

**BELLA VISTA CITY COUNCIL REGULAR MEETING APRIL 23<sup>RD</sup> 2018**

**Meeting called to Order** by Mayor Christie at 6:30PM

**Pledge of Allegiance** was recited by all.

**City Clerk Jertson called the Roll of Council;** Council Members Lloyd, Anderson, Wozniak, Fowler & Flynn were present. Council member Brian Bahr was absent. Quorum was attained.

**Citizen Input:** Dennis Blind, 2 McCloud Ln, spoke about his concern on having a swing set in his front yard. He stated that it is the only safe spot in his yard for this to be placed. He stated that if it had a 2 person porch swing in place it would be fine. His has two child's seats and is considered playground equipment. He asked that the council take a closer look at the ordinance.

Martha Howe, 3 Kingsbury Dr, spoke about her concern for the vines in the woods that are killing many trees. She cited an article on a team that has been removing these invasive species in the Fayetteville area. She asked that the city look into this issue. Mayor Christie said he would bring it up with the POA and talk about the issue.

**Approve Meeting Minutes** from March 26, 2018; No corrections or additions were noted. Doug Fowler moved approval, second by John Flynn. All 5 councilors voted aye. No nay votes.

**Financial Report** for February was reported on by Mayor Christie. No questions were asked, Council member Fowler commented on how much he likes the new format in the monthly report.

**Motion to suspend** the rules and read all Ordinances and Resolutions by title only was made by Linda Lloyd, second by John Flynn. Approved unanimously.

**Motion to suspend** the rules and move to 3<sup>rd</sup> and final reading on Ordinances B, C & D on the agenda was made by Frank Anderson, second by Jim Wozniak. Approved unanimously.

**Business:**

**ORDINANCE 2018-08** AMENDING BELLA VISTA CODE OF ORDINANCES SECTION 109-166 ACCESSORY BUILDINGS TO REDEFINE FRONT PLANE, TO MODIFY THE DEFINITION OF MAIN FLOOR, AND TO ADDRESS FRONT PLANE WITH RESPECT TO CURVILINEAR STREETS, AND FOR OTHER PURPOSES.

*Council member Wozniak offered an amendment to the Ordinance that would allow a person that had a lot with a home and a storage building in place to place an accessory building on an adjacent lot in the event that he acquired that lot. Council member Frank Anderson asked for a clarification on the setback issue as related to an adjacent lot. After some discussion and clarification of setbacks a motion to approve the amendment was made by Jim Wozniak, second by Linda Lloyd. Ayes: 5, Nays: 0 Approved. Motion to approve the amended Ordinance was made by Council member Lloyd, seconded by Fowler. Ordinance was adopted unanimously.*

**ORDINANCE 2018-09** AMENDING THE ZONING REGULATIONS OF THE MUNICIPAL CODE TO UPDATE THE TABLE OF USES FOR REVISED CIVIC USE UNITS, AND FOR OTHER PURPOSES. *Motion to approve by Doug Fowler, seconded by Linda Lloyd. Roll call vote was taken and supported by all 5 Council members.*

**ORDINANCE 2018-10** ACCEPTING AND CONFIRMING EASEMENTS FROM THE NORTHWEST ARKANSAS TRAILBLAZERS DEDICATED TO THE PUBLIC ON SEVERAL PARCELS OF REAL PROPERTY FOR THE BACK 40

TRAIL SYSTEM, AND FOR OTHER PURPOSES. *Some discussion was held on if the maintenance is in the budget. It is in the budget. A motion to approve was made by Doug Fowler, second by Frank Anderson. Roll call vote was approved by all 5 council members. Adopted.*

**ORDINANCE 2018-11** AMENDING THE SUBDIVISION REGULATIONS OF THE MUNICIPAL CODE FOR INCIDENTAL PLAT APPROVALS, AND FOR OTHER PURPOSES. *Council member Fowler asked about the parameters of what can be approved by the Planning Dept. the Planning Commission or the City council. After some discussion a motion was made by Jim Wozniak, second by John Flynn to approve. The roll call vote was taken and supported by Flynn, Fowler, Lloyd, Anderson and Wozniak. Adopted.*

*At this point staff attorney Kelley clarified that the Community Development staff can approve incidental plats and report the same to the planning commission. They do not all have to be reviewed by the planning commission to be approved. Council member Fowler had some concerns that that might not be enough oversight. Doug Fowler made a motion to reconsider, this was seconded by John Flynn. At this point more discussion was held and it was John Flynn's concern that all of these items should go to the planning commission for approval. Linda Lloyd said that she does not agree that this needs to be reconsidered. Incidental is defined in the code. Staff Attorney Kelley then read the wording in the code. At this point the motion to reconsider was voted on by roll call. Ayes: John Flynn, Doug Fowler. Nays: Linda Lloyd, Jim Wozniak, Frank Anderson. Motion fails.*

**ORDINANCE 2018-** AMENDING SECTION 18-20 CLEARANCE OF UNSIGHTLY OR UNSANITARY CONDITIONS ON REAL PROPERTY OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO PERMIT PLACING PLAYGROUND EQUIPMENT OR TRAMPOLINES IN THE FRONT YARD OF A RESIDENCE UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES. First Reading. *Council member Doug Fowler stated that he was not in favor of this Ordinance. Linda Lloyd stated that she would look into a way to better define the equipment that might be affected. Frank Anderson is concerned with the colors of this type of playground. Jim Wozniak urged the council to think about the fact that Bella Vista has changed quite a bit and we need to open up and more understanding.*

