



BELLA VISTA

A place to call home

MEETING: **REGULAR CITY COUNCIL MEETING**
DATE AND TIME: **Monday, November 28, 2016 – 6:30 P.M.**
Bella Vista American Legion Post 341
1889 Bella Vista Way (Hwy 71 & Kingsland Rd)
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. **INVOCATION** – Pastor Harold Johnson, Village Baptist Church.
*** (See disclaimer below)
- III. **PLEDGE OF ALLEGIANCE:**
- IV. **ROLL CALL:** Mayor Peter Christie, Aldermen Frank Anderson, John Flynn, Becky Morgan, James Wozniak and Larry Wilson.
- V. **CITIZEN INPUT/PUBLIC APPEARANCES:** *Please be advised that it is the policy of the municipality that there will be a three minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, but no response or action will be made under public comment.*
- VI. **APPROVAL OF MINUTES:** October 24, 2016 Regular Meeting
November 2, 2016 Special Meeting
- VII. **REPORTS:**
 - A. Monthly Financial Report – September, October
 - B. Motion to Approve Finance Report
- VIII. **MOTION TO SUSPEND RULES:** and read all proposed ordinances and resolutions on the agenda by title only.
- IX. **BUSINESS:**
 - A- **R2016- RESOLUTION-** APPOINTING DOUG FOWLER AS ALDERMAN OF THE CITY OF BELLA VISTA TO FILL THE VACANCY IN WARD 3, POSITION 1, FOR THE REMAINDER OF THE UNEXPIRED TERM ENDING DECEMBER 31, 2016.
Mayor Christie -Swearing in of new Alderman to Council.

- B- R2016- RESOLUTION-** REVISING AND APPROVING NEW SERVICE CHARGES FOR AMBULANCE SERVICES PROVIDED THROUGH THE FIRE DEPARTMENT.
- C- R2016- RESOLUTION-** RESCHEDULING CITY COUNCIL MEETING DATES AND TIMES FOR DECEMBER 2016.
- D- R2016- RESOLUTION-** ADOPTING A CITY BUDGET FOR THE CITY OF BELLA VISTA FOR THE CALENDAR YEAR 2017, APPROPRIATING MONEY FOR EACH ITEM OF EXPENDITURE, AND FOR OTHER PURPOSES.
- E- R2016- RESOLUTION-** A RESOLUTION SETTING CITY COUNCIL MEETING DATES FOR CALENDAR YEAR 2017; AND FOR OTHER PURPOSES.
- F- R2016- RESOLUTION-** AWARDING BID AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH FLEMING ELECTRIC IN THE AMOUNT OF \$76,283.12 FOR THE PURCHASE OF AN EMERGENCY POWER BACKUP GENERATOR FOR THE STREET DEPARTMENT BUILDING.
- G- R2016- RESOLUTION-** A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH TRAFFIC ENGINEERING CONSULTANTS, INC. FOR THE US HIGHWAY 71 TRAFFIC SIGNAL RETIMING PROJECT; AND FOR OTHER PURPOSES.
- H- ORDINANCE NO 2016-** ACCEPTING AND CONFIRMING NEW EASEMENTS DEDICATED TO THE PUBLIC ON PARCELS 16-37766-000 AND 16-37767-000 KNOWN AS 17 AND 16 TORRIDO LANE, AND FOR OTHER PURPOSES.(Staff requests move to third and final reading.)
- I- ORDINANCE NO 2016-** REPEALING SECTION 109-249(1) OF THE MUNICIPAL CODE, AND FOR OTHER PURPOSES. (Staff requests move to third and final reading.)

MEETINGS AND ANNOUNCEMENTS:

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

ADJOURNMENT

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

*** Any invocation that may be offered at the start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a person deliver an invocation are available upon request submitted to the Bella Vista City Clerk.

BELLA VISTA CITY COUNCIL REGULAR MEETING MINUTES – OCTOBER 24, 2016

Call to Order: Mayor Christie called the meeting to order.

Invocation was given by Pastor Judy Rudd-Platt of the First United Methodist Church

Pledge of Allegiance was recited by all.

City Clerk Jertson called the Roll of Council; Alderman Morgan, Flynn, Anderson, Wilson & Wozniak were all present.

Citizen Input:

Jim Parsons, 29 Duvall Lane spoke about the Bella Vista Patriots and their desire to do away with the POA.

Julie Storm, 21 Chadwick Circle spoke about the Bella Vista Community Television's desire to replace their aging cameras with digital cameras and asked that the council consider donating \$500.00 to the effort to accomplish this.

Allen Eckhart, 10 Naworth Circle spoke about the zoning change of 5 Bella Vista Way. He was against the change and explained his reasons to the council.

Gene Groseclo, 903 N 47th in Rogers spoke on behalf of the owner of the property at 5 Bella Vista Way about their desire to have the property rezoned. He stated that this is the only residential property that has direct access to Hwy 71 in Bella Vista.

Approval of the minutes from previous meetings.

Sept. 20, 2016 Special Meeting- Motion to approve as presented by Alderman Wozniak, second by Alderman Anderson. Ayes: 5, Nays: 0

Sept. 26, 2016 Regular Meeting- Motion to approve as presented by Alderman Anderson, second by Alderman Wozniak. Ayes: 5, Nays: 0

Oct. 17, 2016 Special Meeting- Motion to approve as presented by Alderman Anderson, second by Alderman Wilson. Ayes: 5, Nays: 0

Motion to Suspend the Rules and read all proposed Ordinances and Resolutions on the agenda by title only. Motion to approve by Alderman Anderson, second by Alderman Wilson. Roll Call Vote; Ayes: 5 Nays: 0 Approved.

