

**BELLA VISTA CITY COUNCIL REGULAR MEETING – JUNE 24, 2019**

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

**Pledge of Allegiance** recited by all.

**Roll of Council** called by City Clerk Jertson; Council Members Wozniak, Flynn, Lloyd, Fowler, Bourke & Wilms present.

**Citizen Input;**

Mary Jane McKinney, 940 East Arlington spoke about the first two Resolutions on the agenda for the property at 9386 Suits Us Drive and 9390 Suits Us Drive. They had submitted a Deconstruction plan for the one property with plans of using the materials to rebuild the other structure. She brought in a copy of the original plans for the cabins. She stated that the floor joists and the underpinnings of the structure are sound. They would like until the first week of Sept, to carry out this plan.

Deb Dakken, 6 Penwith Lane, talked about the various rules in Bella Vista from the city, the POA and the ACC and how they relate to the Playground equipment in the front yards. She feels that there should not be duplication of rules because of the confusion it causes. She feels the three groups need to work together on these issues.

Ron Stratton, 35 Tire Drive. He wanted the City to reimburse the POA for the expenses incurred in fighting the Stump dump fire. The justification for that is the fact that the City has firefighting as part of the services it provides to the residents.

Matt Yockey, 47 S. Cheshnut Drive spoke about playground equipment in the front yard. He urges a change in this rule and that he is willing to work with the ACC to make the change they desire.

Melissa Brannon, 2 Basildon Circle, talked also about the playground equipment in the front yard and would like the various agencies to work together to end the confusion.

Sandy Fosdick, 37 Stonehaven Drive, has concerns about the trail crossings. She is concerned about how close some of the trails are to the roads and thinks that they should be reexamined. She feels they are dangerous.

Lynn Golbeck, 7 Aycock Lane is concerned that there are a lot of bad elements causing problems in Bella Vista. She is concerned that there is a need of improving safety in areas of Bella Vista. Also concerned about playground equipment right next to her house.

**Minutes** from the May 20, 2019 City Council meeting. Mayor Christie asked if there were any corrections or additions to the minutes. A motion to approve as presented was made by John Flynn, seconded by Doug Fowler. Roll call vote was unanimous to approve.

**Financial Report** for April was sent out and the Mayor urged anyone with questions to contact Finance Director Cary Elsten.

**Council Member** Doug Fowler made a motion to suspend the rules and add a Resolution to the agenda. This concerns an appointment to the A & P Commission. Second by John Flynn. Ayes: 6, Nays: 0 This will be item E on the agenda.

**OLD BUSINESS:**

**R2019-29 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. *Discussion was held about the fact that no specific plan has been submitted in the time allowed from last month's meeting. Council member Flynn suggested that delaying has accomplished nothing and that it is time to move ahead with the Razing and removal. Council members Fowler and Bourke stated that they agree that it is time for no more delay. Council member Lloyd also commented that it is past time to save this property. Additional comments were made by Council members Wilms and Wozniak agreeing that no more delay should happen. Council Member Fowler made a motion to approve the motion as written. Council Member John Flynn seconded the motion. Roll call vote was taken, Ayes: 6, Nays: 0 Adopted.*

**R2019-30 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. *Council member Bourke stated that the property owners have had ample time to accomplish their plans. Comments were made by various council members about the time line and it was clarified that after 30 days the city will be tasked with razing and removal. Council member Fowler said he would be willing to give some additional time if others on the council felt the same. Other members of the council thought it was time to move forward. Council member John Flynn made a motion to approve, second was made by Council member Larry Wilms. Roll call vote was taken, Ayes: 6, Nays: 0 Adopted.*

**NEW BUSINESS:**

**R2019-31 RESOLUTION** APPROVING THE MAYOR'S APPOINTMENTS OF CHERYL HALL, MIKE ABB AND CHUCK WOODS TO POSITIONS ON THE TREE ADVISORY BOARD FOR THREE (3) YEAR TERMS ENDING MAY 1, 2022. *Motion was made by Council member Linda Lloyd to approve, second by Council member Larry Wilms. Roll call vote was taken, Ayes: 6, Nays: 0 Adopted.*

**R2019-RESOLUTION** APPROVING CHANGE ORDER NO. 1 TO A CONTRACT WITH CENTER POINT CONTRACTORS IN THE AMOUNT OF \$42,948.00 FOR CONSTRUCTION OF ADDITIONAL TRAIL CROSSINGS IN LIEU OF TUNNELS AS PART OF THE BELLA VISTA TRAIL EXPANSION PROJECT. *The Mayor described the reason for this and the next resolution on the agenda. Steve Bourke pointed out that this represents a decrease in the cost of the project. John Flynn expressed some concern about the two road crossing that will happen since the underground option is not viable because of the discovery of cable vaults being located where the tunnels would be. Jim Wozniak wanted Police Chief Graves to look at the location of these and other crossings from a safety point of view. Steve Bourke has concerns that we move slowly on this until all options for placement of the crossings are explored. Much more discussion was held by council members. Steve Bourke made a motion to table until the July meeting. Second by Larry Wilms. Roll call vote was called. Ayes: 6, Nays: 0. this resolution will be on the agenda for the July council meeting.*

