

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
October 6th, 2026
Minutes**

**The Tontitown City Council meeting is scheduled for Tuesday, October 6, 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-** Pastor Garris Hudson
- 3) **Pledge of Allegiance**
- 4) **Roll Call-** All in Attendance
- 5) **Approval of September 15th, 2026, City Council Minutes**

Daniel Montez motioned to approve the September 15th, 2026, City Council Minutes.
Second by Tim Burress

Motion Passes Unanimously

6) Approval of Agenda

Tim Burress motioned to approve the October 6, 2026, agenda.
Second by Mike Washkowiak

Motion Passes Unanimously

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

Mike Washkowiak motioned to approve to Waive the 3 Reading Rule for All Ordinances on the Agenda.
Second by Tim Burress

Motion Passes Unanimously

- 8) **Old Business: NONE**
- 9) **Public Comment on agenda items.**

An online attendee requested to speak during the public comment section of the agenda. Pursuant to city policy, remote participation requires City Council approval.

Lary Ardemagni motioned to allow the attendee to speak.
No second

Motion failed

Kara Jo Engle, representing the Tontitown Historical Museum, is delighted to invite the community to the museum's annual "Polenta Smear" on November 1, 2026. Styled as an "old-fashioned family reunion," the celebration will feature a "Taste of Tontitown" with delicious food provided by a variety of local restaurants.

Anna Watkins 789 Soldera Rd., Tontitown, AR and with Forgotten Paws of Tontitown, AR

Forgotten Paws is an animal rescue organization in Tontitown celebrating its one-year anniversary. Ms. Watkins reported that the rescue has rehomed over 900 animals across Northwest Arkansas in its first year, including 650 to 700 animals originating directly from Tontitown. She noted that Heather Armstrong is relocating due to safety concerns caused by continuous animal dumping at her home. Ms. Watkins stated that the organization wishes to keep the rescue operation local to Tontitown and requested a future discussion with the City Council regarding local animal control options.

10) New Business

A. A discussion of a Resolution regarding the process for Publication, Codification, and Verification of Tontitown Records. Sponsored by: Mick

A proposed resolution to establish a consistent, professional written process for presenting adopted ordinances and resolutions on the city website and transmitting them to the codifier. It was noted that the policy operates alongside, and does not alter, the statutory duties of the Clerk-Treasurer under Arkansas law (specifically citing ACA 14-43-506A, 14-55-205, 14-43-502, and 14-43-602 regarding the custody of official city laws and records). The written process is needed to correct recent public-facing errors—such as an ordinance linked to an unrelated subdivision document and another posted with redline drafts attached—which cause confusion for staff, attorneys, and the public. The policy aims to ensure institutional continuity during personnel transitions and establish minimum quality control objectives to verify that the public-facing documents are the correct, final enactments. The resolution does not dictate the internal workings of the elected office, create new legal forms of recordkeeping, or make website copies legally superior to official authenticated records.

Mick Wagner motioned to approve resolution regarding the process for Publication, Codification, and Verification of Tontitown Records.

Second by Mike Washkowiak

Discussion

Mick Wagner motioned to amend his original motion to include the checklist.

Second by Mike Washkowiak

Motion Passes Unanimously

Mick Wagner motioned to approve the resolution regarding the process for Publication, Codification, and Verification of Tontitown Records.

Second by Mike Washkowiak

Motion Passes Unanimously

B. Discussion and Approval of Ratification and Confirmation of the Completed Terms of Ordinance No. 2026-09-1339. Sponsored by: Mick

A concern was raised regarding ambiguity in Section 4 regarding committee membership size, which currently reads "12 to 15." It was recommended to amend the language to specify that the committee "shall consist of not less than 15 members" to prevent the membership count from dropping too low. Additionally, concurrence was expressed regarding the provision for members to serve staggered terms of three years.

Mick Wagner motioned to approve the Ratification and Confirmation of the Completed Terms of Ordinance No. 2026-09-1339.

Second by Mike Washkowiak

Discussion

Mick Wagner motioned to amend his original motion, changing the specified number of committee members to 12.

