mayor’s personal property, was operated by a family member, and reportedly lacked a business license during the relevant period.

- Wagner emphasized that he is not pursuing the issue personally against the mayor, but believes the mayor and her family should follow the same rules as everyone else.
- He also criticized delays in receiving the city's required Quarterly Sales-Tax Reports, saying the council should not have to repeatedly remind officials to provide information required by its resolution.
- He noted that the city's sales-tax revenue was up a little over 4% year-to-date, while nearby Springdale was reportedly down about 3%.
- He asked for a resolution and recommendations from the city attorney on how to recover the unpaid money.

Councilman Wagner wants the city to determine where the roughly \$900 in sales tax went, recover the money owed to the city, and ensure sales-tax reporting and compliance requirements are consistently followed.

**H. A discussion to approve an ordinance amending 155.03 (B)(1) water impact fees.
Sponsored by Mick**

Introduction-

Councilman Wagner introduced an amendment to the city's impact-fee ordinance after discussing the issue with a citizen.

He reviewed the history of the impact fees because he was not on the council when they were originally approved.

He believed some of the existing languages were ambiguous or incomplete.

He consulted the City Attorney, who prepared an amended ordinance to address the wording.

Councilman Wagner asked the council to approve the amendment.

Councilman Wagner wants to clarify and potentially fix gaps in the city's impact-fee ordinance based on a historical review and legal advice.

Mick Wagner motioned to approve an ordinance amending 155.03 (B)(1) water impact fees as written with updated fees.

Second by Tim Burress

Motion Passes Unanimously

Mick Wagner motioned to allow Brad Spurlock to address the council.
Second by Tim Burress

Motion Passes Unanimously, with all council voting aye.

I. A discussion and approval of a resolution for the Amalfi Subdivision Final Plat.
Sponsored by: Danny

Larry Ardemagni motioned to approve a resolution for the Amalfi Subdivision Final Plat.
Second by Tim Burress

Daniel Montez Voted- YES
Craig Graves Voted- YES
Tim Burress Voted- NO
Larry Ardemagni Voted- YES
Mike Washkowiak Voted- YES
Mick Wagner Voted- YES

5 Votes- YES to 1 Vote- NO

Motion Passes

12) Closing Comments

Mick Wagner

- Thanked everyone for attending and stated, "It's been an interesting night".

Craig Graves

- Wished everyone a good night.

Daniel Montez

- Thanked everyone for attending and for their participation in the discussion and public comments.
- He expressed hope that the concerns raised would lead to greater accountability, answers, and improvements in city operations.
- He thanked everyone again and wished them a good evening.

Larry Ardemagni

Thanked those in attendance for coming to the meeting and acknowledged that attending and participating in the meeting takes time and effort.

Tim Burress

- He informed us that he is running late for another meeting and thanked the room and explained he must leave immediately, missing the rest of the public comments and asks for forgiveness regarding his early departure.

Mike Washkoia

- Asked Mr. Barbour to email or write down the questions he read aloud, as he spoke too quickly to copy down and explained that the board cannot debate during public comments.
- He notes that the board previously voted to limit public comments to agenda items only but expresses personal support for letting citizens speak on any topic. He suggests dividing future public comment periods into two separate sections, one dedicated to agenda items and another for general topics.
- Thanked the audience members for coming out to the meeting.

City Attorney Farrar

- Thanked the board for committing to formal procedural order, including the proper use of motions and seconds. He acknowledges that following strict procedures can be annoying but emphasizes it will ultimately make the meetings run more smoothly.
- He expresses gratitude to the group for humoring and accommodating their parliamentary requests.

