



# BELLA VISTA

*A place to call home*

MEETING: **SPECIAL CITY COUNCIL MEETING**

DATE AND TIME: **Monday, October 17, 2016 – 5:15 P.M.**

Location: City Hall Conference Room  
101 Town Center, Bella Vista, Arkansas

- I. **CALL TO ORDER**: This meeting has been given public notice in accordance with the Section 25-19-106 of the Freedom of Information Act, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.
  
- II. **ROLL CALL**: Mayor Peter Christie, Aldermen Frank Anderson, John Flynn, Becky Morgan, James Wozniak and Larry Wilson
  
- III. **BUSINESS**:
  - A- **R2016 RESOLUTION**- AUTHORIZING AND LEVYING THE MILLAGE RATE OF AD VALOREM REAL AND PERSONAL PROPERTY TAX FOR THE CITY OF BELLA VISTA, ARKANSAS FOR THE YEAR 2016 TO BE COLLECTED IN 2017.
  
  - B- **R2016-Resolution** AUTHORIZING AND APPROVING SETTLEMENT OF GERALD ABBETT & JEROLD MACDONALD V. CITY OF BELLA VISTA, U.S. Dist. Ct. W.D. Ark Case No. 5:15-CV-5310, IN A TOTAL AMOUNT OF \$80,000.00, AMENDING THE 2016 CITY BUDGET TO APPROPRIATE \$40,000.00 REPRESENTING THE CITY'S PORTION OF THE SETTLEMENT, AND FOR OTHER PURPOSES.

## **ADJOURNMENT**

\*\*\* Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the City Clerk at 479-876-1255.

**RESOLUTION NO. \_\_\_\_\_**

**CITY OF BELLA VISTA, ARKANSAS**

**AUTHORIZING AND LEVYING THE MILLAGE RATE OF AD VALOREM REAL AND PERSONAL PROPERTY TAX FOR THE CITY OF BELLA VISTA, ARKANSAS FOR THE YEAR 2016 TO BE COLLECTED IN 2017**

**WHEREAS**, Ark. Code Ann. § 26-73-202 requires the governing body of a municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all real and personal property within the city; and

**WHEREAS**, the City Council of the City of Bella Vista, Arkansas has determined that it is in the best interests of the City and its citizens to levy the rate of taxation on the real and personal property located in the city as set forth herein, to certify the same to the Benton County Clerk, and to authorize the Quorum Court of Benton County to levy said tax for the year 2016 to be collected in 2017;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:**

**SECTION 1:** That a tax is hereby levied on the real and personal property within the City of Bella Vista, Arkansas, for the year 2016 to be collected in 2017 for the following purposes at the following rates:

**AD VALOREM REAL AND PERSONAL PROPERTY RATES**

<u>Purpose</u>	<u>Levy</u>
General Fund-Operations	3.5 mills
Policemen’s Pension Fund	0.5 mills
Firemen’s Pension Fund	<u>1.0 mills</u>
<b>TOTAL</b>	<b>5.0 mills</b>

**SECTION 2:** That the real and personal property tax so levied and the rates provided herein are hereby certified to the County Clerk of Benton County, Arkansas, to be placed in the tax book and collected in the same manner that the county and school district taxes are collected.

**SECTION 3:** The City Clerk is hereby authorized and directed to file a certified copy of this Resolution in the office of the County Clerk of Benton County, Arkansas by October 21, 2016, so that formal levy by the Quorum Court of Benton County, Arkansas may be enacted by ordinance in November, as required by law.

**PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**APPROVED:**

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PETER CHRISTIE  
MAYOR

**ATTEST:**

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WAYNE JERTSON  
CITY CLERK

Requested by: Mayor  
Prepared by: Jason B. Kelley, Staff Attorney

**RESOLUTION NO. \_\_\_\_\_**

**CITY OF BELLA VISTA, ARKANSAS**

**AUTHORIZING AND APPROVING SETTLEMENT OF GERALD ABBETT & JEROLD MACDONALD V. CITY OF BELLA VISTA, U.S. Dist. Ct. W.D. Ark Case No. 5:15-CV-5310, IN A TOTAL AMOUNT OF \$80,000.00, AMENDING THE 2016 CITY BUDGET TO APPROPRIATE \$40,000.00 REPRESENTING THE CITY'S PORTION OF THE SETTLEMENT, AND FOR OTHER PURPOSES**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:**

**SECTION 1:** The City Council of the City of Bella Vista, Arkansas hereby authorizes and approves settlement of Gerald Abbett & Jerold MacDonald v. City of Bella Vista, U.S. Dist. Ct., W.D. Ark. Case No. 5:15-CV-5310 in the total amount of \$80,000.00.

**SECTION 2:** The 2016 City Budget is hereby amended to appropriate \$40,000.00 representing the City's portion of the settlement (total minus liability of the Arkansas Municipal League Legal Defense Program). Said funds shall be taken from unrestricted reserve funds not otherwise appropriated in 2016.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Mayor Peter Christie

ATTEST:

\_\_\_\_\_  
City Clerk Wayne Jertson

Requested by Mayor Christie  
Prepared by Jason Kelley, Staff Attorney