# Meeting Details

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caption\_text\_clean : good thing you got an engineering degree or we wouldn't know that yeah I wouldn't yeah be able to tell that either yeah our class project was to design the stormwater system for the downtown of the area that where the school was is it yeah it was our uh this project okay uh we like to call the meeting to order this is city council meeting for May 22 2023 we'll start with the Pledge of Allegiance allegiance to the flag of the United States of America and to the Republic for which it stands one nation under God indivisible with liberty and justice for all how Wanda could you do the Roll Call yes council members no Hughes Wozniak absent Wilms your Fowler hancha and the mayor here first order of business is citizen input uh first speaker is Linda Lloyd of 102 Fairway thank you okay great I'm here to speak about septics back in October of 2021 city council after 10 months of hard work by a whole bunch of people passed an ordinance to require Builders who are building more bedrooms than the septic to put deed restrictions on their properties um and this information as as of the end of April by then there had been 137 houses that were deed restricted I've been able to find um 27 of those that have gone through the multi-list and only two of those 27 were actually listed for more than the deed restricted number of bedrooms so it seems that that's working I did turn in both of those two as violations however there still is a huge problem with existing houses the end of April I noticed that there were 53 houses listed in Bella Vista as having four five or six bedrooms and other than the ones that are on public sewer most of those are not listed properly because there's very few actual four bedroom permitted septics in Bella Vista so I went through every single one of them there were six that were listed as having five bedrooms one of those was on a two-bedroom septic five of those were on a three-bedroom septic there were 17 four bedroom listed four bedroom listings that were done incorrectly nine of those were on a three bedroom septic and six listed as four bedrooms were on two bedroom septics so I did not spend time going through the three bedroom listings but I suspect there's a good percentage of the three bedroom listings that are actually only on two bedroom septics so we still have a huge problem with existing houses and how many bedrooms they're being marketed at I compiled all the addresses sent all that information to the Northwest Arkansas Board of Realtors to every member of the board of directors and to all the staff on May 8th and as of this morning I had not gotten any response from any of those people which as a realtor distresses me considerably so I still think we have a good job a hard job to do about protecting buyers in Bella Vista and preventing a whole bunch of septic failures and then this morning a new listing came through with five bedrooms it's actually a current Str and I researched that one it's a 3 963 square foot house listed with five bedrooms and three baths and it's only on a three bedroom septic so I do hope counsel doesn't lose track of what's happening with their existing housing stock and how it's being marketed thank you thank you next speaker is Jim Parsons of 27 29 Duval Lane I am a colonel Parsons and live on Lake Avalon as you said and uh on September 1 1939 the German Panzer tanks rolled across the Polish border Kamikaze and not the kamikazes but the Luther was pounding Warsaw and the Blitzkrieg was on and Basha burner Basha Barbara Berner nine years old joined the Polish Army she fought with them for five years for any given day she could have been gone before a firing squad or worst off to Auschwitz and uh we just honor her so and we're trying to do this to these who are in their 90s World War II people we've been doing this for several years recognize them while they still can hear the accolades that we have for them so Basha if you would please come forward turn around here [Music] on behalf of the Bella Vista Patriots and a Grateful Nation it's a privilege for me to hand this award to you Basha for your service during World War II so much and I'm really I'm really so honored and and touched thank you very much that they let to do it in such a wonderful people around here and the council and everything I was never expected in and he made me such a such a surprise and I thank you all being here and just we love you Basha [Music] [Applause] [Music] it just surprised me thank you Mr Parsons unfortunately we have a smaller than usual crowd today but that will be available on television for reviewing next speaker is Tom Judson of 36 kintire Lane good evening I'm speaking on behalf of uh the belvis or Property Owners Association I'm sure at this point you're getting tired of seeing me but I promise you we are rapidly approaching the end we only have two more after this we have a number uh up for today uh so it's consuming a large portion of your agenda I do apologize for that I wanted to remind those uh at in the audience or at home that uh once again the POA is only intent is to continue with the current use and historical use of these uh Parcels we don't plan on doing anything crazy we don't plan on bringing in a Dollar General or anything like that and no disrespect to Dollar General um I also wanted to point out once again that the POA is it would be very very challenging for the POA to sell this property it would require a vote of the entire membership they would probably not approve it also uh on all these Parcels are deed restrictions that require these Parcels to be used for recreational purposes or in support of recreational purposes such as a Golf Course Maintenance facilities and those deed restrictions would travel with the the land so if on the unlikely instance that we were to sell these Parcels the future owner not that we're planning on doing it would also have to abide by these uh these deed restrictions so that's not our intention what we're trying to make sure we do is we have all these Parcels zoned correctly if anybody is in the audience today and would like to speak with me after the last application I'll probably pop out and if they want to speak with me in the lobby I'm welcome to answer to any questions at all do you have any questions for me thank you so much for your attention thank you the next speaker is David Burcham of 13 bravely Lane I'm here in regards to I've been having a little trouble with trash pickup lately the company uh has been missing uh briga Lane it's happened uh it happened just this past Friday they were supposed to come by and they missed us it happened also on the last billing cycle it's not a major problem it's just happening like once every three months like once every three months they just miss us and we have to call them and they come out like they did and they came out today my pickup is on Friday so by the time that it's we realize that they're not coming their offices are closed so we so we have to call them on Monday basically I'm here I'm wondering um we're required to use Republic Services and we have no other option would it be possible for Bella Vista residents to have another trash provider available to us we usually don't have a back and forth but we um I guess that's my issue I feel that um perhaps I'm alone I just feel it would be good to have you know an option for uh someone else to be a trash provider pickup for for us okay I you know we're required you know or I hate to use the word we're forced to use them but you know in reality we are um I just um I feel that other cities have other companies available to them and I just thought it would be nice if Bella Vista would have that option of someone else to do our trash pickup okay thank you I appreciate it now is the time for a council to reply to uh Indian speakers can you provide that information or have you already emailed it to us I didn't see an email okay yeah I appreciate it um one should have been sent to the council today there should have been an email sent to the whole Council earlier today regarding this issue sir okay thank you yeah you were asking Linda yeah Linda right yes sir so you sent an email yourself right yeah a little bit better check your junk mail I said I seem to have things slip into the junk mail sometimes when when citizens send it to everyone yeah I'd like to say it too I just I really they've left all right Jim and uh Pasha and uh I wish they would say for another couple of minutes my wife and I had the privilege and the honor really uh we were in Amsterdam last year and we were able to go by the Anne Frank Hall I've actually spoke with several people that have actually had that experience and uh it's you know it's it's just very touching you know it really really walk behind that apartment and you learn the whole entire story and what these individuals uh face in you know what it took you know to get through that you know to the end and what she did was you know so incredibly Brave so I'm really I'm really glad that Jim Brown [Music] uh anyone else a comment uh from Miss Lloyd what what is the answer to that particular problem I mean yeah I think we can discuss with her offline and I can think of some possible solutions to that but I appreciate her bringing that up that was a a point that we were going to return to you know when we did we did the uh something about the septic on the new homes and knew that the existing was still a challenging situation I I'll make a comment on that trash pickup I suspect that we're going to have to have a single company but I'd be happy to look into that it's not anything I've ever investigated in any way but we have an ordinance that requires people to use the contractor that the city has so we Grant a monopoly franchise to a company and that's the condition they take the contract so no we cannot provide another option or allow another option unfortunately that's what I suspected because you uh normally don't get economies to scale if you start having you know different people have a couple of customers on the street and that kind of thing so thank you for that Jason any more commentary okay um action on the minutes we had minutes of our regular meeting of April 24. anybody have any comment on that or make a motion to approve second uh roll call vote [Music] council member Han Shaw yes Wilms Hughes yes snow in Fowler yes motion passes five to zero [Music] um next subject matter is the financial report we have financials for the period ending march 31. I believe everyone on Council has been provided those and I think they're probably on the website already um so far our financial situation is uh very good we still have a significant Reserve and the revenues exceeded the budget by a significant amount I believe it was 7.2 percent and the most outstanding Revenue compared to budget was real estate taxes it was plus 16 percent and on the expense