BUSINESS:

ORDINANCE 2016-27 AN ORDINANCE AMENDING THE CITY OF BELLA VISTA ZONING ORDINANCE AND MAP BY REZONING CERTAIN LANDS COMMONLY KNOWN AS 5 BELLA VISTA WAY (PARCELS 16-07274-000 AND 16-70183-001) FROM R-1 TO C-1, AND FOR OTHER PURPOSES.

Some discussion was held by Alderman Anderson and some question were responded to by Planning Director Suneson. Alderman Flynn made a motion to move to third and final reading, seconded by Alderman Wozniak. Roll call vote; Alderman Flynn, Anderson, Wilson and Wozniak voted Aye, Alderman Morgan voted Nay. Motion carried. The Mayor then read the Ordinance for

the 3rd and final time. A motion to approve was made by Alderman Flynn, second by Alderman Wilson. Roll call vote; Alderman Flynn, Anderson, Wilson and Wozniak voted Aye, Alderman Morgan voted Nay. Ordinance approved.

ORDINANCE 2016-28 ACCEPTING AND CONFIRMING EASEMENTS DEDICATED TO THE PUBLIC ON PARCEL 18-07197-006, AND FOR OTHER PURPOSES. (Staff requests move to 3rd & final reading) Motion to move to 3rd and final reading by Alderman Flynn, second by Alderman Wozniak. Roll call vote was approved unanimously. The Mayor then read the Ordinance for the 3rd and final time. Motion to approve by Alderman Anderson, second by Alderman Flynn. Vote was unanimous. Ordinance approved.

ORDINANCE 2016-29 ACCEPTING AND CONFIRMING EASEMENTS DEDICATED TO THE PUBLIC ON PARCEL 15-70066-000, AND FOR OTHER PURPOSES. (Staff requests move to 3rd & final reading) Motion to move to 3rd and final reading was made by Alderman Flynn, second by Alderman Wilson. Vote, 5 Ayes, 0 nays. Mayor Christie read for the 3rd and final reading and it was moved by Alderman Flynn, 2nd by Alderman Wozniak. Vote was unanimous, Ordinance adopted.

ORDINANCE 2016-30 WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF STREET SALT AND SAND BASED ON PRICE AND AVAILABILITY BY INFORMAL PRICE QUOTES. (Staff requests move to 3rd & final reading) A motion was made to move to 3rd and final reading by Alderman Wozniak, second by Alderman Morgan. Carried 5 ayes, 0 nays. The Ordinance was read for the 3rd and final time by Mayor Christie. Motion to approve was made by Alderman Wozniak, second by Alderman Morgan. Vote was approved unanimously.

R2016-49 RESOLUTION-APPOINTING MEMBER TO THE BOARD OF ZONING ADJUSTMENT TO FILL AN EXPIRING TERM. Alderman Flynn moved to approve, second by Alderman Wozniak. Ayes 5, Nays 0.

R2016-50 RESOLUTION- A RESOLUTION APPROVING AMOUNTS OF LIENS TO BE CERTIFIED TO THE BENTON COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES BY THE CITY OF BELLA VISTA; AND FOR OTHER PURPOSES.

Open Public Hearing. The Mayor open a public hearing, there were no comments made so the Mayor Closed the Public hearing. At that point a motion was made by Alderman Anderson, second by Alderman Wozniak to approve the resolution. Roll call vote was unanimous. Resolution adopted.

R2016-51 RESOLUTION- AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO A LEASE ADDENDUM VANCON PROPERTIES, LLC, FOR THE RENTAL OF OFFICE SPACE AT 614-616 W. LANCASHIRE BLVD. FOR THE CITY OF BELLA VISTA COMMUNITY DEVELOPMENT SERVICES DEPARTMENT FOR CALENDAR YEAR 2017, AND FOR OTHER PURPOSES. Alderman Anderson moved the approval which was seconded by Alderman Flynn. Vote was unanimous, Resolution adopted.

R2016-52 RESOLUTION- AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH MARION COMPANY LLC IN AN AMOUNT NOT TO EXCEED \$64,870.00 FOR CONSTRUCTION OF AN ADDITION TO THE STREET DEPARTMENT BUILDING. The Mayor explained that this was for the tire storage addition to the street department building. Alderman Anderson asked if the tire mounting equipment had been received. Mayor Christie said that it had arrived was in use. Motion to adopt by Alderman Anderson, second by Alderman Wozniak. Roll call vote was 5 ayes, 0 nays. Adopted.

Announcements: The Mayor reported that he had heard back from Centerton Water and that they were indeed interested in moving forward in establishing a value and selling the portion of their water system that serves the Bella Vista area.

The Mayor then talked about having a work session to discuss the 2017 Budget.

He also announced that the City is looking at a 5.7% increase in health benefits. The city is moving away from self-insured and the new company will be Qual-Choice. Most employees will see some improvements in cost to them.