Mayor Russell

- Bocce tournament results: The winners of the past weekend's Bocce Tournament (1st place: Kenny and Zach Pianalto; 2nd place: Roger Pianalto and Shelley Miller; 3rd place: James and Gavin Pianalto) and thanked everyone for participating.
- She read a summary of an email forwarded by Captain Bowen, which expressed a citizen's deep appreciation for the Police Department. She noted that sharing positive feedback helps balance out the usual negative correspondence and reinforces the department's commitment to professionalism.
- Trash billing clarification: Addressing local complaints about vacant rental properties being billed for trash after tenants move out, she clarified that this is strictly a policy of the third-party trash provider. The city does not handle or request these account transfers, and citizens should direct their complaints to the utility company rather than city hall.
- She concludes with a philosophical message urging community members to choose guidance, support, and encouragement over constant criticism and personal attacks

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 _____

Madelyn Parker

From: Angie Russell
Sent: Tuesday, September 8, 2026 11:15 AM
To: Madelyn Parker
Cc: Rhonda Ardemagni; Luann Jenison
Subject: FW: 1179 Tivoli - Continued Activity

Maddie,

Mr. Wiser would like the email below acknowledged on the record.

~Mayor Angela Russell



A Little Town, A Lot of Tradition

Mayor Angela Russell
City of Tontitown
235 E Henri De Tonti Blvd
Tontitown, AR 72770
Phone 479-361-2700
www.tontitown.com

From: Robert Wiser <robert.wiser@yahoo.com>
Sent: Saturday, July 25, 2026 1:14 PM
To: Jodi Tarver <codeenforcement@tontitownar.gov>; Mike Waskowiak <ward3-1@tontitownar.gov>; Tim Burress <ward3-2@tontitownar.gov>; Angie Russell <mayor@tontitownar.gov>
Cc: Corey Jenison <cjenison@tontitownar.gov>; Peter Mccollough <pmccollough@tontitownar.gov>
Subject: 1179 Tivoli - Continued Activity

Hello,

I wanted to submit a detailed timeline to those I feel should be made aware. My primary concern is to have this on record, but also what can be done to end the harassment.

Troy Barbour, resident at 1465 Wildcat Creek Blvd, confronted me on May 2nd, 2026 while I was removing no-trespassing signs on the exterior of the North side of my fence. As I had not granted anyone permission to place them there and had no knowledge of who had placed them there, I proceeded to remove them. Troy drove up in a white truck along side me and began berating me as to why I was taking down the signs. He asked if it the fence was on the border of the properties. I told him no, the fence was built inside the property line. I tried to have a reasonable conversation, but he continued yelling with many expletives when I tried to speak. I suggested he put the signs on stakes. He said "don't be surprised if I get overspray on your fence." He continued and said "you want a war, we can start a war." At that

point, I stop talking as I felt threatened. He followed me down the fence line as I gave him back his no-trespassing signs. I then called Tontitown Police to file a report. On May 3rd, we saw signs on stakes near the north side of the fence. We discovered words written on the sign facing the backyard stating "You're an Asshole!" On May 4th, I went to file a statement with Tontitown Police with the clerks office. That same evening, I was made aware of additional messages pointed toward my property and directed at me on the signs running down the fence line- "Fuck you Robert", "Fuck You Neighbor!" I then called the police. An officer called me and asked if I wanted to press charges. I told him no, I just wanted all the signs removed. Several police officers came over, including Lt. McCollough, after they went to 1465 Wildcat Creek Blvd. They asked several questions including who takes care of that side of the fence and what I would do if he placed the no-trespassing signs back on the fence. I informed them I would take whatever legal action was available to me to have those removed. We did go over to the fence line and I explained I was there when the fence was built, and saw that it was built inside the property line. Another officer commented that they typically build the fences around 6 inches inside the property line. The police officers then left. Troy proceeded to take down the signs with the threatening messages and place the no-trespassing signs back on the fence with a new sign posted on the North-West corner of the fence for us to see stating "I Win."

In the following days, he stopped mowing 3-4 feet from the fence line. I assumed, based on the question concerning who maintains that side of the fence, he did not want to mow that portion anymore. I mowed a strip of the grass right next to the fence line. But, as it has turned out, it now seems he was baiting me to that side of the fence to mow. I was then served a no-trespassing warning for doing so. I was told we were treating the fence as a border fence. Though, based on the comment from the office who agreed that fences are typically built inside the property line about 6 inches or so, I thought it was understood the fence would likely be inside the property line. I did not understand we were treating this as border fence without yet having the survey. I had no ill-intent for mowing next to the fence. I do appreciate the demeanor of the officer who served the warning- he was very kind and respectful. He reiterated the need for a survey. Please note I have emailed asking if pin location would suffice or if I would need a full survey. But, have not heard back yet.