side expenses are below budget by a significant amount so so far this year we're doing good you know there's still a lot of financial experts concerned about a recession later in the year and I think we're we're as prepared for that as we can be if that should occur so do we know if do we know if our revenue is decreasing I know the County's revenue is decreasing oh both the city and county uh sales tax revenue was an increase over last year but County records indicate that they've got a decrease in Revenue for the so far for the year but you're saying that the sales taxes are up for both the county and the city well our Sheriff County sales taxes showing that it's higher than it was last year and and the city sales tax also is yeah um County sales tax our contribution look I I didn't see the marks financials they went through an email maybe we had an issue I had you know Kim uh for some reason I'm not getting her emails and I thought they got it fixed so maybe they sent them out but I haven't seen them okay you didn't get them but through February uh County sales tax and what our Force our force is up 155 159 thousand dollars versus prior a year and our city sales tax is up 37 000. so our total sales tax is through just February we're up almost two hundred thousand dollars just for just for two months right here yeah um next uh doesn't know more comment on the financials the next subject matter is do we need to take any action on that there the financial report no okay no next subject matter is old business amending the sewer connections required of the code of ordinances the city of Bella Vista mayor mayor sorry to interrupt you but oh yeah the motion the the the the the the chair needs to entertain a motion spin the rules or I'll have to read all these word for word pages and Pages here we'll entertain a motion does this bend the rules of order and procedure to allow all ordinances on the agenda to be read by title only it's almost second uh roll call vote that was uh uh Mr Wilms and Mr Fowler seconded council member Wilms yes Hughes yes Fowler yes snow Hughes oh I already said that I'm so sorry uh well what did I do honchal uh motion passes five to zero okay old business an ordinance amending section 281 sewer connections required of the code of ordinances the city of Bella Vista to require a sanitary sewer connection when service becomes available within 100 feet of a house lot or joining lot and for other purposes now this is just on second reading and I believe Mr Fowler has an amendment so I thought you might want to mention that yeah um so you know we talk about 100 feet and then Larry was actually going to bring an amendment forward you know to talk about 300 feet and regardless of whether the amendment would be 100 feet or 300 feet there are a lot of complications associated with either distance because even with 100 feet you might be required to go through somebody else's property they're just a lot of a lot of issues that come along with it and I thought it just makes sense just to simplify this and say that and I'm not going to read it word for word but essentially if the sewer runs in front of the house the side of the house the back of the house basically contiguous with your property then upon sell the home you'd be required to uh you know attach yourself or hook onto the sewer and that way it says it takes all the footages and the possibility across another boundaries and whatever it might be so uh that's the amendment that I'm proposing I would mention that after he proposed that amendment I called Frank Knight of Village Wastewater and he was okay with it he thought he thought that would work well would be fine I don't know if anyone else wants to comment okay so is that my comment would be is that the way it's written here in the amendment uh councilor Fowler the rear of the house would not entertain a Street behind the property that was not contiguous in other words you you have typically a street a row of houses maybe a common property area another row of houses in another street so if the sewer were on the street behind they would not be required to connect but if it was in the common property behind the house then they would be required to connect based on this is that correct [Music] it it all it does is uh and and this was printed out and put in front of you it's not in the packet and there were extras in the back for those who are interested it it changes the language of the current ordinance by adding or on the side or rear of the house where it all already said in front of the house I struck the words on the street because they they're really is no need for it to say that because if it was in the front side or rear but for some reason it wasn't in the street or on the street then someone might seek a some sort of an exemption for that so I and the whole point of this was to remove those sorts of things so if you approve this as this if you adopt this amendment it has to be available on the front side or rear of the house so basically you're just saying available to the house is what you're saying but that's exactly what the language is so to your point couldn't cause an issue if you have common property behind your house and then the storyline ran on the other side of the common property it has to be available so keep read all of it together when the sewer said when the sanitary sewer system becomes available in front of the house or the side of the house or the rear of the house for it to be available to you you would have to be able to get to it without going across somebody else's property be it common property or your neighbor's property or anything it wouldn't be available in that circumstance so that covers that scenario uh speaking of that I I did watch the last work session on YouTube unfortunately I couldn't be here and I I meant to thank Mr Fowler for running that meeting I appreciate that I was at Northwest Arkansas original Planning Commission and they had gracious graciously offered to send a couple of our people to a uh I guess I got a seminar in about it's about highways and sidewalks and paved trails and and every aspect of Transit really and there's 1300 people there from all over the country including there's about 20 people from Northwest Arkansas which the regional Planning Commission paid for including the mayors of Bentonville and Rogers and myself and a few other Mayors but quite a few planners and Engineers so it's it was very worthwhile but it's one of those things you sign up for way ahead of time you don't know what's going to be going on city council work session so anyway that having been said I did appreciate Mr Fowler's efforts in that regard but what I wanted to mention on the sewer issue Village Voice where I asked them the question also having heard the discussion they clarified that they paid for bringing the line up to your property so the only part if you're connecting this sewer the only part you're paying for is the part that's on your property which is kind of common I know in the past I've lived in cities and the sewer line breaks or something or the water line and if it's on your property you're paying for it and if it's before it gets your property they're paying for it so people are usually very interested in where it breaks because of that so anyway I I did want to clarify that because I heard some discussion about how much it would cost and this and that but they do get right up your property line so um okay the next ordinance well that was just second reading so we're gonna so my question just for clarification uh counselor uh attorney Kelly is that now if it's in the common property it and sometimes it is located in common property the sewer line and there are various areas where they put it there as opposed to being in the street because that's where it is so if it were there would the house be required to connect is it available in other words does can Village Wastewater go across that property and bring it to your house they would have it in there they would it would be their resp it would be there on them to make that determination if they brought that pipe up to your property then it would and it's on the front side or rear which is going to be any side then you would be required to connect pursuant to the second section which is upon transfer and all that this none of that changes procedurally though you have moved have you made a formal motion to amend I haven't made a motion no the discussion was still good okay well because he's getting ready to go to the next item so if you don't want to amend it got a problem with this with this ordinance and I was hoping that Mr honcho after last work session would propose an amendment requiring a some type of a grace period If a person had just installed a new septic system with that over that time period might be two years one year five years whatever it might be but a grace period if a person has a has just installed a new septic system that is working perfectly that I don't think it's um don't think it's fair right to for that person to have to spend another 10 grand to hook on to the sewer system whenever they again they just got through at that expense I I I mean your point may still stand I want to make sure you understood that this only applies the old ordinance and the new one only applies upon sale of the house yeah I mean so what would be the difference I mean somebody's got to pay somebody just paid 10 grand to get an inceptive system put in now they've got to pay another 10 grand to hook onto the sewer system as I said there should be a grace period there sometime that could be another proposed amendment to the ordinance it doesn't have wouldn't have to be in conjunction with this proposal here so as I said I was hoping maybe Mr Archer would propose it by me that's I was going to address this in the next work session just realizing that this is some second reading the information that we got you know just a couple minutes ago that that puts my mind at ease about some things but yes since I was I'm still trying to navigate through that Amendment and I will be discussing that at the next work session good I don't want to interrupt but also need to be heard on this really what you're talking about is the timing of when it's required that really needs to be a separate ordinance from this one all this talks about is the location where it has to be when you're required there's another section of the code which isn't implicated in this at all it's not in the title or anything which talks about timing if you want to talk about timing we can talk about timing and Grace periods and all that that's perfectly fine we just need to have another really another proposed ordinance in addition to this one to talk about on that issue it shouldn't be separate the way we've done it well I'd like to make a motion to approve an amendment as written so it was motion by Fowler a second by Mr Hansel that's on the motion to amend pursue it too