Meetings

- The next City Council Work Session will be Monday Nov. 21, 2016 at 5:30PM in the City Hall Conference Room.
- The next Regular meeting of the City Council, Monday Nov. 28, 2016 at 6:30 PM at the Bella Vista American Legion Hall.
- Planning Commission Work Session will be Thursday Nov. 3, 2016 at 4:30PM in the City Hall conference room.
- Planning Commission Regular Meeting will be Nov. 14, 2016 at 5:30PM in the City Hall conference room.

ADJOURNMENT Meeting was adjourned at 7:02PM

City Clerk Wayne M Jertson

Mayor Peter A Christie

BELLA VISTA CITY COUNCIL SPECIAL MEETING MINUTES – NOVEMBER 2, 2016

Call to Order - Mayor Christie opened the special meeting at 5:15PM.

City Clerk Jertson called the roll of council – Alderman Anderson, Flynn, Morgan, Wozniak and Wilson were in attendance.

There was one item of business on the agenda for this meeting.

R2016-53 - Resolution Approving a Health Insurance and Benefit plan for City Employees to begin January 1, 2017.

HR Director Melissa Cruise gave an overview of the plan and discussed the process used to arrive at this selection. The city went from a self-insured plan to a traditional insurance plan.

Medical and prescription coverage is offered through QualChoice. In order to maintain affordable healthcare, the city will offer a choice of four different plans. The employee can choose the plan that best fits their needs. She also went over the “Live your best life” program and how employees can save on their monthly premiums by completing the steps offered in this program. This program is in conjunction with Northwest Health Systems. They will have someone on site once a month to assist employees in achieving their best life.

Mrs. Cruise went on to also explain the changes in the dental and vision plans for 2017. Dental will be offered through MetLife. Superior Vision will be the carrier for this coverage. A question was asked about Aflac and if that would be available as well. And it will be available again in 2017.

Open enrollment will begin on Nov. 10 with one fire dept. meeting on the 9th.

Alderman Flynn made a motion to approve this Resolution, it was seconded by Alderman Wozniak. Roll call vote was taken. Ayes: Morgan, Flynn, Anderson, Wozniak. Nays: Wilson. Resolution approved.

Mayor Christie adjourned the meeting at 5:35PM.

The council then went into a Work Session to go over the 2017 Budget. There was much discussion and department heads were at the meeting to answer questions concerning their part of the budget. Adjustments and changes to the budget documents will be made to reflect the discussions that were held during this session. The Mayor explained that additional work sessions can be held if the council feels that they would be needed. He would like to approve the budget at the November regular meeting if possible.

Note: All candidates for the 3 Alderman positions up for election were invited to sit in on this work session.

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

APPOINTING DOUG FOWLER AS ALDERMAN OF THE CITY OF BELLA VISTA TO FILL THE VACANCY IN WARD 3, POSITION 1, FOR THE REMAINDER OF THE UNEXPIRED TERM ENDING DECEMBER 31, 2016

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, pursuant to the authority granted to it by law, hereby appoints Doug Fowler as Alderman for the City of Bella Vista to fill the vacancy in Ward 3, Position 1, for the remainder of the unexpired term ending December 31, 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

New Charge Sheet With Changes - November 22 2016

Name:		Run #		
Base Rate	\$650		Chest Seal	\$30.00
Professional Service Fee	\$100		Cricothyrotomy	\$300
Covered Mileage	\$15.00		Adenocard 6/12/12mg ea	\$50
Oxygen	\$40		ASA / Aspirin	\$2
Pulse Ox	\$15		Atropine 1mg	\$13
BVM	\$30		Ativan 2mg	\$12.50
Oral Airway	\$7		Albuterol Updraft	\$12
Nasal Airway	\$8		Amiodarone 150mg	\$50
Suction	\$10		Benedryl 25 mg	\$7
Cpap/Bipap	\$40		Cardizem 50mg	\$30
OG/NG tubes	\$6.50		Cefazolin	\$3
Capnography	\$20		D50	\$12
King Vision	\$60		Decadron min. of 3	\$8
ET tubes	\$38		Dopamine 400mg	\$30
King Airway	\$85		Epi 1:1000 1mg	\$9.50
Lucas	\$40		Epi 1:10000 1mg	\$9.50
Ventilator	\$50		Etomidate	\$46.50
IV Setup	\$30		Fentanyl 1-100 mcg	\$20
Normal Saline 500ml	\$30		Glucagon	\$520
Lac. Ringers 1000ml	\$30		Ipratropium	\$3
D5W 500ml	\$25		Ketamine 1-500 mg	\$35
IV Pump	\$50		Lasix 80mg	\$8
IO drill set up	\$170		Labetalol 10-100 mg	\$22
EKG Charge	\$100		Lidocaine 10mg	\$10
Defib Supplies	\$85		Lidocaine drip	\$15
Pacemaker	\$80		Mag Sulfate	\$10
3rd Attendant	\$50		Morphine 4mg	\$8
Backboard / stairchair/scoop	\$25		Na Bicarb 50MEQ	\$9
Bandages	\$9		Narcan .4 mg	\$9
C-Collar	\$13		Nitro Drip	\$35
Disposable Supplies	\$25		Nitro Tabs	\$30
Fracture Immobilization	\$20		Nitro Spray	\$30
Hot/Cold Pack	\$6		Oral Glucose	\$5
Glucometer	\$11.00		Racemic Epi	\$4
Spinal Immob,	\$55		Roccuronium	\$60
Sterile Water	\$6		Succinylcholine	\$95
Auto Extrication	\$400		TXA	\$100
Burn Sheets	\$10		Valium 10mg	\$10
OB Kit	\$40		Versed 1-5mg	\$11
Needle Decompression	\$100		Zofran 4mg/phen 12.5	\$15
Tourniquet	\$55		RSI / PAI	\$400

TOTAL



RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

**REVISING AND APPROVING NEW SERVICE CHARGES FOR
AMBULANCE SERVICES PROVIDED THROUGH THE FIRE
DEPARTMENT**

**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 approves service charges for ambulance services provided through the Fire Department as depicted in the attached rate sheets which are incorporated into this resolution as Exhibit "A" as if set out word for word herein.