Second by Tim Burress

Craig Graves Voted- YES

Mike Washkowiak Voted- NO

Daniel Montez Voted- YES

Mick Wagner Voted- YES

Tim Burress Voted- YES

Larry Ardemangi Voted- NO

4 Votes- YES to 2 Votes- NO

Motion Passes

Mick Wagner motioned to approve the Ratification and Confirmation of the Completed Terms of Ordinance No. 2026-09-1339.

Second by Mike Washkowiak

Craig Graves Voted- YES

Mike Washkowiak Voted- YES

Daniel Montez Voted- YES

Mick Wagner Voted- YES

Tim Burress Voted- YES

Larry Ardemangi Voted- NO

5 Votes- YES to 1 Votes- NO

Motion Passes

C. A discussion and approval of a proposed Ordinance Consolidating the Citywide Fee Schedule. Sponsored by: Mick

It was noted that city fees—such as housing permits, water permits, and impact fees—are currently scattered throughout various sections of the municipal code, making them difficult for staff and the public to find. The proposed ordinance aims to consolidate all existing fees into one central location and a single checklist form. It was emphasized that the ordinance does not change or replace any fee amounts but rather aggregates them to improve departmental efficiency and provide transparency so applicants can see all required fees in a single lump sum.

Mick Wagner motioned to approve a Ordinance Consolidating the Citywide Fee Schedule.

Second by Larry Ardemagni

Motion Passes Unanimously

D. A discussion and approval allowing the mayor to enter into an agreement with ARDOT regarding STP Funding for ARDOT Job #041038. Sponsored by: Craig

The proposed agreement does not authorize the construction of a \$30 million road but rather funds a planning and feasibility study for a 2.26-mile road corridor extending from Don Tyson Parkway to Kelly Road. The overall planning budget decreased from \$850,000 to \$500,000, with the city requesting \$125,000 in local matching aid. The current planning phase will evaluate project feasibility and sustainability, covering roadway alignment, 30% design, environmental requirements, right-of-way needs, utility impacts, bridge and drainage assessments, and refined cost estimates. It was noted that approval does not guarantee eventual road construction. Project estimates project a traffic volume of 15,000 vehicles per day. If ultimately constructed, the city

would assume long-term operation and maintenance responsibilities for sections located outside of the ARDOT right-of-way.

Craig Graves motioned to approve a resolution allowing the mayor to enter into an agreement with ARDOT regarding STP Funding for ARDOT Job #041038.

Second by Mick Wagner

Motion Passes Unanimously

E. A discussion and approval of a Resolution for Museum Preservation. Sponsored by: Mick

A statement was made introducing a resolution to address recent public questions and rumors regarding the Tontitown Historical Museum funds. It was clarified that the city holds a balance of approximately \$290,000 to \$300,000 in General Ledger Account No. 7469 (commonly referred to as the city museum savings or reserve account). City accountants are currently auditing these records to determine the exact breakdown of private donations, municipal funds, and interest earnings. The resolution accomplishes three primary goals: it permanently dedicates the existing funds exclusively for the benefit and operation of the museum, protects any legitimate donor-imposed restrictions identified by the ongoing accounting review, and preserves the City Council's lawful financial authority and accountability over the expenditures. Additionally, it was noted that while a separate agreement with the Arkansas Community Foundation is being reviewed by the city attorney for future private donations, the existing city funds will remain under city custody and control and cannot be transferred to a private charitable foundation. The policy explicitly ensures that the museum board will provide meaningful recommendations on fund usage, which the council will reasonably consider, while the ultimate appropriation authority remains with the City Council.

Mick Wagner motioned to approve a Resolution for Museum Preservation.