okay okay roll call vote council members snow Hughes yes Wilms Fowler Hansel a motion to man passes five to zero so we can go to third reading next month okay uh next ordinance is uh letter B amending the Bella Vista zoning ordinance and map to rezone property described in rezonium petition number 2023-48211 County parcel number 16-40236-000 from P1 Conservation District is C1 neighborhood commercial District and the staff does request uh third and final rating would you like to have Taylor Robertson address this sure it's like it's loud [Music] staff is recommending approval of this request though staff will note that so what was the issue I didn't go back and listen to the Planning Commission meeting addresses so what was the issue in not passing it the first time um you mean why the recommendation failed not but recommending to forward the city council um I'm not sure and I don't really feel comfortable speaking for the Planning Commission why several members voted against the recommendation or not hard to speak from their heads you know but uh is this one of those things staff still recommends approval whereas you know the planning commission's recommendations failed you can consider one or the other of our recommendations but based on the maps and Analysis that we've provided in our analysis uh here in the packet but like I said I don't feel comfortable speaking for the Planning Commission on why they voted the way they did their campsites are not a permitted P1 either yeah that was a discussion that was held um about basically the reason I would not fix the existing use however that's not what staff looks at whenever we're making recommendations we're looking at what could go there what the future land use says but that was a discussion that was held that basically if we did redone this it would not make the RV park a Buy Right Use yeah early in the year I may be interested in last year we approved the parcel to the east right correct and that has a C1 use right yeah so we will have C1 on the East and then P1 on the west west side of the blowing Springs Park I kind of look at it as all one piece of property I know it's not officially but um I was just looking through you know C1 per minute uses and we've got commercial recreation parks short-term rental right uh uh there's not a restaurant there because the Gary Gardens behind it lodging but we have the uh China cabinets structures Department the tiny cabins so know that we really likelihood of that news changing in the future is probably minimal at best or it's going to be used as some way shape or form in the same manner so I'm not in my mind I'm not really sure why it was turned down and I know you can't get in the heads of the people that are on the Planning Commission but certainly in the camp of approval of this result well the only thing I want to point out was the it's consistent with the 2040 plan also that should be so important to that but I think the thing to recognize that needs to go into the record is that it currently has issues that are legal medical forming with the rezone to C1 it will continue to have uses that are legal non-conforming for the record and those uses would include the camping sites the cabins in the RV park because none of those uses are included as an approved use in C1 District and they're there today they will continue to be there but the C1 is to correct and allow other things on the site to dealt with other than C1 zoning umbrella okay that's dewy noted but if it's my understanding that if there are any important improvements that want to be made into current structures or additional structures that are put in play you know that could benefit that area you know in the future then they would be restricted from doing that correct essentially yeah they're having a hard time even acting as a commercial entity zoning wise because they are zoned as P1 so even pulling sign permits are difficult because there's not supposed to be signs in the P1 zone so even though there's a legal non-conforming use of commercial use there because it sound is P1 for new signs or permanent signs or anything that's small like that it's prohibited so this would get the overall use of just a commercial entity more in play with what's happening on that land right now [Music] so emotion will be to suspend the rules and go to third and final reading that would be my that would be my motion okay that's motion by Mr Wilms second by Mr Hansel Ropo [Music] council member panchal Fowler yes Wilms yes Hughes yes snow Ocean passes five to zero I will go ahead and read it for third and final amending the bellavista zoning ordinance and map to rezone property described in rezoning petition number 2023-48211 County personal number 16-40236-000 from P1 Conservation District to C1 neighborhood commercial District I got a question I'm not sure that uh that Taylor can answer but I see some some social media from people in the neighborhood neighbors around that area that are concerned about that area becoming over commercialized I know that there is such a an answer to that particular questioning but what what happened I mean how many courage on what would happen there that would increase the commercial presence um so regarding like future development if there were anything in the plans that would be more of a POA question but from a zoning perspective I can tell you that C1 has Balkan area requirements and basically restrictions that only so much of the lot can be developed and so much of the lot has to remain as green space and only so much of the lot can have parking on it so we have Protections in place for lots to be over developed for C1 but regarding if there's any future development plans that would be for the property owner what would be allowed over commercialization or in the increase of the commercial availability of that particular area like what would be a if you could think of something what would be allowed there then I think that would depend on who you're talking to you well we could look at our handy dandy and the C1 Zone If This Were to be correct or were to be rezoned I mean you have your use chart there the permit didn't require a c i mean it just depends because also you don't we do want to look at the table of uses but also the suitability of development of the law as well there is some flood playing in this area so that requires additional restrictions that they would have to go through when they're considering what they put on this lot um the setbacks and like I mentioned Balkan area sixty percent has to be remained and developed 40 has to stay as Green Space all of those things have to be worked into whatever development plan they are so there's so many items at play to answer that question it's really difficult but um regarding like what would be allowed If This Were to be successful the used chart would be the best item to look at a water slide um well Waters I would count water slide is playground equipment so playground equipment oh yeah I'm just thinking if you lived in that neighborhood what would be what would be happening down there that would cause you to be concerned about the activities there yeah that would be I just depend on who's living next to them what what concerns them and what doesn't concern them knowledge a water slide okay well yeah I mean that would just be uh that would be a park really in parks are allowed by right in all zones so yeah that would be that could pop up anywhere I guess I suppose but I like to make a motion to approve it's motion by Mr Fowler a second by Mr Hansel a roll call vote council member Hughes no council member snow council member Wilms yes council member Fowler yes council member honchal the mayor yes some motion passes four to two [Music] next one is uh letter C ordinance amending the Bell Events the zoning ordinance and map to rezone property described in rezoning petition number 2023-48614 County personal number 16-18692-000 from P1 Conservation District to C1 neighborhood commercial District and there's another one staff request third and final reading this has to do with the Lakes the ecology Lab at 410 East Lancashire you need discussion all right second that was Mr Fowler and Ms Hughes a roll call vote to move the third final council member Fowler yes council member Wilms yes Hughes yes hanshaw yes snow motion carried five to zero is there discussion move to approve that was Mr Wilms and second by Mr Hansel rosalvo council member Fowler yes Wilms yes snow yes hanshaw yes Hughes yes motion carried five to zero [Music] uh Jason I I don't believe I read that a third time uh you probably don't think you did I think we need to I think you I'm glad you caught that because I didn't hear that okay so um uh go ahead and read it a third time hang on I I think you can go ahead and read it a third time I think that vote we just had is probably void is out of order okay yeah so go ahead and read it a third time the vote to go to the third and final is okay okay I'm reading it for a third time amending the Bell vest is only an ordinance and map to read Zone properties it's described and resorting position number 2023-48614 Connie parcel number 16-18692-000 from B1 Conservation District to C1 neighborhoods commercial District so that's the third reading now we need to promotion in a second we'll make the motion again okay there's motion by Mr Williams second by Mr Hansel council member Wilms Hughes yes yes snow Fowler yes Hansel Gary five zero I'm glad nobody changed their vote in the interim okay next one is letter d coordinates uh amending velvets disowned in ordinance and map to rezone property described in resulting petition number 2023-48701 County parcel number 16-40211-002 from R1 residential single family District to C1 neighborhood commercial District and I believe this is uh Huntley Drive the POA wider any discussion we had an issue at the work session about the labeling of the parcel number do we get a clarification on that plot that was included with the handouts shows the parcel that we're rezoning to be zero zero zero not zero zero two we've never straightened out if you recall if you recall them if you recall on that one there had been a lot split after that drawing if this is that one and and so the numbers the numbers you have are correct so the drawing of the package is not the most current drawing of the land I'm not talking about drawings I'm talking about Parcels numbers that was pre are correct zero zero two what you have in front of you is correct okay zero zero two yes it's correctly okay I'd like to make a motion to spin the rules [Music] that was Mr Fowler and miss Michelle roll call vote is the vote to move the third and final to suspend the rules and move to third and final council members snow yes Hughes yes Honcho Fowler yes Wilms yes motion carried five to zero three three times a man in belvis it's only Learners and map to rezone property describing resulting petition never 2023-48701 County parcel number 