PASSED THIS _____ DAY OF _____, 2016.

APPROVED:

Mayor Peter Christie

Attest:

City Clerk Wayne Jertson

Requested by Mayor Christie
Prepared by Jason Kelley, Staff Attorney

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

**RESCHEDULING CITY COUNCIL MEETING DATES AND TIMES FOR
DECEMBER 2016**

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

SECTION 1: Notwithstanding any other provision of any resolution to the contrary, the Bella Vista City Council meetings scheduled for December 2016 shall be as follows: a work session on Monday, December 12, 2016 at 5:30 p.m. at the Bella Vista Street Department facility, and a regular session on Monday, December 19, 2016 at 6:30 p.m. at American Legion Post 341.

PASSED THIS _____ DAY OF _____, 2016.

APPROVED:

Mayor Peter Christie

ATTEST:

City Clerk Wayne Jertson

Requested by Mayor Christie
Prepared by Jason Kelley, Staff Attorney

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

**ADOPTING A CITY BUDGET FOR THE CITY OF BELLA VISTA FOR
THE CALENDAR YEAR 2017, APPROPRIATING MONEY FOR EACH
ITEM OF EXPENDITURE, 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 approves the attached operating budgets for the City of Bella Vista for calendar year 2017, reflecting estimated revenues and expenditures.

Section 2: The expenditure of funds appropriated by this Resolution shall not be restricted to the line item expenditure, but shall be restricted to office/departmental expenditures. Personnel expenditures shall not exceed the number of employees specified in the detailed annual budget or any amendment thereto.

PASSED this _____ day of _____, 2016.

APPROVED:

Mayor Peter Christie

ATTEST:

Wayne Jertson
City Clerk

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

**BUSINESS OF THE CITY COUNCIL
BELLA VISTA, AR**

MEETING DATE: November 28, 2016 - Regular Meeting

AGENDA ITEM:

ITEM TITLE: A Resolution Setting City Council Meeting Dates for Calendar Year 2017, and For Other Purposes.

SUBMITTED BY: Christopher Suneson, PLA, AICP

SUMMARY EXPLANATION: The attached resolution sets City Council meeting dates for calendar year 2017. The proposed dates generally follow having work sessions scheduled for the third (3rd) Monday of the month and regular meetings scheduled for the fourth (4th) Monday of the month. A few exceptions to these rules:

1. The January 2017 work session was adjusted to the following Tuesday due to the Martin Luther King, Jr. Day holiday.
2. The February 2017 work session was adjusted to the following Tuesday due to the President's Day holiday.
3. The December 2017 meeting dates were adjusted one (1) week ahead for the Christmas Eve and Christmas holidays.

ATTACHMENT: ORDINANCE RESOLUTION OTHER

RECOMMENDATION: The administration is recommending approval of this resolution.

ACTION REQUESTED:
Motion to adopt

RESOLUTION NO. _____

**A RESOLUTION SETTING CITY COUNCIL MEETING DATES FOR
CALENDAR YEAR 2017; AND FOR OTHER PURPOSES**

WHEREAS, the City Council meets monthly at work sessions and regular meetings to discuss items of business; and

WHEREAS, the public should be adequately informed of City Council meeting dates to fully participate in local governance.

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

SECTION 1: The following dates for work sessions and regular meetings of the City Council are hereby adopted for the 2017 calendar year:

Work Session Date	Regular Meeting Date
1/17/2017	1/23/2017
2/21/2017	2/27/2017
3/20/2017	3/27/2017
4/17/2017	4/24/2017
5/15/2017	5/22/2017
6/19/2017	6/26/2017
7/17/2017	7/24/2017
8/21/2017	8/28/2017
9/18/2017	9/25/2017
10/16/2017	10/23/2017
11/20/2017	11/27/2017
12/11/2017	12/18/2017

PASSED THIS ____ DAY OF _____, 2016.

Motion to adopt made by:

Ayes:

Nays:

Motion .

APPROVED:

Mayor Peter Christie

ATTEST:

Wayne Jertson
City Clerk

APPROVED AS TO FORM:

Jason B. Kelley, Staff Attorney

Prepared by: Christopher Suneson, PLA, AICP, Director of Community Development Services

Memorandum

November 17, 2016

To: Mayor Peter Christie and Bella Vista City Council

From: Mike Button, City of Bella Vista Street Superintendent

RE: Request for Bid, Street Department Generator

Requests for Bid were sent out to 12 different vendors for the installation of a generator to be located at the new Street Department Facility. One bid was received from Fleming Electric being \$76,283.12. This Vendor meets all specifications provided in the bid packet. The budgeted amount for the entire project was in the amount of \$100,000.00.

The purpose for having the generator is to ensure that our new Fuel Depot is operational during lengthy power outages as well as being able to operate other aspects of the Street Department Building during the same situation.

