

Acting Mayor – Gene McCartney  
Recorder – Rhonda Ardemagni  
City Attorney –Justin Eichmann  
Law Firm--Harrington-Miller  
City Engineer – Garver Engineers



Ward 1 Position 1-Gene McCartney  
Ward 1 Position 2– Amber Ibarra  
Ward 2 Position 1—Arthur Penzo  
Ward 2 Position 2—Larry Ardemagni  
Ward 3 Position 1—Penny Baskin  
Ward 3 Position 2—Tim Burress

**Committee of The Whole**  
**January 18, 2022**  
**Minutes**

The Tontitown Committee of the Whole meeting is scheduled for **Tuesday January 18, 2022**, at 6:00 p.m. at the Tontitown City Hall, Tontitown, Arkansas and via Zoom and YouTube visit <https://zoom.us/j/95097016958>

Meeting ID: 950 9701 6958 or join by phone at +1 (312) 626-6799. When prompted for Meeting ID: 950 9701 6958#  
If you do not have a Participant Number: press #

If you wish to watch Online without interactively participating, you can stream the meeting online via YouTube, from our YouTube Channel:

- By PC, Mac, iOS (iPhone), or Android: Navigate to the “Tontitown City Hall” channel:  
<https://www.youtube.com/channel/UClbUv481CeNFF2JNwoOsrNQ>

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**2. Roll Call**

All in Attendance

**3. Pledge of Allegiance**

**4. Approval of Agenda**

Penny Baskin motioned to approve the agenda

Second by Arthur Penzo

Gene McCartney Voted- YES

Larry Ardemagni Voted- YES

Tim Burress Voted- NO

Penny Baskin Voted- YES

Arthur Penzo Voted- YES

Amber Ibarra Voted- YES

Motion Passes

Tim Burress motioned to amend the agenda and add Item 8G) Discuss the Committee of the Whole “Chair” position  
Second by Larry Ardemagni

Gene McCartney Voted- Abstained

Larry Ardemagni Voted- YES

Tim Burress Voted- YES

Penny Baskin Voted- YES

Arthur Penzo Voted- YES

Amber Ibarra Voted- YES

## Motion Passes

### 5. Approval of **December 20, 2021, COW Minutes**

Tim Burress motioned to approve the minutes

Second by Amber Ibarra

Motion Passes Unanimously

### 6. Monthly Financials- Reference the city website for detailed report.

### 7. Comments from Citizens-

Kenneth Lovett requested that the council work out a way to have the air quality monitored on Arbor Acers Road near the Landfill. Mr. Lovett believes there is an environmental change in the air and wants to know what is causing the problem. Also, there's an issue with dirt tracked out on the road.

### 8. Department Reports

a) **Police Department – Chief Corey Jenison-**

**Reference the city website for detailed report.**

b) **Fire Department—Operations Chief Todd Witzigman**

**Reference the city website for detailed report.**

c) **Public Works Department – James Clark**

**Reference the city website for detailed report.**

d) **New Build Permit Report – James Clark**

**Reference the city website for detailed report.**

e) **Planning Department – Rocky Clinton**

**Reference the city website for detailed report.**

f) **Tontitown Museum Board – Beverly Cortiana or Katherine Karras**

**Reference the city website for detailed report.**

g) **Discussion of the Committee of the Whole “Chair Position” - Tim Burress**

Tim Burress asked if someone from the council would be interested in the Chair Position so that it takes some of the responsibility off the acting mayor since Gene McCartney is doing both.

The City Attorney Justin Eichmann spoke with the Attorney General that said the Committee of the Whole Chair and Mayor positions can be held by the same person. The mayor was asked what his thoughts were on this, and the mayor responded that he is keeping both positions and it depends on the election. A few council members understood why Tim Burress wanted to discuss this, but they all agree that they have no issues with Gene holding both positions.

### 9. Old Business:

A. Discussion and explanation of RFQ's, SOQ's, and the bidding process – Justin

The City Attorney Justin Eichmann explained in detail the R.F.Q, S.O.Q's and the bidding process. Reference YouTube for the detailed discussion.

