

BELLA VISTA CITY COUNCIL REGULAR MEETING MINUTES – MARCH 25, 2019

Call to Order by Mayor Peter Christie at 6:30PM

Pledge of Allegiance recited by all.

Roll Call of Council by City Clerk Wayne Jertson

Council Members; Wozniak, Lloyd, Flynn, Fowler, Bourke & Wilms present.

Citizen Input:

Lori Trautwein, 7 Knox Ln spoke about her concern on the traffic issues that may arise from the site of the land being purchased for a new Fire Station on the west side. Her concern is the traffic around the Branch wood Recreation complex.

Ariane Grazian, 581 Chelsea Rd spoke about the “Hole in the Wall” property. She feels that they have not been treated properly concerning the use of the property and their understanding of what they could do with the property when they purchased it. She thinks that the city is in the wrong on this issue.

Approval of Minutes from February 25, 2019 Regular Meeting. There were no corrections or additions, a motion was made by Doug Fowler, seconded by Larry Wilms to approve. Roll call vote was taken. Ayes: 6, Nays: 0. Minutes approved.

Financial Report was sent to council for January of 2019. There were no questions. Mayor Christie mentioned that the sales tax numbers had gone back up from being down the previous month. He stated that we need to keep a close eye on this due to the effect it has on the budget.

Trafalgar Road Fire update was given by Mayor Christie. Equipment has arrived on site to build the access road need to remediate the fire. ADEQ released a new Preliminary Response Action Plan. They are asking for citizen input and the Mayor encouraged residents to take advantage of the opportunity to make your comments.

Motion was made by John Flynn, seconded by Doug Fowler to suspend the rules and read all Ordinances and Resolutions by title only. Roll call vote was taken and supported unanimously.

OLD BUSINESS:

ORDINANCE-2019-AMENDING THE BELLA VISTA ZONING ORDINANCE AND MAP TO REZONE PROPERTY DESCRIBED IN REZONING PETITION NO. 2019-29955 (COUNTY PARCEL NO. 16-28062-001) FROM R-1, RESIDENTIAL SINGLE-FAMILY, TO C-1, NEIGHBORHOOD COMMERCIAL. (1st Reading). Tabled from February meeting. Staff is requesting that this be tabled indefinitely. Changes need to be made that require it to go back through the Planning commission. A motion to table indefinitely was made by Linda Lloyd, second John Flynn. Ayes: 6, Nays: 0. Motion approved.

NEW BUSINESS:

ORDINANCE 2019-03 APPROVING THE PARTIAL VACATION OF A SUBDIVISION PLAT DETAILED IN APPLICATION LSP-2019-30229 PURSUANT TO SECTION 107-36 OF THE BELLA VISTA CITY CODE. *Staff*

requests 3rd and final reading. Some discussion was held concerning the need for this adjustment. A motion to suspend the rules and move to third and final reading was made by John Flynn, second by Doug Fowler. Ayes: 6, Nays: 0. The Ordinances was then read by the Mayor for the final time. A motion was made by Doug Fowler and seconded by John Flynn to approve. Roll call vote resulted in unanimous passage.