With that being said, I recommend that Bella Vista City Council award bid to Fleming Electric, in the amount of \$76,283.12 for an emergency backup generator for the new Street Department.

Respectfully Submitted,

Mike Button

City of Bella Vista Street Superintendent,

City of Bella Vista

STATE OF ARKANSAS

INVITATION TO BID

The City of Bella Vista, Arkansas will accept sealed bids on:

Street Department Generator

Specifications may be obtained at the office of the Bella Vista Street Department, 2471 Forest Hills Blvd, Bella Vista, AR 72715 or call 479-876-1204 and a copy will be sent to you. Sealed bids must be submitted to the City of Bella Vista, c/o Mike Button, 2471 Forest Hills Blvd, Bella Vista, AR 72715 prior to the bid opening at 9:00 AM CST on Tuesday, November 15, 2016. Envelope must be marked as follows: **“Street Department Generator”**.

Bella Vista reserves the right to reject any or all bids or any part thereof and to accept the bid that is in the best interest of the City.

Bid price must include all cost, freight and any applicable taxes.

Michael Button
Street Superintendent

Published: October 28, 2016

Bidders Packet List - 2016 Street Dept. Generator

Company Name	Contact	Phone No.	E-Mail	Address	Date
GES Generated Energy Solutions	Jarryd Fleming	501-551-6340	jfleming@ges-ar.com	212 McClanahan Dr, Bryant, AR 72022	31-Oct
Dolle Electric	Jerry Oliver	479-464-8452	dolleelectric@gmail.com	2724 Champions Dr, Rogers, AR 72758	31-Oct
Mr. Electric of Rogers	Jerry Brown	479-689-7848	jerry.brown@mail.mrelectric.com	201 S. 20th St, Rogers, AR 72758	31-Oct
AMP Electrical Services	Mary	479-426-4740	ampelectricinfo@gmail.com	208 SE 3rd St, Bentonville, AR 72712	31-Oct
Northside Power	Jeannie & Greg	501-315-7213	jeannie@northsidepower.com	6834 Congo Rd, Benton, AR 72019	31-Oct
Matlock Electric Co Inc		479-646-4469	-	3324 Vicksburg St, Fort Smith, AR 72903	
Paschal Corp		479-751-0195	-		
E=Plan	Raven	573-447-7130	eplan@eplanbidding.com		31-Oct
Mall Energy	Kendall Archer	903-844-7010	karcher@mallenergy.com		31-Oct
United Engines	Adam Penland	501-590-3664	apenland@unitedengines.com		2-Nov
Fleming Electric Co	Warren Fleming	501-551-6301	jfleming@fleminc.com		4-Nov
Dodge Planning	Bonny	321-972-2194	bony.mangold@construction.com		7-Nov
			-		

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

AWARDING BID AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH FLEMING ELECTRIC IN THE AMOUNT OF \$76,283.12 FOR THE PURCHASE OF AN EMERGENCY POWER BACKUP GENERATOR FOR THE STREET DEPARTMENT BUILDING

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 award the bid and authorizes the Mayor and City Clerk to enter into a contract with Fleming Electric in the amount of \$76,283.12 for the purchase of an emergency power backup generator for the Street Department building.

PASSED this _____ day of _____, 2016.

APPROVED:

Mayor Peter Christie

ATTEST:

Wayne Jertson
City Clerk

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

**BUSINESS OF THE CITY COUNCIL
BELLA VISTA, AR**

MEETING DATE: November 28, 2016 - Regular Meeting

AGENDA ITEM:

ITEM TITLE: A Resolution Authorizing the Mayor and Clerk to Enter into an Agreement with Traffic Engineering Consultants, Inc. for the US Highway 71 Retiming Project, and For Other Purposes.

SUBMITTED BY: Christopher Suneson, PLA, AICP

SUMMARY EXPLANATION: The US Highway 71 corridor is the major traffic conveyance through Bella Vista. In 2015, the Arkansas Highway and Transportation Department counted 20,000 vehicle trips near the Missouri border and 48,000 vehicle trips south of the McNelly Rd (Benton County 40) intersection. These traffic volumes will only continue to increase year over year, even when the Bella Vista bypass is completed.

The administration has met with AHTD on several occasions, and it has been pointed out that the congestion along Highway 71 is a capacity issue – too much traffic with too little lane capacity.

Retiming and coordination of the traffic signals along Hwy 71 will not solve the congestion issue, but will help traffic operate more efficiently until more permanent solutions can be devised. To assist in this ongoing maintenance need, the administration placed a request for qualification to traffic engineers in late October. After a thorough evaluation and selection process, Traffic Engineering Consultants was carefully chosen as the most qualified respondent.

ATTACHMENT: ORDINANCE RESOLUTION OTHER

RECOMMENDATION: The administration is recommending approval of this resolution.

ACTION REQUESTED:
Motion to adopt

**AGREEMENT BETWEEN
THE CITY OF BELLA VISTA, ARKANSAS
AND
TRAFFIC ENGINEERING CONSULTANTS, INC.
FOR PROFESSIONAL SERVICES**

Agreement, made as of November ____, 2016 between the City of Bella Vista, Arkansas, a municipal corporation (hereinafter called the "**CITY**") and TRAFFIC ENGINEERING CONSULTANTS, INC located at 6000 South Western Avenue, Suite 300, Oklahoma City, Oklahoma (hereinafter called the "**CONSULTANT**").

