

BELLA VISTA CITY COUNCIL MEETING MINUTES – AUGUST 22, 2016

Called to order at 6:30PM by Mayor Christie

Pledge of Allegiance was recited by all.

Clerk Jertson called the role of Council; Alderman Morgan, Flynn, Anderson, Wilson & Wozniak present.

Citizen Input: Lyle Mercer, 14733 Riordan Rd spoke about his concern on creating an Ordinance that will fit the multitude of variations in lot size and configuration throughout Bella Vista. A cookie-cutter proposal will not work in Bella Vista.

Linda Lloyd, 102 Fairway Drive addressed the council by thanking them for all the hard work put in over the last several months trying to find the right solution to this issue. She expressed the concern from the point of a Realtor trying to sell a property where an accessory structure placed improperly might affect the resale of the property. She urged passage of the Ordinance.

Roger Norbeck, 61 Portsmouth Drive complimented Alderman Flynn on all the work he has put in to this issue and urged an up or down vote on the Ordinance.

Approval of Minutes from 7/25/2016. Alderman Flynn pointed out an error in the voting on one of the Ordinances. The minutes will be corrected accordingly. Alderman Flynn moved approval of the minutes with that correction noted. Second by Alderman Wozniak. Show of hands vote showed all 5 in favor.

Financial Report for June was given by Mayor Christie. Summaries of the report are available at the entrance of the room. Alderman Anderson made a motion to accept, seconded by Alderman Wozniak. Carried by unanimous vote.

Mayor Christie then proposed to suspend the rules and add an item to the end of the agenda. Motion was made by Alderman Flynn and seconded by Alderman Wozniak. Roll Call Vote was taken and passed by vote of 5 ayes, 0 nays. This item will be labeled Item L.

Motion to suspend the rules and read all ordinances and resolutions by title only was made by Alderman Wozniak, seconded by Alderman Flynn. Roll call vote 5 ayes, 0 nays. Passed.

Business:

ORDINANCE NO-2016-18 AN ORDINANCE AMENDING SECTION 18-20(b) OF THE MUNICIPAL CODE REGULATING THE DUMPING OF TREE CUTTINGS AND OTHER MATERIALS, AND FOR OTHER PURPOSES. **(Third reading)** Tabled from July meeting. The Mayor explained the status of the wording of this ordinance and the concern to consult an engineer to examine the working of the ordinance. Alderman Flynn moved that the ordinance be approved at this time. Alderman Anderson seconded this motion and a roll call vote was held. Alderman Morgan, Flynn, Anderson and Wozniak voted aye. Alderman Wilson voted Nay. Ordinance adopted.

ORDINANCE NO- AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 109-166 REGULATING ACCESSORY STRUCTURES AND SECTION 109-248 REGULATING FENCE LOCATION, AND FOR OTHER PURPOSES. **Third Reading.** Tabled from July meeting.

More discussion was held on this issue and the Mayor explained that one option was to establish a citizen committee with participation from the City, the ACC and Cooper to work out the items

that remain a concern. Alderman Anderson then made a motion to amend the current Ordinance to offer the Amended Ordinance that was handed out. Second was offered by Alderman Wozniak. Alderman Flynn did comment that it is fine to go ahead with this fence issue but that the accessory structures needs to remain an issue to continue to work on. Roll call vote on the Amendment was taken and it was supported by all 5 alderman. At this point the Mayor then read the amended Ordinance for the final time and a motion to approve was offered by Alderman Anderson, second by Alderman Wozniak. Roll call vote was held and supported by all alderman. At this point Alderman Anderson asked the Mayor to appoint a committee soon to deal with the accessory structure concerns. Mayor Christie agreed that would be done. Below is the title of the amended ordinance that was passed.

ORDINANCE NO-2016-19 AN ORDINANCE AMENDING BELLA VISTA CITY CODE SECTION 109-248 REGULATING FENCE LOCATION, AND FOR OTHER ORDINANCE PURPOSES.