ORDINANCE 2019-04 GRANTING BLACK HILLS ENERGY ARKANSAS, INC. D/B/A BLACK HILLS ENERGY, AN ARKANSAS CORPORATION, ITS LESSEES, SUCCESSORS AND ASSIGNS, A NATURAL GAS FRANCHISE AND THE AUTHORITY TO CONSTRUCT, OPERATE, MAINTAIN, AND EXTEND A NATURAL GAS DISTRIBUTION PLANT AND SYSTEM, AND GRANTING THE RIGHT TO USE THE STREETS, ALLEYS, AND OTHER PUBLIC PLACES WITHIN THE PRESENT OR FUTURE CORPORATE LIMITS OF THE CITY OF BELLA VISTA, ARKANSAS, DECLARING AND EMERGENCY, AND FOR OTHER PURPOSES. *Request 3rd and Final Reading.* The Mayor gave an explanation of the location of this property and the reason for the property owner to request that this service be brought into this parcel. There were two representatives of Black Hills Energy in attendance and the Mayor asked them to come up. John Flynn asked them about the exclusivity of their franchise. He wanted to know if they would be interested in bringing the service further into the city. They stated that they would be interested in bringing more service into Bella Vista if was economically feasible. They are the only supplier that provides this type of service in this area. Council Member Steve Bourke asked about the emergency clause. Staff Attorney Jason Kelley explained the process for putting this in effect right away. A motion was made by Jim Wozniak to suspend the rules and move this to third and final reading. Seconded by Larry Wilms. Ayes: 6, Nays: 0. The Ordinance was then read for the final time and a motion was made to adopt the ordinance by Jim Wozniak, seconded by Larry Wilms. Roll call vote was supported. Ayes: 6, Nays: 0. There was discussion on the need to declare an emergency on this ordinance. A motion to approve the Emergency Clause was made by John Flynn, second by Doug Fowler. Roll call vote; Ayes: Wozniak, Lloyd, Wilms, Fowler & Flynn. Nays: Bourke. Emergency Clause Adopted.

R2019-21 RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH COOPER COMMUNITIES, INC. FOR THE PURCHASE OF LAND ON GLASGOW ROAD FOR USAGE AS A FUTURE FIRE STATION IN THE AMOUNT OF \$57,000.00 PLUS ANY APPLICABLE CLOSING COSTS. Council member Steven Bourke commented on the need for this Fire Station and that the location is very good for this use. Mayor Christie explained that we need to buy the land now and that the building of the new facility is a ways down the road. After a little more discussion a motion to approve was made by Jim Wozniak, seconded by Larry Wilms. Ayes: 6, Nays: 0. Adopted.

R2019-22 RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF DEMARA TITZER TO THE BELLA VISTA ARTS COUNCIL FOR A THREE (3) YEAR TERM REPLACING DAVE BARFIELD. The Mayor explained the Arts Council to the residents and thanked them for their service to the City. A motion was made by Doug Fowler, seconded by Jim Wozniak. Supported unanimously.

R2019-23 RESOLUTION APPROVING THE MAYOR'S APPOINTMENTS OF GARY YOUNG, TIM HULL, JOHN NUTTALL AND STANLEY MOORE TO THE BELLA VISTA BOARD OF CONSTRUCTION APPEALS. A brief explanation was given about this board and what it does. Motion to approve by Linda Lloyd, second by Jim Wozniak. Supported unanimously.

R2019-24 RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH 1ST EMPLOYMENT STAFFING IN AN AMOUNT NOT TO EXCEED \$37,565.00 TO PROVIDE PERSONNEL FOR SEASONAL RIGHT-OF-WAY MOWING FOR 2019. Mayor Christie explained why the city uses seasonal staffing for this work. Motion to approve by Jim Wozniak, second by John Flynn. Supported unanimously.

MEETINGS AND ANNOUNCEMENTS:

- The next City Council Work Session will be Monday April 22, 2019 at 5:30PM in the Bella Vista District Court Building.
- The next Regular meeting of the City Council, Monday April 29, 2019 at 6:30 PM at the Bella Vista District Court Building.
- Planning Commission Work Session will be Thursday March 28, 2019 at 4:30PM in the Bella Vista District Court Building.
- Planning Commission Regular Meeting will be April 8, 2019 at 6:30PM in the Bella Vista District Court Building.
- Board of Zoning Adjustment will be April 16, 2019 at 5:30PM in the Bella Vista District Court Building.
- Board of Construction Appeals will be April 9, 2019 in the Bella Vista District Court Building.

Council Member Doug Fowler spoke about the stump dump fire status and wanted to make a point to thank Mayor Christie, Fire Chief Sims & Communications Manager Cassi Lapp for all their efforts in working with all the parties involved to get this issue to the point it is now, with a solution in site. There is still much to do, but their efforts have been essential.

ADJOURNMENT was at 7:12PM

City Clerk Wayne Jertson

Mayor Peter Christie