WHEREAS the CITY is authorized and empowered to contract with the CONSULTANT for the purpose of obtaining traffic engineering and design services for a transportation project in the CITY; and

WHEREAS, the CONSULTANT is licensed in accordance with the laws of the State of Arkansas and is qualified to perform the services desired by the CITY.

WHEREAS, CITY and ENGINEER in consideration of their mutual covenants herein agree in respect of the performance of professional engineering services by ENGINEER and the payment for those services by CITY as set forth below.

NOW, THEREFORE, in consideration of the mutual understanding herein contained, THE PARTIES AGREE AS FOLLOWS:

**ARTICLE I
SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT**

The scope of services, deliverables, schedule, and fee to be provided by the CITY and the CONSULTANT is described in Attachment A.

**ARTICLE II RESPONSIBILITIES
OF THE CITY**

1. To review traffic signal timing plans submitted by the CONSULTANT and provide comments in a timely manner.
2. To make available relevant data, plans, or studies that the CITY may have.
3. The CITY will designate in writing a person to act as its representative in respect to the work to be performed under this Agreement, and such person shall have complete authority to transmit instructions, interpret, and define CITY's policies and decisions with respect to materials, equipment, elements, and systems pertinent to the services covered in this Agreement.

**ARTICLE III
SCHEDULE**

This agreement will expire when the signal timing project is complete to the satisfaction of the CITY. The CONSULTANT shall complete the scope of services as described in ARTICLE I -SCOPE OF SERVICES and Attachment A and time specified in the written notice to proceed.

The contract can be renewed on an annual basis for up to five (5) subsequent years with approval and agreement in writing by both parties. The Fee for each year will be negotiated prior to agreement.

**ARTICLE IV
COMPENSATION**

The CITY agrees to pay for services on a monthly basis for work completed. Claims of payment will be processed to cover work as it is completed during the contract period. Payment to the CONSULTANT for completion of the basic services will be based upon the fee amount described in Attachment A to this agreement.

**ARTICLE V GENERAL
CONSIDERATIONS**

1. The CONSULTANT shall perform all services, which shall be satisfactory and acceptable to the CITY, under this Agreement in accordance with the professional standards of the consulting profession. All of the CONSULTANT'S instruments of service shall belong to the CITY.
2. The CONSULTANT reserves the right to renegotiate this Agreement if this Agreement is not signed by the CITY within sixty (60) days.
3. The scope of services described in ARTICLE I -SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT shall be subject to the modification or supplement upon the written agreement of the contracting parties. Any such modification in the scope of services and/or equitable adjustments will be made in writing by the parties in the time of performance and the compensation to be paid on the project.
4. The CONSULTANT agrees to maintain, throughout the duration of this Agreement, insurance in the following amounts and to furnish the CITY with certification thereof:
 - a. Workers' Compensation and Employers' Liability: Statutory

b. Comprehensive Automobile Liability:	
Bodily Injury	\$ 125,000 each Person \$ 500,000 each Accident \$1,000,000 each Occurrence
c. Comprehensive General Liability:	
Bodily Injury	\$ 125,000 each Person \$1,000,000 each Accident
Property Damage	\$ 25,000 each Occurrence
d. Professional Liability:	\$1,000,000 per claim and Aggregate

The City of Bella Vista, Arkansas shall be named additional insured on the Comprehensive General Liability policy in amounts equal to the liability limits shown above. Provided, however, this shall not preclude the CONSULTANT from carrying insurance in amounts exceeding said liability limits.

5. This Agreement may be terminated by the CITY for convenience at any time upon ten (10) days prior written notice to the CONSULTANT. This Agreement may be terminated for cause by the non-breaching party in the event the other party materially breaches this Agreement and provided the non-breaching party provides the breaching party ten (10) days prior written notice and the opportunity to cure such breach(es) specified in the notice. In the event termination is for the convenience of the CITY, payment will be made for the value of all services rendered up to the time of termination on the basis of the compensation provisions of this Agreement. In the event termination is for breach of contract by the CONSULTANT, payment will be made only for the value of those services satisfactorily performed as determined by mutual agreement.
6. The CONSULTANT agrees to save the CITY and their authorized representatives harmless from any and all costs, liabilities, expenses, suits, judgments and damages to persons or property to the proportionate extent caused by the CONSULTANT, its agents, employees or subcontractors and resulting from negligent acts, errors, mistakes or omissions from the CONSULTANT'S operation in connection with the services to be performed hereunder.
7. This Agreement shall be binding upon the undersigned parties, their successors, partners, assigns, and legal representatives

IN WITNESS WHEREOF, said parties have caused this Agreement to be signed by their duly authorized officers.

City Of Bella Vista, Arkansas A
municipal corporation

Traffic Engineering Consultants, Inc.

By: _____

By: _____

Title: _____

Title: _____

ATTEST:

ATTEST:

By: _____

By: _____

City Clerk

Secretary

(seal)

(seal)

Approved as to form and legality this _____ day of _____, 2016.

City Attorney

**CITY OF BELLA VISTA,
ARKANSAS
AND
TRAFFIC ENGINEERING CONSULTANTS, INC.,
TRAFFIC ENGINEERING SERVICES**

ATTACHMENT A

GENERAL SCOPE OF SERVICES

The following general scope of services shall be made a part of the Agreement dated
November _____, 2016

CONSULTANT shall, except as may be otherwise specifically provided for herein, furnish all services, labor, equipment, and incidentals as required for this Agreement.

