

## Minutes of the December 21, 2015 Bella Vista City Council Meeting

**Call to Order:** Mayor Christie called the meeting to order at 6:30PM

**Invocation** was given by Dennis Ritchie of the Presbyterian Church of Bella Vista.

**Pledge** of Allegiance was recited.

**City Clerk** Jertson called the roll of Council: Alderman Frank Anderson, John Flynn, Allen King, Becky Morgan, Larry Wilson & James Wozniak were present.

**Citizen Input:** Debbie Reynolds, 9 Wilton Ln, Bella Vista spoke in support of the establishment of a City Arts Council. She talked about the Village Players and the desire by her and many others to get this group active again. They are in need of a location to preform and asked for ideas.

### **Approval of Minutes:**

November 16, 2015 minutes were moved to approve by Alderman Anderson, second by Alderman Wozniak. Approved by Vote of 6 ayes, 0 nays.

November 30, 2015 minutes were next. Motion to approve by Alderman Flynn, second by Alderman Morgan. Approved by a vote of 6 ayes, 0 nays.

Mayor Christie then presented the financial report through November. He went over the various departments and their position through November and projected for end of year.

The Mayor noted that the financial reports have been presented monthly but we did not make a motion to approve them in the period March through November. City Attorney Kelley explained that while we have presented these reports as is required, he suggested that we approve those reports and go back to doing them each month at the regular city council meeting each month. It is a good thing to have this approval in the minutes for the yearly audit.

A motion was made by Alderman Wozniak, second by Alderman Flynn to approve the reports March through December. Roll call vote was taken and approved by vote of Ayes: 6. Nays: 0

At this point a motion to suspend the rules and read all Ordinances and Resolutions by title only was made by Alderman King, second by Alderman Anderson. Vote was unanimous, Ayes: 6, Nays: 0

**ORDINANCE NO 2015-28-ACCEPTING AND CONFIRMING EASEMENTS DEDICATED TO THE PUBLIC, AND FOR OTHER PURPOSES.** Second reading. The Mayor explained that this is a lot split that is a Christmas gift and that they are ready to get going on building on this property. Mr. Kelley confirmed that this Ordinance is not of a permanent or general nature. It is effective immediately upon approval of third and final reading. A motion to suspend the rules and move to third and final was made by Alderman Flynn, seconded by Alderman King. Vote was, Ayes: 6, Nays: 0 Move to third and final reading. Alderman Morgan made a motion to adopt seconded by Alderman King. Passed by a vote of 6 for and 0 against. Ordinance adopted.

**ORDINANCE NO 2015- AMENDING THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO ESTABLISH A BELLA VISTA ARTS COUNCIL, TO DEFINE ITS MEMBERSHIP, PURPOSE, POWERS AND DUTIES, AND FOR OTHER PURPOSES.** First Reading. Moves to second reading in January.

**ORDINANCE NO. 2015-AMENDING SECTION 109-166(a) OF THE MUNICIPAL CODE TO PROVIDE FOR STRICTER ACCESSORY STRUCTURE SETBACKS, AND FOR OTHER PURPOSES.** First Reading.

Moves to second reading in January.

**ORDINANCE NO. 2015-** ACCEPTING AND CONFIRMING RIGHTS-OF-WAY DEDICATED TO THE PUBLIC FOR MEMORIAL DRIVE, AND FOR OTHER PURPOSES. First Reading. Moves to second reading in January.

**ORDINANCE NO. 2015-29-**WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF BACKHOE REPAIR SERVICES, IN AN AMOUNT NOT TO EXCEED \$65,000.00, FROM SCOTT EQUIPMENT, AMENDING THE 2016 CITY BUDGET, AND FOR OTHER PURPOSES. Attorney Kelley explained that Staff would like this moved to third and final reading to expedite this repair. A motion was made by Alderman King and second by Alderman Flynn to suspend the rules and move to third and final reading. 6 ayes, 0 nays moves it forward. The Mayor read the Ordinance for the third and final time. At this point a motion was made by Alderman Anderson and second by Alderman King to approve this Ordinance. Vote of 6 ayes, 0 nays. Ordinance Approved.

**R2015- RESOLUTION-** AUTHORIZING BUDGETARY FUNDING TRANSFERS BETWEEN DEPARTMENTS IN THE 2015 ANNUAL CITY BUDGET. Motion by Alderman Flynn and second by Alderman Wozniak to approve. 6 ayes, 0 nays. Adopted.

**R2015-RESOLUTION-** RE-APPOINTING MEMBERS TO THE BOARD OF CONSTRUCTION APPEALS TO FILL EXPIRING TERMS. Mr. John Nuttall and Mr. Stanley Moore are to fill positions 4 and 5. Motion made to adopt this Resolution by Alderman Flynn, second by Alderman Wozniak, 6 ayes, 0 nays. Passed.