16-40211-002 from R1 residential single-family District to C1 neighborhood commercial District hello roll call vote council member Hughes yes honcho yes Fowler snow Wilms yes motion carry five to zero next one is letter e amended his own in ordinance and may have to rezone property described in rezoning petition number [Music] 2023-48641 County personal number 16-72511-001 from P1 Conservation District to C1 neighborhood commercial District and staff requests third and final reading and this is 504 Glasgow which is Highlands Golf maintenance oh why are these guys I've got a question on that one I think this one here is is one of those Parcels that includes some of the golf courses that create any conditions down the road at some of the golf courses don't see one and opposed to whatever the golf course has done no golf courses are commercial use controlled commercial use so zoning lies use wise it would just be in more consistent with the zoning code so the golf course land itself is at its own currently all sets is P1 conservation it wouldn't create an issue for anything [Music] planning staff doesn't see any issues because it will be a pre-existing well yeah that didn't want it to be a legal non-conforming situation so good equation yes sir um this is I think we kind of covered this a bit at the work session but on every one of these final meeting why what is your reason well typically if not very many questions are asked we'll ask for a third and final because we went over the process of the rezone at the work session these have been with us since May I mean March of 20 March 22nd I believe so it's not a short process and that was kind of what we discussed last time about the basic or traditional life of a reason request but if there's typically no discussion or any public comment received between the public hearing and the first reading staff will typically request a third and final there's not really any discussion or questions asked that's typically what makes me request to the mayor for third and final is if there's no discussion or questions but uh the area of the people around the particular area that are notified by a certified letter they are no there are four ways actually we notify the public for a rezone one being the website that's over two weeks before the public hearing uh certified mail that's two weeks before the public hearing um the legal ad in the weekly Vista two and a half weeks before the public hearing and then a big giant red sign on the property 10 days before the public hearing so we notify everyone immediately around it 200 feet around at the entire city via the website and the legal ad so we notify everyone as as possible as much as we can a couple of these there were some emails from the statements that we're concerned about the reasoning so in that particular situation you still answer third and final one those comments that are included in the packet are comments we get for the Planning Commission so those are for the public hearing that that was held with the Planning Commission earlier this month my second who's in third final correct okay it's a motion by Mr Hansel and II by Mr Fowler roll call vote council member Fowler Wilms Hughes snow honshaw yes motion carry five to zero uh let me read it again men in the Bella Vista zonian ordinance and map to rezone property described in Arizona petition number 2023-48641 County personal number 16-72511-001 from P1 Conservation District to C1 neighborhood commercial District any more discussion move to approve second that was Mr Wilms and Mr Fowler roll call vote council member snow Hughes yes Wilms Fowler yes honcho yes motion carrying five to zero next one is letter F amending the Bella Vista zoning ordinance and map to rezone property described in rezonian petition number 2023-48404 County personal number 16-72491-001 from P1 Conservation District is C1 neighborhood commercial District and this area covers the Highlands Golf Club staff requests moving the third final rating it is just suspend the rules and move the third and final yeah right I make a motion okay that was Mr Fowler and Mr Hansel roll call vote counts go ahead council member honchal yes snow yes cues yes Wilms Fowler yes yes motion carried five zero all I rated for the third time men in the Melvis disowning ordinance and math to rezone property described in rezoning petition number 2023-48404 County personal number 16-72491-001 from P1 Conservation District to C1 neighborhood commercial District any further discussion motion to improved second it was Mr Hunter and Mr Wilms uh roll call Hope council member Wilms Hughes snow Fowler Honcho motion carrying five to zero next one is letter G ordinance amending belvis to zoning ordinance and map to rezone property described in resorting petition number 2023-48664 County parcel number 16-70204-000 from P1 Conservation District to C1 neighborhood commercial district and this is the Scottsdale maintenance and staff requests move the third and final is there any discussion make emotions for the rules mood third final that was Mr Fowler and Mr Wilms roll call both council member Hughes honsho Fowler Wilms snow yes motion carried five to zero I'll read it for the third time mending the Bella Vista zoning ordinance and map to result property described in rezoning petition number 2023-48664. Connie parcel number 16-70204-000 from P1 Conservation District to C1 neighborhood commercial District any discussion second that was Mr Wilms and Mr Fowler a roll call vote to approve council member Fowler snow honshaw yes Hughes Wilms motion carried five to zero next one is an H ordinance amending the Bella Vista zoning in order to map the rezone property described in red zoning petition number 2023-48673 County personal number 16-21108-000 from P1 Conservation District to ro residential office District and this is the area that used to be the field water storage I believe the water tank has been removed Taylor could you give us a little background of why we're going to ro of the applicant had requested um a original rezone request of C1 neighborhood commercial however Balkan area requirements require that C1 be a minimum of one acre and due to setbacks and items like that staff normally isn't comfortable recommending approval of a zone that is basically too large for the lot that itself because that could mean that the suitability for development later on setbacks and things like that maybe more difficult to develop so staff requested a modification to ro residential office due to the small size of this lot and it meets the bulk and reg requirements for an RO so staff felt more comfortable with that request and Planning Commission modified their recommendation to you guys to ro from C1 okay is that what they're using for it now is that consistent with ro or maintenance would not be a resident so it would continue as a legal non-conforming use I'm just like it is right now in the P1 Zone yeah but it's probably still better than being VY yeah I mean they would be allowed to have signs or anything like that so I'd like to make a motion move third final that's Mr Fowler Mr Hansel uh roll call vote to move the third and final council member Hughes yes yes no yes handshaw yes Wilms Fowler motion carry five to zero I'll read it for third and final men and developments is only an ordinance and map to rezone property described and rezoning petition number 2023-48673 County parcel number 16-21108-000 from P1 Conservation District to ro residential office District any discussion promotion approved explosion by Mr Fowler second by Mr Hansel a motion to approve roll call vote council member hanshaw yes Fowler snow Hughes yes Wilms motion carry five zero all rated for third and final many developers is only an ordinance and map to rezone property described and rejoining petition number 2023-48673. oh we did that was the finals sir okay now we're on I amending various sections of the code of ordinances the city of Bella Vista to effectuate departmental restriction of planning building inspection and code enforcement functions declaring an emergency and for other purposes uh this was brought forward by me so I'll give you a little explanation um the this involves taking the three code enforcement officers from CPS and moving them to the police department and taking for uh inspection uh folks and moving them from CDs to the fire department and I had a little written explanation there I don't know some of the reasons why I don't know if you folks all had a chance to read that but um this is something actually was in the back of people's minds for a while and you know I've been on city council eight years we've had three different people over CES and um there's always been way more drama in CVS than any other department it's really the nature of the beast that's why I mentioned there's been three different people over it it's not people running it uh you know code enforcement just naturally has conflict because if you don't enforce it hard enough everybody on the streets mad at you if you do enforce it hard the guy who you just enforce it against is mad at you so somebody's always mad at you summer go enforcement and uh there's a couple cities Rogers and Jonesboro who have been to the police and uh uh in the pace of the fire it's way more common more and more cities are going for putting the inspectors into the fire department one of the problems I have in particular is you know in the private sector if you decide to do this you'd go ahead and do it and it would be done in a city in the public sector one of the problems you have is before this meeting you have to tax the place and the fire and the head of CDs and all the employees involved you have to talk to all those people you do it so now they're all in limbo so what I would like to do is pass it go to third and final and pass this and the reason council's involved is just because of the changes in the budget you know the money's a significant amount of money is moving from one Department to another and I I believe it's in the best interest it's City and I'm trying to do what's best with people and you know one of the other things that I mentioned in my little write-up it used to be that the city was doing Ken Herman's a year now they're doing six under so the CDs job is quite challenging the essence of the job it's quite challenging right now and I see things on the horizon in uh you know this commercial area and um also there's uh you know we've had a couple different hypotheticals come up where the CVS would be more involved in uh or somebody would be more involved I think it would be CDs and taking care of grounds and parks and things like that already on the greenway the Met field you know we have some responsibility for lawn mowing and things like that that we didn't have in effect so I see things going and and later on in the agenda there's something by the engineer and CVS so they're growing in a lot of different ways getting different