**R2019-32 RESOLUTION** APPROVING CHANGE ORDER NO. 1 AND NO. 2 TO A CONTRACT WITH CROSSLAND HEAVY CONTRACTORS IN THE TOTAL AMOUNT OF (-\$182,018.01) FOR DELETION OF THE CONSTRUCTION OF TWO TRAIL TUNNELS AS PART OF THE BELLA VISTA TRAIL EXPANSION PROJECT. *John Flynn said that he thought that this does not need to be tabled. Larry Wilms asked if they could be moved*

one way or the other to avoid the issue. Motion to approve by Doug Fowler, second by Linda Lloyd. Roll call vote was called; Council members Lloyd, Wilms, Fowler, Wozniak & Flynn voted aye. Council member Bourke voted nay. Resolution adopted.

**R2019-RESOLUTION** EXPRESSING THE INTENT OF THE CITY COUNCIL NO LONGER TO PURSUE PURCHASE OF A PORTION OF THE CENTERTON WATER SYSTEM IN ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING CURRENTLY IN PLACE BETWEEN THE PARTIES. *Mayor Christie stated some of the history of this item and explained the area that it would serve. He talked about the many issues and costs that could be a part of this purchase. After pointing out the many changes that have happened in Bella Vista over the time this has been in process. The Mayor expressed his concern that this may not be in the best interest of the residents of Bella Vista at this time. He then opened up the topic for comment from the council. John Flynn stated that this is not something that the residents of Bella Vista would not support this investment. He stated that the cost of growing this system is way too much of a speculation. Linda Lloyd expressed her concern that if we pass this up we may well regret that decision in the future. Doug Fowler also expressed concerns that we have had no meaningful commercial development in Bella Vista. He talked about how all the growth in housing has generated a limited amount of revenue for the city. Commercial growth is very much needed. He talked about the fact that we will probably have to go the voters for a sales tax increase in order to keep up with the demand. He suggested that we should delay making a decision on this until a future meeting.*

*Additional comments were made by various council members including a very lengthy report from Larry Wilms with a lot of the history and items that he feels are important to evaluate in making this decision. He stated that there are many things that could be gained by having a "water service area." That there are pockets that we could serve with water obtained from Bentonville if we had a "water service area". He stated that the risks in making this purchase are worth taking in order to have the benefits that can be gained by making this purchase. Council member Bourke asked that the report that Council member Wilms presented be made a part of the minutes of this meeting. After more discussion a motion was made by Larry Wilms to table this Resolution until the August meeting. This was seconded by Steve Bourke. Council member Wozniak then asked how long can we afford to subsidize this before it has any chance to break even, if ever! Council member Wilms then stated that there are many more ways to provide water if we have a water service area. Council members Lloyd, Wilms, Fowler and Bourke voted aye. Council member Wozniak voted nay. Council member Flynn abstained. Motion approved 4,1 and 1 to table until the August City council meeting. **(Clerks Note: The report that Larry Wilms presented will be added to the end of these minutes as requested by Council member Bourke.)***

**R2019-33 RESOLUTION** APPROVING THE BELLA VISTA ADVERTISING AND PROMOTION COMMISSION'S APPOINTMENT OF JAYNE LOWE AS AN AT-LARGE COMMISSIONER FOR THE UNEXPIRED TERM OF THE POSITION VACATED BY PAULA SANDERS. *Motion to approve by Doug Fowler, second by John Flynn. Supported unanimously.*

#### **MEETINGS AND ANNOUNCEMENTS:**

- The next City Council Work Session will be Monday July 15, 2019 at 5:30PM in the Bella Vista District Court Building.
- The next Regular meeting of the City Council, Monday July 22, 2019 at 6:30 PM at the Bella Vista District Court Building.

- Planning Commission Work Session will be Thursday June 27, 2019 at 4:30PM in the Bella Vista District Court Building.
- Planning Commission Regular Meeting will be July 8, 2019 at 6:30PM in the Bella Vista City Hall Conference Room.
- Board of Zoning Adjustment will be July 16, 2019 at 5:30PM in the Bella Vista District Court Building.
- Board of Construction Appeals will be August 13, 2019 in the Bella Vista District Court Building.
- Recognize Bella Vista Foundation & Volunteers- Steve Bourke.

Meeting Adjourned at 8:31pm

City Clerk Wayne Jertson

Mayor Peter Christie