**R2015-RESOLUTION-** AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH LONE STAR EMERGENCY VEHICLES, THROUGH THE HOUSTON GALVESTON AREA COUNCIL (HGAC) COOPERATIVE PURCHASING PROGRAM, IN AN AMOUNT NOT TO EXCEED \$216,000.00, FOR THE PURCHASE OF A 2016 4X4 CHIEF XL BRAUN AMBULANCE FOR USE BY THE FIRE DEPARTMENT. The Mayor explained the lead time on having this Ambulance built is about 10 months. This is in the 2016 budget but needs to be ordered now. Motion made by Alderman King and second by Alderman Flynn to approve. 6 ayes, 0 nays. Adopted.

**R2015-RESOLUTION-** AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH WAL-MART STORES, INC. IN THE ANNUAL AMOUNT OF \$12,000.00 FOR THE PURPOSE OF THE CITY PROVIDING EMERGENCY FIRE RESPONSE COVERAGE TO WAL-MART FACILITIES LOCATED IN MCDONALD COUNTY, MISSOURI, AND FOR OTHER PURPOSES. Fire Chief Sims and Attorney Kelley both spoke to this agreement to cover Fire emergency at 3 Walmart facilities just across the state line from Bella Vista. The Jane Supercenter, Star North and Data Center. This is Fire only and will provide a better level of coverage for the facilities. After discussion, a motion was made by Alderman Flynn second by Alderman Morgan to approve. Vote of 6 ayes, 0 nays. Adopted.

**R2015-RESOLUTION-** APPOINTING MEMBER TO THE BOARD OF ZONING ADJUSTMENT TO FILL VACATED POSITION. Staff has recommended Mr. A. J. Morris, Jr. to fill this position. Term expires October 1, 2016. Motion made by Alderman Flynn, second by Alderman King, approved by vote of 6 ayes, 0 nays.

**R2015-RESOLUTION-** AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH BENTON COUNTY, ARKANSAS IN THE AMOUNT OF \$10,000.00 FOR THE PROVISION OF EMERGENCY MEDICAL SERVICES (AMBULANCE SERVICES) TO UNINCORPORATED PORTIONS OF THE COUNTY FOR CALENDAR YEAR 2016, AND FOR OTHER PURPOSES. Chief Sims explained the area to be covered by this agreement. Motion to approve by Alderman Flynn and second by Alderman Morgan to approve. Adopted by a vote of 6 ayes, 0 nays.

**R2015-RESOLUTION-**AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A SIXTH ADDENDUM TO THE LEASE AGREEMENT WITH COOPER COMMUNITIES, INC. FOR SPACE FOR THE

STREET DEPARTMENT ON PINION DRIVE. There is the need for one month addition to the lease to allow for any unforeseen hold-ups in moving into the Street Dept. new building. A motion to adopt was made by Alderman Flynn, second by Alderman Wozniak. 6 ayes, 0 nays, Adopted.

**R2015-RESOLUTION-ACCEPTING RECREATIONAL TRAIL PROPERTY FROM COOPER COMMUNITIES, INC., SUBJECT TO TERMS AND CONDITIONS, FOR PURPOSES OF FACILITATING A PUBLIC RECREATIONAL TRAIL SYSTEM THROUGHOUT THE CITY.** A discussion was held on this agreement and the property involved. This is the last piece of the property involved in the Trail system that is to be built in the coming year. A motion by Alderman Flynn with a second by Alderman Wozniak to approve this resolution. Vote of ayes 6, nays 0. Approved.

**R2015-RESOLUTION-ACCEPTING THE FINANCIAL AUDIT REPORT PRESENTED BY THE ARKANSAS DIVISION OF LEGISLATIVE AUDIT FOR THE YEAR ENDING DECEMBER 31, 2014.** The council needs to approve the audit within 10 days of receipt of the audit report. Attorney Kelley made some reference to the finding of the audit and the need to accept this report from the state. A motion was made by Alderman Flynn with a second by Alderman Wozniak to accept. Vote was 6 ayes, 0 nays. Adopted.

**R2015-RESOLUTION-AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH GRANT LEISURE IN AN AMOUNT NOT TO EXCEED \$19,950.00 FOR PURPOSES OF PROCURING AN ECONOMIC DEVELOPMENT STUDY AND AUTHORIZING A COST-SHARE WITH THE BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION, INC.** The Mayor made some comments on this agreement and of some potential sources of funds for this study. After discussion a motion was made by Alderman Flynn with a second by Alderman Anderson. Vote of 6 ayes, 0 nays. Adopted.

DISCUSSION – Staff is working on a new sign ordinance to come up in 2016.

- The next City Council Work Session will be Tuesday Jan. 19 2016 @ 5:30PM in the City Hall Conference Room.
- The next Regular meeting of the City Council, Monday Jan. 25, 2016 at 6:30 PM at the Bella Vista American Legion Hall.
- Planning Commission Work Session will be Wednesday Dec. 30, 2015 at 4:30PM in the City Hall conference room.
- Planning Commission Regular Meeting will be Jan. 11, 2016 at 6:45PM in the Cooper Elementary School Cafeteria.
- Public Safety Committee Meeting will be January 13 at 9:00AM in the City Hall Conference room.

Meeting adjourned at 7:26PM

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City Clerk Wayne Jertson

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Mayor Peter Christie