responsibilities so I I just thought this was the best way to go with this so that was [Music] today could I uh interpose one thing there there is an amendment that I drafted that you have there in front of you this is because of a drafting error on my part okay so the we ended up changing something in here that I didn't intend to change in the draft that's in the packet and really what it is it's pretty simple the very last sentence in what you have we refer to volume one and two is the fire code and three is the building code it should be volume one is the fire code and two and three are the building code and so that's what this amendment does so I would request someone moved to it whether you end up adopting the wholesale change or not if you would at least adopt this amendment so we can get it correct for your final approval I would appreciate that because we need to fix this no matter what you do version that's been presented in a second sorry that was Mr Fowler and second by Mr Hansel a roll call vote on the amendment council members snow Hughes yes um Wilms yes Fowler yes honchal this is five to zero thank you for that Jason it's on page four page section three sub part D uncovering work I think there's some verbiage in there that doesn't make sense I'll read it it says uncovering work any installation or part thereof which is installed altered or repaired and which covered before being inspected shall be uncovered for inspection as required by the building official I think there should be a work to clarify that it's probably which was covered do you mean in which the cupboard is covered give me three minutes I need I need a little time to tell you hang on just a minute I would consider it to be a typing error yes all right so Mr Williams you're talking about in the draft which should be subsection d yeah okay well I can tell you that the current version says that and that's because it was copied and pasted from the current code I didn't change that part so the current D says uncovering work any installation or part thereof which is installed altered or repaired and which covered before being inspected shall be uncovered for inspection as required by the building official I think it says the way it's supposed to say if you covered it before it was inspected you're going to have to uncover it so it can be inspected well if you redid it to me it doesn't well I can tell you that that that's the current code we need to so I didn't change any of that these these changes in this ordinance are items in the code we needed to fix to account for the fact that these depart these people are going to be answering at different departments so they they're in different areas and so uh when I drafted this I took our current code change what needed to be changed and didn't touch the rest of it so it could be that we'd prefer some different things in various places but I didn't attempt to change that we needed I would suggest we look at that as a future change or potentially a modification it's not a typo it's the way it's written now it's not a typo it may not be worded the way you like well it's not a typo on your part from when it was originally yeah well I did that too so I you know that was just 12 years ago but I I don't think so I think if you you read it it says what it's supposed to say [Music] does any installation or part thereof which is installed altered or repaired and which covered before being inspected of the uncovered yes and which covered to me that doesn't make this grammatical I didn't change any of that from the current code I understand that yeah Justin maybe we fix it now so in the future would you change that later I don't think it needs to be changed I think it says what it needs to say but if you wanted to yeah we're getting in the weeds are deep yeah you can read right it's fine I kind of understand what you're saying but I don't think which cover I think it kind of yeah so anyway can we we can move along yeah all right we've got the amendment approved exactly all right move the third and final reading as a method so or not where are we now we just we just approved the amendment right yeah right right what he just paid one but I didn't know people wanted to discuss it more even more somebody could make a second and we can discuss it if you like you approved the amendment but that's it you are on debate on the first reading of this ordinance you have you have adopted an amendment it is now it is on first reading of this ordinance with where you are right now I do have something I'd like to say it after you know the movement uh yeah I mean this is a big change right it's a big change [Music] my wife and I were actually traveling whenever mayor called me and said I need you know you can do the meeting but I need to know a couple things before because I don't know if you've seen them yet and one of them was this and first I was surprised because I didn't know conversations were taking place uh because it's a big change and you know you kind of get used to things being done a certain way and it's being structured a certain way right so um yeah I had to think about it a little bit and I was still a little bit ambivalent about it but at the end of the day taking a step back and I'm not I'm not going down the path of saying I think this is the wrong thing to do at all uh where I'm going with this is uh Mr Flynn is the mayor and ultimately he's a CEO he's the boss of Bella Vista city government and we've been advised in the past that we thought that there were issues with employees in certain movements were made within the local city government those people answered in the mayor and we were advised really not to become involved in those conversations those were Personnel conversations and I think the departmental part is kind of like part of that Personnel so at the end of the day as much as I might be a little uncomfortable at least initially uh it's not my call it's a mayor's call and all we're being asked to do right now is approved um the changes in the budget you know to go from CDs to go to police to go to fire in order to support pay the employees as they move over that's really what we're being asked to do um we had the police chief here during the work session we had the fire chief here during the work session they had their opportunity to get up and speak and it feels like they're comfortable I've actually talked with Doug and I know that they've been having meetings internally trying to get everything organized my only concern would be at this time is are we really ready to go as long as the mayor feels that way that we are the policing feels that way RG feels that way then you know I don't know how I can oppose not approving movement moving the money around like we need to do within the budget and one of the reasons we're moving the money around the budget this week is because we're trying to make a clean break uh in June right yeah June 26th June the 26th uh basically halfway through the year it's kind of easy math so um having said that I I hope we're all ready to go and if there are some issues you know to work out because really the way I mean this moving people I think there were some Blurred Lines and responsibility between the CDs who are the inspectors and Fire and I think there were some blurred lines between code enforcement and the police there kind of were some shared things there responsibilities and I think over time I think those are going to be clarified as literally and I do think uh in the future and I'm not putting the timeline around anything I really don't know I do think we're going to be some see some development in the future it's going to be more than just residential I think it's going to become way at some point and this will help actually maybe lay some of the groundwork for us to be better prepared for that to happen because some of that does unfold there's going to be a big burden put on CDs you know you know trying to figure out is hard scale development things like that and I'm not making any comments I don't know anything trust me I don't have to see that those Stables you know whoever may be coming this way and maybe want to do something in the future but I think we all feel it's coming at some point so it'll help get us kind of maybe ahead of the curve a little bit so I haven't said all that uh I'm support of you know going ahead and moving forward comment if you're done my concern would be is is the language in in this draft ordinance talks about a building inspector the person in charge or inspection unit under this tap is titled the Chief Building official and while that's not in the state code per se it's a common common title for the position at the local level as an example of a chief building inspector is called the Chief Building official is its official title that makes in the king of the kill at the local level about you know commercial residential inspections and all of those things and I think that that same position applies to our current Chief Building Inspector Mr Fred Huddleston I think that's his title and I think it's important that you retain that title and functional control of that unit so I guess I would not want to see um Direction coming from the fire department per se other than as it might be aligned by code requirements to happen volume two and three is that mostly what they use because I know it's an international building code and some other things that's a part of that I don't know if that's under volume two and three or not to the fire code actually uh the fire chief and uh Fred Huddleston have met on that very point and because Fred was concerned that it you know it might be some work in a certain way yeah and and they come to a meeting of the mind so I that's a good point there's one we've been working through things like that but that was certainly one of the major ones so so they all feel good about where they're at I would say I just had a second okay I like to make a motion to suspend the rules was Mr Fowler Mr honchal yes right as amended roll call vote Council no council member snow Hughes Wilms Fowler honchal vote was five to zero I'll read it for the third time amended in various sections of the code of ordinance of the city of Bella Vista to effectuate departmental restructuring and planning building inspection and code enforcement functions declaring an emergency and for other purposes almost second that was Mr Wilms and Mr Fowler that was a motion to approve yeah motion to approve right so that's a separate people okay roll call vote council member hanshell Fowler yes Williams snow Hughes uh oh it was five to zero and uh that we did separate vote on the emergency class the motion the second to approve the emergency Clause right right and the effect of that is it becomes effective right away as opposed to what in 60 days or 90 days no it becomes effective June 20 it it comes due sooner than it normally would yeah that's why you have the emergency class not it