1. Project Description – The consultant shall perform traffic engineering services necessary to comply with CITY request's for the project as follows. The project will include the calculation of and field implementation of traffic signal timing plans for the Hwy 71 corridor in Bella Vista. The intersections include:
 - a. W. McNelly Road (Benton County Road)
 - b. Mercy Way
 - c. Riordan Road
 - d. Trafalgar Road
 - e. Bear Hollow Road

There are no communications to the intersections of Trafalgar Road and Bear Hollow Road. The other three intersections are run by a Master Controller and a radio system.

The first step of the project would be to inventory the existing system and understand how it works. With the assistance of staff, if there is equipment not working or additional equipment needed to have the system operate effectively, recommendations will be made detailing the needs. There are a total of five intersections that the city wishes to coordinate. Three of the intersections communicate with each other using a wireless radio system. A field master controls the three intersections. The other two intersections have no communications between them. IT will be necessary to install some type of mechanism to keep the time clocks and the two intersections synched. Also, as part of the field inventory, sufficient data will be gathered to build a Trafficware Synchro 9 Model for signal timing purposes.

Before and After Travel Time Studies will be conducted to document the change in traffic patterns and travel times. Three travel runs will be made during the weekday a.m., noon, and p.m. peak hours both before and after the signal timing is completed to document the improvement in traffic flow. As an alternative TEC may use blue tooth data collectors to conduct the before and after studies. Camera information will also be collected to help identify improvements.

Traffic volume data will be collected to design, calculate and implement traffic signal timing plans for the corridor. Both Peak Hour Turning Movement counts and 24 daily traffic counts will be collected to assist in the timing of the traffic signals. Peak hour turning movement counts will be collected at each intersection on an average weekday with school in session for the a.m. peak hour, the noon peak hour and the p.m. peak hour. 24 hour traffic data will be collected in two locations on Hwy 71 and in two locations at the highest volume side streets from a Thursday through a Sunday. The data will be analyzed to determine the peak hours for both Saturday and Sunday. Two hours of turning movement data will be collected at each intersection on both Saturday and Sunday.

A minimum of three traffic plans will be developed. Based on the traffic count analysis and data collected on the weekends, up to an additional two traffic plans will be developed for a total of five traffic plans.

The corridor will be modeled using Trafficware Synchro 9 software and traffic signal timing plans calculated. The traffic signal timing plans will be based on the peak hour data collected. The local signal timing will be reviewed and recommendations made as to how it could be improved. The signal timing plans would include all of the parameters necessary to implement coordination timing along the corridor.

At a mutually agreeable time, the timing plans will be field implemented and adjusted based on the local traffic. The timing plans would be entered in the field. It will be necessary to program each traffic signal controller individually. All of the parameters would be programmed. When the system is running, all plans would be observed in the field and field adjustments made. The field implementation is typically a two day minimum process. An effort will be made to document the improvement in traffic with the system working by photographic means as well as the "After" travel runs noted above.

A final summary report will be submitted documenting the work completed. The report will document the traffic plans, the field inventory, and all of the traffic data collected. The report will also include any recommendations that might improve traffic flow in the area. The purpose of the report is to provide the City with documentation for the project for future reference.

1. Notice to Proceed – The CITY shall issue a notice to proceed to initiate the project. The notice to proceed should include the agreed upon fee for services, and schedule for completion of the work order. Any change in the scope of services or additional time for completion must be requested in writing by the CONSULTANT and accepted by the CITY.
2. Deliverables- The work product delivered by the CONSULTANT shall consist of deliverables as outlined above for the final report.

3. Schedule – The field inventory, traffic data collection, and “Before” Travel run studies would be completed within 60 days from a notice to proceed from the CITY of Bella Vista, Arkansas. The field implementation of the timing plans will be completed in an additional 30 days. The final report would be submitted to the CITY in an additional 30 days. Acceptance of the final report by the CITY will constitute the completion of the project. However, the CONSULTANT would be available to review the operation of the timing plans during the summer and make adjustments if necessary.

4. Fee – The fee for the CONSULTANT services shall be a lump sum fee of \$ 25,000.00. The fee shall be paid on a monthly basis for work completed to date. The CONSULTANT shall submit documentation with an invoice monthly for payment. It is the responsibility of the CITY to pay monthly claims in a timely manner.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN AGREEMENT WITH TRAFFIC ENGINEERING CONSULTANTS, INC. FOR THE US HIGHWAY 71 TRAFFIC SIGNAL RETIMING PROJECT; AND FOR OTHER PURPOSES

WHEREAS, US Highway 71, the major traffic conveyance in Bella Vista, suffers from massive congestion in north-south traffic flows; and

WHEREAS, some of this traffic congestion may be relieved by properly timing and coordinating traffic signals along the highway's corridor through Bella Vista, starting at Bear Hollow Road to Benton County 40 (McNelly Road); and

WHEREAS, the need to monitor traffic signalization is an ongoing concern to maintain the functionality of the US Highway 71 corridor.

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

SECTION 1: The Mayor and Clerk are hereby authorized to enter into a contract with Traffic Engineering Consultants, Inc. in the lump sum amount of \$25,000 for the retiming of traffic signals along the US Highway 71 corridor.