B. Discussion of SOQ, Contract, and Resolution authorizing the Mayor to execute a contract with WER Northwest Arkansas, PLLC for Architectural services for the design of the fire station in the City of Tontitown, Arkansas – Gene

John Langham with WER Northwest Arkansas, PLLC discussed the high points of who they are, and their experience. Mr. Langham gave a presentation of a probable cost estimate of the construction cost for the new Fire Station. Reference YouTube for the detailed discussion and presentation.

C. Discussion of SOQ, Contract, and Resolution authorizing the Mayor to execute a contract with Carl D. Gales, d/b/a KAS Gales Co. for Civil Engineering services for the design of the fire station in the City of Tontitown, Arkansas – Gene

Carl Gales, P.E. owner of KAS Gales Company Consulting Engineers presented his companies qualifications and would be happy to sub-contract with WER.

Tim Burress said he heard a rumor of why Mr. Gales was no longer working for Washington County. Tim Burress asked Mr. Gales if the rumor was true and would like to hear his side. Mr. Gales said on November 11, 2021, he came down with Covid and was unable to come back work and rumors are just that, rumors.

#### **10. New Business:**

- A.** Discussion of a contract with WER Northwest Arkansas, PLLC for Architectural services and Civil Engineering services in regard to the fire station in the City of Tontitown, Arkansas – Gene

This Item was pushed to the special meeting for a vote.

- B.** Discussion of a Resolution expressing the willingness of the City of Tontitown to utilize state aid street monies for the following City project: Tontitown Pianalto Road Overlay – James

Tontitown was awarded \$300,000.00, at this time there should be no cost to move utilities or retain right-of-ways.

- C.** Discussion of a Resolution supporting the display of the National motto “In God We Trust” in a prominent location at the City Hall of the City of Tontitown, Arkansas – Tim

Amber Ibarra motioned to move to the next City Council Meeting.

Second by Penny Baskin

Motion Passes Unanimously

- D.** Discussion of a Resolution affirming the City of Tontitown’s commitment to life and designating the City of Tontitown, Arkansas, as a Pro-Life City – Tim

Amber Ibarra motioned to move to the next City Council Meeting.

Second by Penny Baskin

Motion Passes Unanimously

- E.** Discussion of Gene McCartney’s salary for Acting Mayor – Tim

The City Attorney Justin Eichmann said Gene McCartney is mayor until May 24, 2022, and due to the timing of tonight’s meeting and when the request was made, he couldn’t get all the information. So, Justin said he will report back to the council ASAP once after he gets more information.

- F.** Discussion of a Resolution to amend Section 130.03 Road Spills in the City Code – Gene/Justin

The city is having issues with track out and debris on city roads from construction sites and the landfill. The city has an ordinance already in place, but additional information is being reviewed and if approved will be added to code 130.03.

#### **11. Comments from Council Members**

Tim Burress said a citizen named Dennis Boyer commented on Facebook that he saw three separate violations in four hours by Waste Management and shared some photos that he took. The citizens in Tim and Penny’s ward are frustrated and they want the codes enforced.

Amber Ibarra went on a ride along with the city police and it was a very eye opening and learned a lot and she encourages others to do the same.

Larry Ardemagni thanked Tim Burress for bringing up issues. Larry also wanted to know when the new purple street signs where to be installed. James said they have been ordered.

## 12. Comments from Mayor

**Road Permits-** Anyone who damages our streets/roads to do any repairs like (utilities), the City of Tontitown will inspect and approve all those repairs.

**TAFD Contract** – The city is scheduled to meet with T.A.F.D. and the mayor asked council to contact him with any thoughts or comments.

We have a meeting with NACA Thursday.

The city is currently working on the air quality in the Waste Management area and a I-Way devise that purifies our air has been installed in City Hall.

**Bidding of culverts-** Due to supplies issues the city may have to purchase the culverts when they find them, so this will come back to the council for approval.

**Track out on roads-** Waste Management will soon be installing signs at the entrance and the exit, so these drivers will see immediately the listed fines and as soon as our ordinances are updated the sign will change that it will include the owner of that vehicle. Waste Management did ban one offender from the property for two to three weeks, so thanks to Waste management for helping us to keep our streets clean and being proactive on that.

Complaints can be reported on the city website.

## 13. Comments from Attorney- None

14. Adjournment- Arthur Penzo motioned to adjourn

All in Favor