**ORDINANCE 2018-** CREATING A TREE ADVISORY BOARD, DEFINING ITS PURPOSE AND MEMBERSHIP, AND FOR OTHER PURPOSES. First reading. *Some discussion on the need for this with all the trees that we have. There is a need for the education aspect of this attempt to become a Tree City.*

**R2018-19 RESOLUTION-**AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A THREE-YEAR LEASE CONTRACT WITH STRONGHOLD DATA, LLC, IN AN AMOUNT NOT TO EXCEED \$13,400.00, FOR THE LEASE OF TWENTY (20) DELL OPTIPLEX DESKTOP COMPUTERS. *The Mayor explained the reason that this is a straight lease without a buyout at the end of the 3 years. Motion to approve by John Flynn, second by Doug Fowler. Ayes: 5, Nays: 0 Approved.*

**R2018-20 RESOLUTION-** APPOINTING A MEMBER TO THE BOARD OF ZONING ADJUSTMENT TO FILL AN UNEXPIRED TERM IN POSITION 3, AND FOR OTHER PURPOSES. *The Mayor thanked Harry "Butch" Newby for his service to the Board of Zoning. A motion was made by Linda Lloyd to appoint Mr. John McBee to fill this position. This was seconded by John Flynn. Ayes: 5, Nays: 0. Adopted.*

**R2018-21 RESOLUTION-** AMENDING RESOLUTION NO. R2018-17 TO STRIKE AUTHORIZATION TO PURCHASE ONE (1) UNMARKED 2018 FORD EXPLORER INTERCEPTER FROM SUPERIOR AUTO GROUP OF SILOAM SPRINGS, PURSUANT TO A STATE PROCUREMENT CONTRACT, AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH STEVE LANDERS CHRYSLER DODGE OF LITTLE ROCK,

PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR THE PURCHASE OF ONE (1) 2018 RAM 1500 CREW CAB PICKUP TRUCK, IN AN AMOUNT NOT TO EXCEED \$26,609.00, FOR THE POLICE DEPARTMENT. *The Mayor explained the reason for this change in vehicles. This will be used by the evidence custodian. The Police Chief was available if anyone had any questions. Motion to approve by Frank Anderson, second by Jim Wozniak. Ayes: 5, Nays: 0. Adopted.*

**R2018-22 RESOLUTION** -ESTABLISHING AND UPDATING FINANCIAL POLICIES RELATED TO FUND BALANCES AND FUND RESERVES. *The Mayor stated that this is to put a policy in place to deal with the policies, this is not setting any budget items. This is just policy that will help the process. Motion to approve was made by Doug Fowler, second by John Flynn. Ayes: 5, Nays: 0. Adopted.*

**R2018-23 RESOLUTION**- AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH RAYMOND JAMES & ASSOCIATES, INC. TO SERVE AS A MUNICIPAL FINANCIAL ADVISOR TO THE CITY. *Mayor Christie explained that this is a process that the city wants to have in place in the case of a need down the road. A motion to approve was made by John Flynn, second by Doug Fowler. Ayes: 5, Nays: 0. Adopted.*

**R2018-24 RESOLUTION**-AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH HUTCHINS INC. IN A MINIMUM TOTAL AMOUNT OF \$486,000.00 (\$65.10 PER TON) FOR ASPHALT STREET RESURFACING AND OTHER STREET DEPARTMENT ASPHALT PAVING, AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH VANCE BROTHERS INC. IN A MINIMUM TOTAL AMOUNT OF \$459,000.00 (\$1.90 PER SQUARE YARD) FOR SLURRY STREET RESURFACING. *The Mayor explained that this contract came in under budget and will allow an opportunity to cover a few more miles. Motion to approve by Frank Anderson, second by Jim Wozniak. Ayes: 5, Nays: 0. Adopted.*

**R2018-25 RESOLUTION**- APPOINTING THE INITIAL MEMBERS FOR THE TREE ADVISORY BOARD, AND FOR OTHER PURPOSES. *This will take effect when the Ordinance is approved. Motion to approve by John Flynn, second by Doug Fowler. Ayes: 5, Nays: 0. Adopted.*

**MEETINGS AND ANNOUNCEMENTS:**

- The next City Council Work Session will be Monday May 14, 2018 at 5:30PM in the Bella Vista District Court Building.
- The next Regular meeting of the City Council, Monday May 21, 2018 at 6:30 PM at the Bella Vista District Court Building.
- Planning Commission Work Session will be Thursday May 3, 2018 at 4:30PM in the Bella Vista District Court Building.
- Planning Commission Regular Meeting will be May 14, 2018 at 6:30PM in the Bella Vista District Court Building.
- Board of Zoning Adjustment will be May 15, 2018 at 5:30PM in the Bella Vista District Court Building.
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Meeting adjourned at 7:26PM

City Clerk Wayne Jertson

Mayor Peter A. Christie