SECTION 2: The fees for this contract shall be paid from unspent sums in the 15-5700, Contracts Professional Fees account in the Community Development Services budget. In the event that the work is not completed by the end of 2016, any carry forward contractual obligations shall be paid from the same account from the approved 2017 Community Development Services budget.

PASSED THIS ____ DAY OF _____, 2016.

Motion to adopt made by:

Ayes:

Nays:

Motion .

APPROVED:

Mayor Peter Christie

ATTEST:

Wayne Jertson
City Clerk

APPROVED AS TO FORM:

Jason B. Kelley, Staff Attorney

Prepared by: Christopher Suneson, PLA, AICP, Director of Community Development Services

**BUSINESS OF THE CITY COUNCIL
BELLA VISTA, AR**

MEETING DATE:

November 28, 2016

AGENDA ITEM:

Ordinance-2016-

ITEM TITLE:

Accepting and Confirming New Easements Dedicated to the Public on Parcels 16-37766-000 (addressed 17 Torrido Lane) and 16-37767-000 (addressed 16 Torrido Lane) and for other purposes

SUBMITTED BY:

Jennifer Bonner, Senior Planner

SUMMARY:

The Planning Commission reviews PLA-2016-24023 on September 12, 2016, where it received a unanimous vote to accept the required easement and right-of-way dedications depicted.

The survey instrument incorporated into the ordinance adjusts a property line between two subject parcels. The survey is the 2nd re-plat of these 2 lots in Eddleston Subdivision. The City's subdivision regulations requires the dedication of easements and right-of-way when subdividing land.

ATTACHMENT:

Ordinance

Resolution

Other

RECOMMENDATION:

Planning Commission and Staff both recommend approval of this ordinance. We are also requesting that the City Council waive its normal three (3) readings to expedite the dedications to the public so the plat can be signed and recorded at the County offices.

ACTION REQUESTED:

Motion to adopt

ORDINANCE NO. 2016-_____

ACCEPTING AND CONFIRMING NEW EASEMENTS DEDICATED TO THE PUBLIC ON PARCELS 16-37766-000 AND 16-37767-000, KNOWN AS 17 AND 16 TORRIDO LANE, AND FOR OTHER PURPOSES.

WHEREAS, A.C.A. 14-301-102 requires that publicly dedicated easements be accepted and confirmed by an ordinance specifically passed for that purpose; and

WHEREAS, the Planning Commission held a public hearing on September 12, 2016, and heard all interested parties related to PLA-2016-24023; and

WHEREAS, the Planning Commission unanimously recommends acceptance of the easements to the City Council of the City of Bella Vista.

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

Section 1: The publicly dedicated easements shown in the attached Exhibit A, which is attached hereto and made a part of, are hereby accepted and confirmed for public use.

Motion to adopt made by _____ and seconded by _____ .

Ayes: _____ Nays: _____ Motion was passed by a majority vote.

Passed this _____ day of _____, 2016.

ATTEST:

APPROVED:

Wayne Jertson
City Clerk

Peter Christie
Mayor

APPROVED AS TO FORM:

Jason Kelley
Staff Attorney

**BUSINESS OF THE CITY COUNCIL
BELLA VISTA, AR**

MEETING DATE: November 28, 2016 – Regular Meeting

AGENDA ITEM:

ITEM TITLE: An Ordinance Repealing Sections 109-249(1) of the Municipal Code, and For Other Purposes

SUBMITTED BY: Christopher Suneson, PLA, AICP

SUMMARY EXPLANATION: In August of 2016, the City Council adopted amendments to the municipal code affecting the placement of fences. The most recently adopted section 109-248(a) of the code states in part:

“Generally...Fences may be located directly adjacent to existing fencing or attached to such fencing with the consent of the fence owner.”

This section conflicts with language, not considered at the time by the City Council, contained in section 109-249(1) which state:

“Connection required. In instances where a fence exists on an adjacent property and a proposed fence will be built on the common property line, the existing and proposed fences shall be connected or be offset as provided in section 109-248(a).”

In addition to the conflict, the above section contains a reference in the updated code about an offset requirement which no longer exists.

In order to have consistent regulation in harmony with the Council’s most recently adopted fence language, the following ordinance would repeal section 109-249(1).

ATTACHMENT: ORDINANCE RESOLUTION OTHER

RECOMMENDATION: Staff is recommending approval of this ordinance.

ACTION REQUESTED:
Motion to adopt

ORDINANCE No. 2016-__

REPEALING SECTION 109-249(1) OF THE MUNICIPAL CODE, AND FOR OTHER PURPOSES

WHEREAS, the City Council adopted regulations affecting the placement of fences in August of 2016 which allowed new fences to be erected adjacent to existing fences; and

WHEREAS, Section 109-249(1), unaffected by the recent regulation update, requires the connection of new fences to existing fences; and

WHEREAS, it is in the best interest of the City of Bella Vista to have clear, consistent regulations for fences.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, AR:

Section 1: That Section 109-249(1) of the municipal code is hereby repealed.

PASSED THIS ___ DAY OF _____, 2016.

Motion to adopt made by:

Ayes:

Nays:

Motion:

APPROVED:

Mayor Peter Christie

ATTEST:

Wayne Jertson
City Clerk

APPROVED AS TO FORM:

Jason B. Kelley, Staff Attorney

Prepared by: Christopher Suneson, PLA, AICP, Director of Community Development Services