Around June 20th, Troy began placing more items along the property line on the North-East corner of my property. On June 22nd, I called the police once I saw dolls and doll heads were placed on the posts. Officer Bigelow responded. He saw this as harassing and did not think he could place the no-trespassing signs on the fence stating it was my fence. I expressed concern that I would not be able to access my fence for repairs as I was served a trespass warning earlier from mowing next to the fence. He said I, or any one else I hire, including himself, should be able to access the exterior of the fence for repairs. I reiterated my concerns based on the trespass warning I was served. He said he would find the full history with the previous officers who responded. Jodi Tarver then came the next day to assess for code violations.

On June 28th, Troy mowed around 6-8 feet from the sidewalk, leaving the grass along the fence line. He removed the dolls, except for one doll head facing me and added a new sign that says "Warning- My Neighbor is a Jackass." On June 29th, he has placed landscaping lights pointed towards the no-trespassing signs which I believe are a code violation- see 152.150 OUTDOOR LIGHTING.

The week, several bird feeders were placed right next to the corner of the fence which are already leading to excessive bird droppings on both the interior and exterior of fence.

My main goal is for him to remove the signs adhered to the fence, landscape lighting, bird feeders as well as remove current harassing sign and cease any harassment in the future. I did miss Lieutenant Mccollough's response via email on 6/20 letting me know pins should be all that is needed to verify the property line. I have requested pricing from ESI to have that completed. I also need to know if I have permission to walk the exterior of the North fence for maintenance purposes. If both are the case, I would like that communicated to Troy Barbour so he is aware and will avoid confronting me during those times of maintenance.

I appreciate the individuals that have come out. At this point, the latest sign is specifically directed at me and I believe would meet the mark of harassment in addition to the bird feeders causing property damage. I would hope to avoid legal trouble for this individual, as that is not my aim. I would just like him to stop harassing me and my family and remove his signs from my property. Please understand I have two young daughters who are seeing these signs causing my wife and daughters to also feel threatened. I have had no other interaction with this gentleman since May 2nd. I have tried taking no action, because I simply want to be left at peace. But, he has to continued to escalate the issue and I feel confident there must be law or code in place that would protect me and my family from this kind of harassment as well as maintain the property values and beauty of the area.

Respectfully,

Robert Wiser
1179 Tivoli St
Tontitown, AR 72770

PHOTOS OF CURRENT ITEMS:





Pease note landscape lights are pointed toward each sign illuminating them during the evening. Light is passing through fence into our property. Additionally, grass is has been left to grow along fence line and is very high at this point.







PHOTOS OF PAST ITEMS













To the Honorable Mayor and Members of the Tontitown City Council,

On behalf of the Tontitown Community Foundation, we would like to reaffirm the purpose, structure, and integrity of our organization. We value transparency, collaboration, and the trust of our community, and we welcome the chance to clarify any questions that may have arisen.

The Tontitown Community Foundation is a fully established 501(c)(3) nonprofit organization, created with guidance from a licensed Arkansas attorney to ensure every step of formation met federal and state requirements. We remain in good financial standing and that includes zero outstanding debts, current on all federal tax requirements (including the filing of the 990-N), and we are fully compliant with the Arkansas Secretary of State, including all annual filings and governance obligations required of nonprofit entities.

Our mission is simple and unwavering: to support the betterment of Tontitown, Arkansas. Every dollar entrusted to the Foundation is used solely for initiatives that strengthen, enhance, and uplift our community. Donors may designate how their contributions are used, and we maintain strict internal controls to ensure funds are applied exactly as intended.

We recognize the importance of accountability and public confidence. The Foundation is committed to maintaining transparent records, responsible stewardship, and open communication with the City Council and the residents of Tontitown. We are proud to serve as a trusted partner in advancing projects and opportunities that benefit our city.

Thank you for your time, your leadership, and your continued dedication to the people of Tontitown. We look forward to working together to support the growth and future of our community.

We re

Respectfully,

Tontitown Community Foundation Board