

BELLA VISTA CITY COUNCIL MEETING MINUTES – MAY 20, 2019

Called to Order at 6:30PM by Mayor Christie

Pledge of Allegiance was recited by all.

City Clerk Jertson called the roll of Council; Council Members Wozniak, Flynn, Lloyd, Fowler, Bourke & Wilms were all present.

Citizen Input:

Matt Yockey, 47 S. Cheshnut Drive, asked the Council to consider changes to the Ordinance governing playground equipment in the front yard of homes in Bella Vista that have no alternative for placement of such items. He said that he asked a leader of a Facebook page in Bella Vista to conduct a survey to see how people would feel about a change to this Ordinance. The results of this survey were 88% in favor and 11% were opposed with a total of almost 500 respondents. He just requested a change in this portion of the Ordinance. He will work with Council member Linda Lloyd on this.

Bob Fulkerson, 22 Medfield Drive was upset with being ticketed for parking his truck on his adjoining yard which is covered with brown rock. He was told that it would have to be a different type of rock to park on. He said that he had been parking as is since 2003. He does not understand the need for this change.

Norma Collins, 22 Medfield Drive spoke about someone taking a picture of their property and was unable to find out who took a picture of their property and she was told she could not get that person's name. She feels that this is wrong.

Richard McKinney, 609 N. Olive in Fayetteville spoke concerning family property in Bella Vista on Suits Us Dr. This property is on the agenda for tonight's meeting. Their family has had property in Bella Vista since 1928. He stated that they had asked years ago that a Historic district be setup in Bella Vista for old cabins such as their 2 cabins on tonight's agenda. He stated that they were never informed about being annexed into the city. He talked about their encounter with previous Community Development Director Chris Suneson who he said was not qualified to inspect a historic cabin. He will state more during the Public Hearing on their properties later in the meeting.

Mary Jane McKinney then spoke about their family's property as well. She talked about what her mom wanted to have happen with their property. She complained that the property was annexed without their permission. She talked about family issues that had prevented them from doing what they wanted to do with these cabins.

Stan Moore, 11 McVittie Drive asked about the Ark Mo property owned by the POA. He wants to have the city look at annexing the land so that it can be protected and not become a chicken or hog farm. He also talked about the Gordon Hollow Rd connection to Bella Vista. He said that the speeds are excessive on that road and wants the Police Dept. to look into more enforcement on that road as it enters Bella Vista. He will talk to the Police about this.

Approval of the Minutes from the April 29, 2019 Regular Meeting. The Mayor asked if there were any corrections or additions to the minutes as published. There were none stated, Council Member Doug Fowler then moved approval which was seconded by Council Member John Flynn. Roll Call vote was

called and it was supported by Council Members Wozniak, Lloyd, Fowler, Flynn and Bourke. Larry Wilms abstained as he was not at that meeting. Minutes approved.

Financial Report for March has been sent out, the Mayor mentioned that if any member of the public wanted a copy they could contact city hall.

Trafalgar Road Fire update; Mayor Christie spoke about the fact that the POA has taken over the responsibility for putting out the fire and cleaning up the site. He also mentioned that the city is still looking at options for the removal of organic materials in Bella Vista.

NEW BUSINESS:

R2019-27 RESOLUTION ORDERING THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY JANICE STRONG SMITH AT 9384 SUITS US DRIVE IN THE CITY OF BELLA VISTA. *Mayor Christie read the Resolution and then opened a Public Hearing. Community Services Director Doug Tapp then came up to give some background on this property. This structure is unsafe and they believe that it needs to be removed at this time. Council Member Lloyd stated that she feels that this needs to be done. Council member Fowler also talked about visiting this property and agrees that it needs to be done. Council member Bourke also stated that the City does not like to be in this situation, the desire is to have property owners take care of their property so the city does not have to do this process. Council member Flynn moved approval and it was seconded by Council member Lloyd. Roll Call vote was supported unanimously.*

Staff Attorney Jason Kelley stated that in the case of a property where the owner of record cannot be located. The law requires that an attorney be appointed to represent the property owner. This was done and that attorney was present at the meeting.

R2019-RESOLUTION ORDERING THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY RICHARD P. MCKINNEY, ET AL. AT 9386 SUITS US DRIVE IN THE CITY OF BELLA VISTA.

Mayor Christie read the Resolution and then opened a Public Hearing; Community Services Director Doug Tapp then came up and spoke about the need for this order of raze and removal of this unsafe structure. Mary Ann McKinney stated that these properties are on the National Register. She talked about the fact that they ran into problems in trying to obtain the permits necessary to carry out the work. She spoke about many issues that the family has had with loss of their parent's and she suggested that they would like to take down one cabin and repair the other. She was concerned that they were never told that they could have put a fence around the property. She felt that they have paid an excessive amount for permits and should have been able to put the money into the property. Much discussion continued with questions from council members about why the property was neglected for so long. Then Richard McKinney came up and spoke about the loss of tools and items that were stolen from the property and how that affected their ability to preserve the property. Kelly Strain got up and offered to assist the McKinney's in doing the work on the property if the Council gives them the time to do so. After much discussion the Public Hearing was closed. A motion was made to table the Resolution until the next Council meeting on June 24, by Larry Wilms, second by Jim Wozniak. After additional discussion the vote was taken and was supported by all 6 council members. This Resolution will be on the June 24, 2019 Agenda.

R2019-RESOLUTION ORDERING THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY JULIA ANN MCKINNEY AT 9390 SUITS US DRIVE IN THE CITY OF BELLA VISTA.

Mayor Christie read this Resolution and then opened a Public Hearing on this property. Mayor Christie read the Resolution and then opened a Public Hearing; Community Services Director Doug Tapp then came up and spoke about the need for this order of raze and removal of this unsafe structure. Mary Jane McKinney then spoke about this property being on the National Register. Again they want to try to restore this cabin. The family will work together to try to made a plan to use items from the previously discussed property to restore this property. Again, they are asking for more time to accomplish this. The Public hearing was then closed. More discussion was had by council members and then it was time to move forward. A motion to table until the June regular council meeting was made by Jim Wozniak, second by Larry Wilms. Roll call vote was unanimous to approve.

R2019-28 RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA TO UTILIZE FEDERAL-AID TRANSPORATION ALTERNATIVES PROGRAM FUNDS TO ASSIST WITH THE CONSTRUCTION OF THE MERCY WAY CORRIDOR IMPROVEMENTS. *Mayor Christie read the Resolution and this would allow the staff to seek this additional funding for this project. Additional sources of funding will be sought and brought together for consideration at a later date. Motion to Approve by Jim Wozniak, second by Doug Fowler. Ayes: 6, Nays: 0 Approved.*

MEETINGS AND ANNOUNCEMENTS:

- The next City Council Work Session will be Monday June 17, 2019 at 5:30PM in the Bella Vista District Court Building.
- The next Regular meeting of the City Council, Monday June 24, 2019 at 6:30 PM at the Bella Vista District Court Building.
- Planning Commission Work Session will be Thursday May 30, 2019 at 4:30PM in the Bella Vista District Court Building.
- Planning Commission Regular Meeting will be June 10, 2019 at 6:30PM in the Bella Vista City Hall Conference Room.
- Board of Zoning Adjustment will be June 18, 2019 at 5:30PM in the Bella Vista District Court Building.
- Board of Construction Appeals will be July 9, 2019 in the Bella Vista District Court Building.

The Mayor thanked everyone who came to the meeting and wished each a safe and enjoyable Memorial Day weekend.

Meeting was adjourned at 7:55PM

City Clerk Wayne Jertson

Mayor Peter Christie