wouldn't be immediate the terms of this emergency Clause make it effective the 26th of June okay thank you so am I making a proves emergency calls beneficial yes second that's Mr Hansel and Mr Fowler roll call vote council member honchal yes Fowler yes Hughes yes yes Wilms yes and snow a vote was five to zero so motion for the Emergency Clause passes thank you next one is uh item J resolution expressing the willingness of city of Bella Vista to utilize Federal Aid Service Transportation block grant program attributable Transportation Alternatives program and or carbon Reduction Program funds to assist with the construction of the mercy way Corridor improvements I don't know if you folks want MLA government to address this or you felt you talked about it enough in the work session she went over pretty thoroughly at the work session my only disappointment is we're not pursuing a shared cost of the additional increase from our consultant do I support the action okay yeah I I did notice that that works as you brought that up had to do with the extra 39 000 and I think you felt that it was that some of the engineers had culpability perhaps in the conflict and uh you know so I had a situation where it was 39 000 at stake and there was a pretty good chance somebody else was going to pay 80 percent of that so Mr Wilm suggested maybe we should pursue litigation on that and I didn't I didn't think that I appreciate anytime anybody brings up any ideas I didn't think that was prudent I will note that I spent 38 years as a corporate attorney decided when to sue people and when not to and defending lawsuits and deciding when to settle and when not to so I felt like I was well positioned that I make that decision but I I as I said I don't mind anybody by bringing up anything I think it's good to all his throw ideas out there so I don't criticize that at all I can make a motion to approve I do just have one question um is this going to go the pace that the typical path is in I guess my question may be uh is this going to delay or slow down anything in Florida completion no I don't know thank you a motion by Mr Fowler second by Mr Wilms motion to approve roll call vote honchal yes Fowler yes to know cues yes Wilms motion path uh five to zero uh next one is resolution amending the 2023 budget to facilitate repayments of short-term financing indebtedness related to the purchase of new fire truck and I believe this one brought forward by Kim Hall and uh the reason was that we had thought we were going to pay cash in the fire truck and decided to finance it so then that affects how much Capital expenditures you have this year that was something we voted on an earlier meeting yeah the the interest from the C NC covers the cost of the interest on them for all the money for the fire truck on the CD the car covers the last interest that we're going to pay for it yeah it's a little bit mind-bending to me to be honest you know normally if you ever look at interest rates you know mortgage rates or such and such and then the rates you earn on money is always less it's always been that way but whole life corporate wise individual wise whatever and they have something where the amount you're borrowing their interest rate your borrowing that is lower than what you're getting on investments is amazing yeah so we can hold on to our cash and put that that cash back into our unassigned funds yeah so but this resolution is just about changing the budget so it's their motion to approve that was Mr Wilms and Mr Hansel uh roll call vote council members snow Hughes yes Wilms Fowler yes Honcho you pass Five to zero next one is a resolution amending the 2023 budget the amount of forty one thousand dollars to authorize one additional part-time engineering position in community development services and to fund the position um this was a uh something that was brought forward by me it was discussed a lot last year and Peter Christie was very seriously considering getting an engineer and some of the people in CPS have been negated to me it's a little uncomfortable when they get things from the engineer stamp and now they're saying hey that's no good when they're not Engineers so I I feel like it's not the best situation but I saw a real analogy to what I did I was always an in-house attorney and you know one of the things that happens with corporations is you have legal questions come up and you have to go to an outside guy and you think oh he's gonna cost a lot of money so you just never ask the question a lot of times whereas if you have an inside guy say or girl you say hey I can go to this person it's like a sunk cost would you hire if I can ask them all the questions I want and and the person gets to know the business really well so it's a totally different kind of relationship and we've had a little struggles with the outside people our outside Engineers have done a great job but they're really busy they have a lot of business so sometimes you know we're asking something and take a week to get back and uh you know the builders they're screaming Wives has taken so long but you know it's just another delay in the process so to speak so I thought we'd dip our toe in the Water by having just a part-time engineer Plus I was worried about you know crafting to always telling us they were a short 20 engineers so I was really worried about our ability necessarily to hire a full-time one is being a pretty scarce resource so let's do bird Joe in the water dry one part time and I've begged over time that's gonna grow but that's what this proposals about so a discussion Jerry um right after the first of the year during the budget process I was in the budget previously for an engineer I asked about that and it was taken out because we didn't couldn't justify the expense that was in January and we're missed about five months five months from that and now then we're hiring so what was changed in five months that we couldn't justify then but we but we can now what what's changed oh I think well that's a good question well first of all the people in CDs have have believed in it all along and probably this point it was taken out but if you just look at the sheer number uh the serial number of the billing you could say hey wait a minute it's not all that high so why should we hire somebody in-house but there's all these well first of all I'm getting a part-time one which cuts down the cost quite a bit and there's all these intangible type of benefits I've mentioned that you know they get to know our business really well and they're more responsive people get to know and that kind of thing so uh yeah that's a good point it's been on the table like I said it was talked about last year and I don't feed her one thing about feeder was he kind of saw this coming that we needed it but on the other hand he thought hey it's in my my time here I don't think I should be rushing out there and hire an engineer if they let you know in the last couple months I'm in or whatever I think he thought hey I'll leave that for the next guy I'd figure that out so so it's 41 000 but there still was an expense Associated so it's not really a whole 41 000 we had money in the budget for uh what would you call that consultant or right budget I don't know how much that was so you don't say you have to subtract that from 41 000 that word we won't be spending that we would have been spending a little more maybe but it's not going to be a lot I guess the reservation that I have is that not knowing the coverage that is being sought in Infinity development services there are different licensure levels civil engineers or civil engineers but you get licensed in certain areas as a structural engineer that's a civil engineer they're a structural specialty so they have to have a structural designation in being licensed that way to review structures and structural aspects of the project as opposed to just being a civil engineer and there are other things that are specialty items that we may be depending upon our consultant to do now as an example reviewed survey aspects of the document of Platt or something like that I don't know if that's something that you do in-house here or you have technicians that do that or whether you pass that on to your consultant to look at plats and other things who does that for you that that is something that a civil engineer is not licensed for unless he's a licensed surveyor as well to scrutinize those documents so I I guess my question is are we really going to help ourselves by moving ahead with this and I know I know that I'm talking with Community Development Services that they're lacking in terms of being able to call someone on a timely basis and get a timely answer because it's an outside consultant sometimes at the end I've personally been in that capacity in prior Life as a consultant worked with Consultants when I was at the center to we had Consulting engineer but there were a number of people that we would call and asked to go down to the list of those John there is Charlie there is Sam there and depending on what we needed we could get the answers from one of those because they were working on projects in our community and so they were familiar with things that we had table so I'm not I'm not sure whether we're maximizing our use or maybe we're not demanding enough from our consultant today to get the best service out of them and you've got the wrong firm on board example so I'm not sure I think I think Garber has some good attributes across the across the platform of the consulting services for municipalities that other firms may not possess so I think we have a good choice we just may not have their attention or or have an arrangement with them where we can get more timely results so I guess it begs the question for me is what are we who are we going to hire here for this great um for a part-time experience if you're looking for someone that's retired they may or may not be receptive they may or may not have the skill sets haven't been in design and currently but they've been in a supervisory capacity tuned in to some of the current technology that's out there to do a fair review so there's a whole bunch of issues that you can raise questions about so I'm not I'm not in the administrative side of things so we'll rely upon you Mr Mayor to tell us whether this is the right way to go but I do have some real reservations that's going to improve our functionality and we'll be able to find someone that's going to actually be productive for us okay thank you Jerry do you have something yes um I I realize that it's your decision as to who you hire for this particular position but I think before we go further with it before we make any vote on it that we should at least be able to see qualifications are what the job description is before we budget well uh do we know if we're going to get someone from this rate well yeah human resources department did some study and we've determined this was the ineffective right here