Second by Tim Burress

Motion Passes Unanimously

F. A discussion and approval of a proposed Resolution Regarding City Hall Address and Community Foundation Records. Sponsored by: Danny

- A formal position paper was read into the record regarding the City's relationship with the **Tontitown Community Foundation**. It was stated that inquiring into public funds, organizational authority, and the use of public property falls under ordinary council oversight and is not a personal attack on volunteers. The presentation outlined several directives based on legal opinions from City Attorney **Tyler Farrar**:

- **Financial Accounting:** The resolution requests a comprehensive, two-way financial reconciliation of all funds passed between the City and the Foundation or held for city-related purposes. This includes reviewing records to determine why municipal General Funds were originally used to pay an outside law firm for the Foundation's legal incorporation papers, and whether that expenditure constituted an "illegal exaction" due to a lack of proper council authorization.
- **Use of City Hall Address:** It was noted that an independent entity cannot list City Hall as its principal registered office or receive ongoing city resources without explicit council approval. Pursuant to **ACA 14-54-302**, municipal contracts and leases require a written resolution. If no prior authorization is found, the resolution directs that written notice be given to correct official filings through an orderly transition.
- **Review Process and Next Steps:** The policy proposes that the City and Foundation exchange governing and financial documents to reconcile transactions. During this review period, any new discretionary city payments or resource commitments to the Foundation will be paused, while existing legal obligations will be honored.
- **Public Hearing:** The Foundation will be formally invited to present its findings and explanations at a public meeting before the City Council decides on any future long-term arrangements.

Daniel Montez motioned to approve the resolution Regarding City Hall Address and Community Foundation Records.

Second by Mick Wagner

Motion Passes Unanimously

G. A discussion and approval of an Ordinance adopting a Comprehensive Animal Control Chapter. Sponsored by: Mick

A proposed ordinance designed to strengthen municipal enforcement consistency and establish a functional animal control program ahead of the **2027 budget cycle**. The ordinance restructures operations by combining two distinct field responsibilities—**Code Enforcement and Animal Control**—into a single, combined civilian position under the direct supervision of the **Tontitown Police Department**. The structural division of responsibilities was clarified as follows:

- **Combined Field Enforcement Role:** The position will handle field-based compliance, including investigating nuisance conditions (e.g., weeds, trash, debris, abandoned vehicles, temporary sign violations), running-at-large animals, and dangerous animal complaints. The officer will issue citations where

authorized and coordinate with sworn law enforcement officers when police authority is required.

- **Retention of Technical Authority:** The position does *not* possess building, planning, or zoning authority. The **Building Official** retains exclusive control over technical inspections, structural safety, building permits, and unsafe building determinations. The **Planning Department** retains full responsibility for land use, zoning, and related technical functions. Technical violations will be referred by the field officer to the respective department for formal determination prior to enforcement action.

The restructuring aims to replace scattered, incomplete provisions with a clean, accountable framework to maximize departmental efficiency and clarify enforcement chains of command for both staff and the public.

Mick Wagner motioned to approve an Ordinance adopting a Comprehensive Animal Control Chapter.

Second by Daniel Montez

Motion Passes Unanimously

H. A discussion and approval of a proposed Resolution amending the 2027 Purchasing Manual. Sponsored by: Mick

- A presentation was made introducing a proposed ordinance to adopt a revised purchasing manual for the City of Tontitown. The review originated during preparatory work for the **2027 budget cycle** while evaluating the current 2025 manual. It was noted that the existing manual contains obsolete provisions, such as assigning duties to a "Director of Finance," a position that Tontitown does not have. The revised manual establishes routine municipal controls, including:
 - Mandatory monthly departmental budget-to-actual reporting.
 - Written quotation requirements.
 - Strict prohibitions against splitting purchases to bypass cost thresholds.
 - Proper documentation paths for sole-source and emergency procurements.
 - Mandatory confirmation that goods or services were actually received to build a complete audit trail.

Following consultations with department heads regarding modern operational costs (such as vehicle repairs and parts), the spending authorization tiers were amended to prevent day-to-day operational delays. The updated **approval thresholds** are structured as follows:

- **\$1,501 to \$10,000:** Requires department head approval only.
- **\$10,001 to \$19,999:** Requires both department head and mayoral approval.
- **\$20,000 and above:** Requires full City Council approval.

It was emphasized that this change only alters approval levels; all internal safeguards—including budget verification, purchase order tracking, quotes, and state-mandated bidding requirements—remain fully intact to preserve appropriate financial oversight.