ORDINANCE NO 2016-20- AMENDING MUNICIPAL CODE REGULATIONS CONCERNING PUBLIC NOTIFICATION PROCEDURES IN SECTION 109-38(d)(2) FOR CONDITIONAL USE PERMITS, SECTIONS 109-40(c)(2) AND (e)(5) FOR ZONING ORDINANCE AMENDMENTS, SECTION 109-42(c) FOR VARIANCES, AND SECTION 109-45 FOR GENERAL NOTIFICATION REQUIREMENTS; AND FOR OTHER PURPOSES. **Third Reading.** Alderman Anderson expressed that this ordinance reduces the cost to the residents and streamlines the process. Alderman Anderson moved approval, second by Alderman Wozniak. Roll call vote was taken and passed 5 ayes, 0 nays.

ORDINANCE NO 2016-21- AMENDING THE BELLA VISTA CITY CODE CONCERNING THE NUMBER OF MEMBERS ON THE BOARD OF CONSTRUCTION APPEALS IN SECTION 103-44(a)(1); THE BOARDS ORGANIZATION IN SECTION 103-44(b); THE BOARDS POWERS AND DUTIES IN SECTION 103-44(c); APPEALS AND THE APPLICATION PROCESS IN SUB-SECTIONS 103-45(a), (e)-(h); AND FOR OTHER PURPOSES. (First Reading) This issues will align the structure with what the Planning Commission and the Board of Zoning Adjustments are. This was recommended by staff. Alderman Flynn that this be moved to third and final reading. Seconded by Alderman Wozniak. Roll call on the suspension of rules passed 5, 0. The Mayor then read the Ordinance for the final time. Alderman Flynn moved approval, seconded by Alderman Wozniak. Adopted by vote of 5 ayes, 0 nays.

ORDINANCE NO 2016-22 ACCEPTING AND CONFIRMING EASEMENTS AND RIGHTS-OF-WAY DEDICATED TO THE PUBLIC ON PARCEL 18-07983-003, KNOWN AS 9051 COMMONWEALTH ROAD, AND FOR OTHER PURPOSES. (Staff requests moving to third and final reading) This is endorsed by the Planning Commission. Alderman Wozniak asked for a clarification on the location. Alderman Anderson moved to suspend the rules and move to third and final reading. Seconded by Alderman Flynn. Mayor read for the final time and a motion was made to adopt by Alderman Anderson, second by Flynn. Carried 5 ayes, 0 nays.

R2016-31 RESOLUTION APPROVING A CONTRACT AMENDMENT WITH CRAFTON TULL & ASSOCIATES, INC. FOR ARCHITECTURAL SERVICES RELATED TO THE EXPANSION OF THE CITY STREET DEPARTMENT FACILITY, AMENDING THE 2016 CAPITAL BUILDING BUDGET, AND FOR OTHER PURPOSES. The mayor explained that this is for a tire storage area that was a part of the original plan but was removed at the time because of cost concerns. This just gives the architects the go ahead to plan this structure. The building would have to be approved later. Motion to approve by Alderman Wozniak, second by Alderman Flynn. Carried by vote of 5 ayes, 0 nays.

R2016-32 RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT

WITH SUPERIOR AUTO GROUP OF SILOAM SPRINGS, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR THE PURCHASE OF ONE (1) 2016 DODGE CHARGER POLICE VEHICLE, IN THE AMOUNT OF \$23,165.00, PLUS \$4,500.00 FOR NEEDED VEHICLE EQUIPMENT, FOR USAGE BY THE POLICE DEPARTMENT. This is a replacement of a vehicle that was totaled in an accident. Insurance of \$13,000 was received and a replacement vehicle has been located. A motion to approve was made by Alderman Wozniak, second by Alderman Morgan. Vote was 5 ayes, 0 nays. Adopted.