so but yeah I've been saying this believing like as I said it's a it's a tight market right but we can't go out and advertise and hire for somebody without your approval certainly we're gonna get somebody uh that CDs thinks can help them and they're going to be heavily involved in it but uh you know you made an interesting point really on that whole issue of it's a DNA it's a specialization and for instance in my case when I was an in-house attorney I did a lot of things but sometimes we still hired outside counsel can get into really specialized areas where you need that of course an engineer also can help you get the right person because they're way more knowledgeable about it than you are so I think it's a it's a good way forward but do I know how it's going to come out at any time no I don't it's a very tough market like I said engineering firms I'm sure it's a short it's uh we are living in a strange time of shortage of resources in many ways yeah we're gonna we're not getting police cars on the uh normal uh you know the safe process because you can't get them that way that's not normal it's never been like that and you know some of the fields are very tight and difficult to get people so the only thing I can actually you could put a job description together I'm not I'm not I'm not an expert in this field I have no experience right so you can put one together and I'm still not going to really know whether we're going to be a sourcing exactly to have to rely upon you going to uh to put the job description try to Source someone what I do know is we've been kicking around this idea of pioneering hiring an engineer for a long time and at some point you know if we're going to do that you need to take a step forward so I'm ready to take a step forward and let's go out and and do the search and do one unfolds you don't want services and hopefully you know it's going to be what we're looking for that's all I can say so I'm really forward with it I have a quick question this is my ignorance so if I'm going to answer to be great with city council do we typically get a job description in full before we approve hiring a new position is that under our purview or is that under like the hr's purview we say yes we accept this position you control the money if it's not unreasonable I mean I just said not that I wouldn't know any any difference if I saw that job description uh Mr Wells saying an engineer I'm sure he would have been put on it but uh I just think that it was before we approve the funding we should have an idea of what we're being what's being hired that given our financial situation I think asking for a part-time engineer for 41 000 frankly is a pretty modest request we've got to reserve at 18 million dollars in your agonizing about spending forty one thousand dollars come on you seem to be I'm not agonizing about spending 41 000 but if you spend 41 000 to hire an engineer they can't do what what we're supposed to have what needs to be done well then you got to turn around and go to the outside of the engineers too do support what well I agree with that there's three people sitting back there Doug tap and Glenda kelderman and Taylor Robertson and they all know way more about it than I do and I know they know way more about it than I do and I'm confident they're gonna hire somebody who can help us they're not going to hire somebody and say gee it turns out he doesn't know any of the things we needed he or she I mean come on go ahead are we seeking to save any money from our Consulting fees in in getting this person on board you know are we looking at all to save things there or are we looking to maybe utilize that Consulting service more efficiently by having this part-time position on board I I think you have sex I think you'll probably save some you'll probably have some of the other benefits uh you know that I mentioned yeah just to give you a simple example you know when I became mayor in January multiple people told me don't do a farmer's market anymore it's a huge mistake it's going to be a disaster will you go out there on Sunday morning now to see what's going on yeah we had two candidates and I was lucky I hired the right one you know and I'm gonna call it what it is it was lucky but I could have easily killed the farmer's market and I didn't and now I've spoken I mean you can't succeed if you don't try you know you can't uh if you don't go to the plate you're not going to get any hits it's live I'm gonna make a motion to improve a second it's Mr Fowler and Mr angel roll call vote council member Hans Shaw yes Fowler Wilms yes Hughes yes yes snow a motion passed four to one the next one is amending the 2023 budget to facilitate transfer of employees and funding between departments to implement departmental restructuring of code enforcement and building inspection duties and I believe uh Wanda sent out an attachment today and also handed it out I think at the meeting that the main thrust of the attachment that shows how many dollars are are going to CVS into or not to CVS to the police into the fire but but the total budget is the same it's just transferring around it's mostly Personnel a little bit of it as equipment you're moving the shelves around to have the same bottom line yeah and so so this will be your money transferred out of cbs's account into these are firearms respectively yeah and that's why we had to have a date and we picked that June 26th you know end of the day at the beginning of a pay period whatnot move to approve second that was Mr Wilms and Mr Fowler roll call Bob council members snow Hughes yes Wilms Fowler Honcho yes motion pass Five to zero a few announcements next city council work session is 5 30 P.M Monday June 19th Bella Vista district court next city council regular meeting 6 30 P.M Monday June 26th Planning Commission work session 4 30 p.m Thursday June 1. Planning Commission regular meeting 4 30 P.M Monday June 12th board and construction appeals 3 P.M Tuesday June 13 if necessary all those are Bella Vista District Court so unless there's anything else uh maybe it is adjourned thank you

stcounty\_fips : 05007

county\_name : Benton County

state\_fips : 05

county\_fips : 007

docname : text85710

from : 4933

to : 4933

pre : repayments short-term financing indebtedness related purchase new fire truck believe one brought forward kim hall reason thought going pay cash

keyword : fire

post : truck decided finance affects much capital expenditures year something voted earlier meeting interest c nc covers cost interest money fire

pattern : fire

## Caption Text:

good thing you got an engineering degree or we wouldn't know that yeah I wouldn't yeah be able to tell that either yeah our class project was to design the stormwater system for the downtown of the area that where the school was is it yeah it was our uh this project okay uh we like to call the meeting to order this is city council meeting for May 22 2023 we'll start with the Pledge of Allegiance allegiance to the flag of the United States of America and to the Republic for which it stands one nation under God indivisible with liberty and justice for all how Wanda could you do the Roll Call yes council members no Hughes Wozniak absent Wilms your Fowler hancha and the mayor here first order of business is citizen input uh first speaker is Linda Lloyd of 102 Fairway thank you okay great I'm here to speak about septics back in October of 2021 city council after 10 months of hard work by a whole bunch of people passed an ordinance to require Builders who are building more bedrooms than the septic to put deed restrictions on their properties um and this information as as of the end of April by then there had been 137 houses that were deed restricted I've been able to find um 27 of those that have gone through the multi-list and only two of those 27 were actually listed for more than the deed restricted number of bedrooms so it seems that that's working I did turn in both of those two as violations however there still is a huge problem with existing houses the end of April I noticed that there were 53 houses listed in Bella Vista as having four five or six bedrooms and other than the ones that are on public sewer most of those are not listed properly because there's very few actual four bedroom permitted septics in Bella Vista so I went through every single one of them there were six that were listed as having five bedrooms one of those was on a two-bedroom septic five of those were on a three-bedroom septic there were 17 four bedroom listed four bedroom listings that were done incorrectly nine of those were on a three bedroom septic and six listed as four bedrooms were on two bedroom septics so I did not spend time going through the three bedroom listings but I suspect there's a good percentage of the three bedroom listings that are actually only on two bedroom septics so we still have a huge problem with existing houses and how many bedrooms they're being marketed at I compiled all the addresses sent all that information to the Northwest Arkansas Board of Realtors to every member of the board of directors and to all the staff on May 8th and as of this morning I had not gotten any response from any of those people which as a realtor distresses me considerably so I still think we have a good job a hard job to do about protecting buyers in Bella Vista and preventing a whole bunch of septic failures and then this morning a new listing came through with five bedrooms it's actually a current Str and I researched that one it's a 3 963 square foot house listed with five bedrooms and three baths and it's only on a three bedroom septic so I do hope counsel doesn't lose track of what's happening with their existing housing stock and how it's being marketed thank you thank you next speaker is Jim Parsons of 27 29 Duval Lane I am a colonel Parsons and live on Lake Avalon as you said and uh on September 1 1939 the German Panzer tanks rolled across the Polish border Kamikaze and not the kamikazes but the Luther was pounding Warsaw and the Blitzkrieg was on and Basha burner Basha Barbara Berner nine years old joined the Polish Army she fought with them for five years for any given day she could have been gone before a firing squad or worst off to Auschwitz and uh we just honor her so and we're trying to do this to these who are in their 90s World War II people we've been doing this for several years recognize them while they still can hear the accolades that we have for them so Basha if you would please come forward turn around here [Music] on behalf of the Bella Vista Patriots and a Grateful Nation it's a privilege for me to hand this award to you Basha for your service during World War II so much and I'm really I'm really so honored and and touched thank you very much that they let to do it in such a wonderful people around here and the council and everything I was never expected in and he made me such a such a surprise and I thank you all being here and just we love you