Mick Wagner motioned to approve the resolution amending the 2027 Purchasing Manual.

Second by Tim Burress

Motion Passes Unanimously

I. A discussion and Approval of an Ordinance amending sections §30.05 and §30.06 regarding Public Comments. Sponsored by: Mike

A proposed ordinance to revise the structural order of business for regular city council meetings. It was noted that while council speech in chambers is bound by municipal guidelines, including the prohibition of remote participation, this ordinance seeks to expand public comment opportunities. The proposed changes establish a second public comment section at the conclusion of the New Business portion of the agenda. This addition allows the public to speak freely on non-agenda topics, precluding the need for the council to repeatedly vote to allow non-agenda comments, as occurred in prior meetings. It was requested that public comments remain reasonably related to city government operations, services, and programs, with the understanding that the council will not deliberate or engage during the forum but may flag items for future consideration. An initial inquiry was made regarding changing the effective date of the ordinance from 30 days to 7 days so it would apply to the next meeting. Legal counsel clarified that under Arkansas law, an ordinance cannot take effect prior to 30 days post-signature unless an Emergency Clause is explicitly attached and an emergency is articulated. Consequently, the requested timeline adjustment was dropped, leaving the 30-day effective period intact.

Mike Washkowiak motioned to approve an ordinance amending sections §30.05 and §30.06 regarding Public Comments.

Second by Daniel Montez

Motion Passes Unanimously

J. A discussion and approval of a proposed Resolution authorizing the purchase of 3 TPD vehicles. Sponsored by: Danny

The matter was brought forward at the request of the Chief of Police, who confirmed that a couple of replacement vehicles are currently available for immediate purchase and that the required funds are fully accounted for within the approved department budget.

Tim Burress motioned to approve the resolution authorizing the purchase of 3 TPD vehicles.

Second by Daniel Montez

Motion Passes Unanimously

K. A discussion and approval of a proposed Resolution regarding South Barrington Soil Disposition. Sponsored by: Danny

It was explained that the soil removed from the site was low-quality "bad dirt" filled with rock, debris and tree branches, which is standard construction waste that typically requires the city to pay removal and hauling fees to discard. Rather than incurring expenses to tarp the loads, transport them off-site, and pay disposal fees, the material was dumped at the back of a local lot leading to a ravine, which saved employee time and city resources. Following a review of the circumstances and based on the structural evaluations of the City Engineer and City Attorney, it was determined that the material held no market value and was not sellable. The resolution was introduced to formally document and authorize the action after the fact, ensuring complete administrative compliance

Daniel Montez motioned to approve the resolution regarding South Barrington Soil Disposition.

Second by Mike Washkowiak

Daniel Montez Voted- YES

Craig Graves Voted- YES

Tim Burress Voted- YES

Larry Ardemagni Voted- YES

Mike Washkowiak Voted- YES

Mick Wagner Voted- Abstained

5 Votes- YES to 1 Vote- Abstain

Motion Passes

L. A discussion and approval of a Resolution for a purchase from AMKUS for the Fire Department. Sponsored by: Danny

A request was brought forward on behalf of the Chief of the Fire Department to waive the standard competitive bidding process for the procurement of specialized extraction equipment. It was noted that the total cost of the equipment is \$52,235.69, and the necessary funds have already been fully accounted for within the department's approved annual budget.

Daniel Montez motioned to approve a resolution for a purchase from AMKUS for the Fire Department.