R2016-33 RESOLUTION AUTHORIZING ACCEPTANCE OF A 90%/10% MATCHING GRANT THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IN AN AMOUNT NOT EXCEEDING \$250,000.00 TO FUND THE PURCHASE OF SIX (6) POWER COTS AND SIX (6) LOADERS FOR USAGE ON AMBULANCES BY THE FIRE DEPARTMENT. Chief Sims made a few comments on this grant and Alderman Morgan congratulated him on their efforts with receiving this grant. Motion was made by Alderman Wozniak, second by Alderman Morgan. Roll call vote, Ayes:5, Nays 0. Passed.

ORDINANCE NO 2016-23 WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH STRYKER INC. OF CHICAGO, ILLINOIS IN AN AMOUNT NOT TO EXCEED \$248,000.00 FOR THE PURCHASE OF SIX (6) POWER COTS AND SIX (6) AMBULANCE POWER LOADERS FOR USAGE BY THE FIRE DEPARTMENT, AMENDING THE 2016 CITY BUDGET TO RECOGNIZE GRANT REVENUE AND AUTHORIZE THE APPROPRIATION, AND FOR OTHER PURPOSES. (Staff requests moving to third and final reading) This Ordinance follows the approval of the previous resolution and allows the Fire Department to move ahead on this purchase. A motion to suspend the rules and move to third and final reading was made by Alderman Morgan, second by Alderman Wozniak. Passed by vote of 5 ayes, 0 nays. Motion to Approve the Ordinance was made by Alderman Morgan, second by Alderman Wilson. Roll call vote 5 ayes, 0 nays. Adopted.

R2016-34 RESOLUTION ADOPTING THE FINALIZED BENTON COUNTY HAZARD MITIGATION PLAN, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. Mayor Christie explained the need for this plan and how it will allow Bella Vista to be a part of this plan. Motion to approve by Alderman Anderson, second by Alderman Wozniak. Vote was 5 ayes, 0 nays.

R2016-35-RESOLUTION -APPROVING A NO COST EQUIPMENT LEASE AGREEMENT WITH THE BELLA VISTA PROPERTY OWNERS ASSOCIATION, AND FOR OTHER PURPOSES. This allows the use of the POA boats on the various lakes in the community in order to continue the mapping of storm water discharge locations. Motion to approve made by Alderman Anderson, second by Alderman Wozniak. Carried 5, 0.

R2016-36 RESOLUTION- AMENDING THE 2016 CITY BUDGET TO AUTHORIZE A NEW FULL-TIME POSITION OF NETWORK ADMINISTRATOR--IT, PROVIDING FOR SALARY AND BENEFITS, ELIMINATING A PREVIOUSLY AUTHORIZED PART-TIME POSITION IN HUMAN RESOURCES, AND FOR OTHER PURPOSES. The Mayor explained the reasons for this position and that there is money in the budget to cover this position for the rest of the year. A part time HR position that was in the budget has been eliminated. The original resolution that was presented called for removing a full-time position in HR and that was amended at the meeting with a motion to amend by Alderman Flynn, second by Alderman Wozniak. Vote on the amendment passed by vote of 5 ayes, 0 nays. Comments were made that Chief Farmer has been spending quite a bit of

time helping with IT issues, Moved by Alderman Flynn, second by Alderman Wozniak. Ayes: 5, Nays: 0 Adopted.

MEETINGS AND ANNOUNCEMENTS:

- The next City Council Work Session will be Monday Sept. 19, 2016 at 5:30PM in the City Hall Conference Room.
- The next Regular meeting of the City Council, Monday Sept. 26, 2016 at 6:30 PM at the Bella Vista American Legion Hall.
- Planning Commission Work Session will be Thursday Sept. 1, 2016 at 4:30PM in the City Hall conference room.
- Planning Commission Regular Meeting will be Sept 12, 2016 at 5:30PM in the City Hall conference room.

Meeting was adjourned at 7:09PM

City Clerk Wayne Jertson

Mayor Peter Christie