Second by Larry Ardemagni

Motion Passes Unanimously

M. A discussion and approval of a proposed Resolution of Censure. Sponsored by: Mick

- A comprehensive statement was read into the record detailing the chronological sequence of events prompting the proposed resolution of censure. The presentation outlined the following timeline and concerns:
 - **Bank Signatory Dispute:** The matter originated during a September 15th discussion regarding city check-signing procedures. It was stated that the mayor made historical claims that the City Council had previously authorized non-elected staff members (her direct reports) as bank signers. A subsequent Freedom of Information Act (FOIA) request failed to produce any council record or ordinance supporting that assertion, and the mayor later acknowledged in writing on September 22nd that the statement was inaccurate. The council subsequently passed an ordinance clarifying that only elected officials (the Mayor, Clerk-Treasurer, or designated Aldermen as alternates) possess check-signing authority.
 - **Retaliation Concerns and Public Works Project:** Following continued inquiries and the raised possibility of a censure, an unrelated public works drainage project involving the hauling of excavated material across private property became the subject of intense outside focus. It was noted that utilizing the private route saved employee time, fuel, and equipment costs. However, the Mayor halted the operations to question the material's disposal, which immediately coincided with detailed social media posts from a non-resident and accusatory text messages from fellow aldermen alleging personal benefit and malfeasance.
 - **Purpose of Censure:** It was emphasized that a censure is a formal mechanism to uphold institutional governance standards rather than a criminal judgment or removal from office. The resolution was presented as a necessary step to demand factual accuracy, compliance with municipal ordinances, candor in responding to public record requests, and a safeguard ensuring legitimate legislative oversight can occur without political escalation.

Mick Wagner motioned to approve the resolution of Censure.

Second by Daniel Montez

Mike Washkowiak Voted- YES

Tim Burress Voted-YES

Larry Ardemagni Voted- NO

Mick Wagner Voted- YES

Daniel Montez Voted- YES

Craig Graves Voted- YES

5 Voted- YES to 1 Vote- NO

Motion Passes

11) Closing Comments

Mick Wagner

Expressed appreciation to the public for attending the meeting and extended commendations to Public Works Foreman Scott Ardemagni. Council Member Wagner praised Mr. Ardemagni's performance in his new role, noting that he took effective action to address a drainage project that had previously undergone a \$60,000 city study over a two-year period. He also referenced outside social media scrutiny regarding the project, clarifying that engineering logic contradicts claims that the work was intended to benefit his private pond due to the physical topography between South Barrington and his property.

Craig Graves

Wished everyone a good night.

Daniel Montez

- Thanked the public for attending the meeting and expressed appreciation to his fellow council members for their active participation and engagement. He wished everyone safe travels home.

Larry Ardemagni

Extended appreciation to all city staff for their ongoing work and dedication. He encouraged the public to attend the upcoming Polenta Smear, highlighting it as a great community tradition. Additionally, he noted that the Halloween in the Park event is scheduled to take place and encouraged the community to look forward to the festivities. He concluded by thanking the public for attending the meeting.

Tim Burress

Expressed appreciation to city employees, partners, and the citizens who attended and spoke at the meeting. Council Member Burress extended an apology to Zach, stating he believed he was unfairly besmirched during the evening, and thanked him for his work. He concluded by stating he is thankful to serve the city and wished everyone a wonderful week.

Mike Washkowiak

- Expressed appreciation to Anna and Luann for organizing the "Coffee and Conversation" event hosted that morning. He noted the event is a great recurring opportunity on the first Tuesday of each month to connect with residents and support local businesses. He also highlighted several upcoming community events in the park system following discussions with Ms. Ibarra.
- **Polenta Smear:** Noted that while polenta is not his personal favorite, he encourages everyone to support the upcoming museum-sponsored tradition across the street, as alternative food options will be available.
- **Halloween in the Park:** Anticipated a large turnout, noting the popular annual event historically attracts between 2,000 and 3,000 children.
- **Christmas in the Park:** Announced that the event is planned for November 21st with significant festivities scheduled, pending favorable weather.

He concluded by thanking everyone in attendance.

Tyler Farrar

Wished everyone a good night.

Mayor

Announced official dates and times for upcoming seasonal community events:

- Halloween in the Park: Scheduled for October 31st from 5:30 PM to 7:30 PM.
- Polenta Smear: Scheduled for November 1st from 12:00 PM (noon) to 2:00 PM.
- Christmas in the Park: Scheduled for November 21st from 1:00 PM to 7:00 PM, featuring the official tree lighting ceremony and the arrival of Santa Claus via helicopter.

Additionally, extended special congratulations to community member Velma Opila (mother of regular meeting attendee Nina Brown) on celebrating her 100th birthday last week. Concluded by wishing everyone a good night.

12) 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 _____