Basha [Music] [Applause] [Music] it just surprised me thank you Mr Parsons unfortunately we have a smaller than usual crowd today but that will be available on television for reviewing next speaker is Tom Judson of 36 kintire Lane good evening I'm speaking on behalf of uh the belvis or Property Owners Association I'm sure at this point you're getting tired of seeing me but I promise you we are rapidly approaching the end we only have two more after this we have a number uh up for today uh so it's consuming a large portion of your agenda I do apologize for that I wanted to remind those uh at in the audience or at home that uh once again the POA is only intent is to continue with the current use and historical use of these uh Parcels we don't plan on doing anything crazy we don't plan on bringing in a Dollar General or anything like that and no disrespect to Dollar General um I also wanted to point out once again that the POA is it would be very very challenging for the POA to sell this property it would require a vote of the entire membership they would probably not approve it also uh on all these Parcels are deed restrictions that require these Parcels to be used for recreational purposes or in support of recreational purposes such as a Golf Course Maintenance facilities and those deed restrictions would travel with the the land so if on the unlikely instance that we were to sell these Parcels the future owner not that we're planning on doing it would also have to abide by these uh these deed restrictions so that's not our intention what we're trying to make sure we do is we have all these Parcels zoned correctly if anybody is in the audience today and would like to speak with me after the last application I'll probably pop out and if they want to speak with me in the lobby I'm welcome to answer to any questions at all do you have any questions for me thank you so much for your attention thank you the next speaker is David Burcham of 13 bravely Lane I'm here in regards to I've been having a little trouble with trash pickup lately the company uh has been missing uh briga Lane it's happened uh it happened just this past Friday they were supposed to come by and they missed us it happened also on the last billing cycle it's not a major problem it's just happening like once every three months like once every three months they just miss us and we have to call them and they come out like they did and they came out today my pickup is on Friday so by the time that it's we realize that they're not coming their offices are closed so we so we have to call them on Monday basically I'm here I'm wondering um we're required to use Republic Services and we have no other option would it be possible for Bella Vista residents to have another trash provider available to us we usually don't have a back and forth but we um I guess that's my issue I feel that um perhaps I'm alone I just feel it would be good to have you know an option for uh someone else to be a trash provider pickup for for us okay I you know we're required you know or I hate to use the word we're forced to use them but you know in reality we are um I just um I feel that other cities have other companies available to them and I just thought it would be nice if Bella Vista would have that option of someone else to do our trash pickup okay thank you I appreciate it now is the time for a council to reply to uh Indian speakers can you provide that information or have you already emailed it to us I didn't see an email okay yeah I appreciate it um one should have been sent to the council today there should have been an email sent to the whole Council earlier today regarding this issue sir okay thank you yeah you were asking Linda yeah Linda right yes sir so you sent an email yourself right yeah a little bit better check your junk mail I said I seem to have things slip into the junk mail sometimes when when citizens send it to everyone yeah I'd like to say it too I just I really they've left all right Jim and uh Pasha and uh I wish they would say for another couple of minutes my wife and I had the privilege and the honor really uh we were in Amsterdam last year and we were able to go by the Anne Frank Hall I've actually spoke with several people that have actually had that experience and uh it's you know it's it's just very touching you know it really really walk behind that apartment and you learn the whole entire story and what these individuals uh face in you know what it took you know to get through that you know to the end and what she did was you know so incredibly Brave so I'm really I'm really glad that Jim Brown [Music] uh anyone else a comment uh from Miss Lloyd what what is the answer to that particular problem I mean yeah I think we can discuss with her offline and I can think of some possible solutions to that but I appreciate her bringing that up that was a a point that we were going to return to you know when we did we did the uh something about the septic on the new homes and knew that the existing was still a challenging situation I I'll make a comment on that trash pickup I suspect that we're going to have to have a single company but I'd be happy to look into that it's not anything I've ever investigated in any way but we have an ordinance that requires people to use the contractor that the city has so we Grant a monopoly franchise to a company and that's the condition they take the contract so no we cannot provide another option or allow another option unfortunately that's what I suspected because you uh normally don't get economies to scale if you start having you know different people have a couple of customers on the street and that kind of thing so thank you for that Jason any more commentary okay um action on the minutes we had minutes of our regular meeting of April 24. anybody have any comment on that or make a motion to approve second uh roll call vote [Music] council member Han Shaw yes Wilms Hughes yes snow in Fowler yes motion passes five to zero [Music] um next subject matter is the financial report we have financials for the period ending march 31. I believe everyone on Council has been provided those and I think they're probably on the website already um so far our financial situation is uh very good we still have a significant Reserve and the revenues exceeded the budget by a significant amount I believe it was 7.2 percent and the most outstanding Revenue compared to budget was real estate taxes it was plus 16 percent and on the expense side expenses are below budget by a significant amount so so far this year we're doing good you know there's still a lot of financial experts concerned about a recession later in the year and I think we're we're as prepared for that as we can be if that should occur so do we know if do we know if our revenue is decreasing I know the County's revenue is decreasing oh both the city and county uh sales tax revenue was an increase over last year but County records indicate that they've got a decrease in Revenue for the so far for the year but you're saying that the sales taxes are up for both the county and the city well our Sheriff County sales taxes showing that it's higher than it was last year and and the city sales tax also is yeah um County sales tax our contribution look I I didn't see the marks financials they went through an email maybe we had an issue I had you know Kim uh for some reason I'm not getting her emails and I thought they got it fixed so maybe they sent them out but I haven't seen them okay you didn't get them but through February uh County sales tax and what our Force our force is up 155 159 thousand dollars versus prior a year and our city sales tax is up 37 000. so our total sales tax is through just February we're up almost two hundred thousand dollars just for just for two months right here yeah um next uh doesn't know more comment on the financials the next subject matter is do we need to take any action on that there the financial report no okay no next subject matter is old business amending the sewer connections required of the code of ordinances the city of Bella Vista mayor mayor sorry to interrupt you but oh yeah the motion the the the the the the chair needs to entertain a motion spin the rules or I'll have to read all these word for word pages and Pages here we'll entertain a motion does this bend the rules of order and procedure to allow all ordinances on the agenda to be read by title only it's almost second uh roll call vote that was uh uh Mr Wilms and Mr Fowler seconded council member Wilms yes Hughes yes Fowler yes snow Hughes oh I already said that I'm so sorry uh well what did I do honchal uh motion passes five to zero okay old business an ordinance amending section 281 sewer connections required of the code of ordinances the city of Bella Vista to require a sanitary sewer connection when service becomes available within 100 feet of a house lot or joining lot and for other purposes now this is just on second reading and I believe Mr Fowler has an amendment so I thought you might want to mention that yeah um so you know we talk about 100 feet and then Larry was actually going to bring an amendment forward you know to talk about 300 feet and regardless of whether the amendment would be 100 feet or 300 feet there are a lot of complications associated with either distance because even with 100 feet you might be required to go through somebody else's property they're just a lot of a lot of issues that come along with it and I thought it just makes sense just to simplify this and say that and I'm not going to read it word for word but essentially if the sewer runs in front of the house the side of the house the back of the house basically contiguous with your property then upon sell the home you'd be required to uh you know attach yourself or hook onto the sewer and that way it says it takes all the footages and the possibility across another boundaries and whatever it might be so uh that's the amendment that I'm proposing I would mention that after he proposed that amendment I called Frank Knight of Village Wastewater and he was okay with it he thought he thought that would work well would be fine I don't know if anyone else wants to comment okay so is that my comment would be is that the way it's written here in the amendment uh councilor Fowler the rear of the house would not entertain a Street behind the property that was not contiguous in other words you you have typically a street a row of houses maybe a common property area another row of houses in another street so if the sewer were on the street behind they would not be required to connect but if it was in the common property behind the house then they would be required to connect based on this is that correct [Music] it it all it does is uh and and this was printed out and put in front of you it's not in the packet and there were extras in the back for those who are interested it it changes the language of the current ordinance by adding or on the side or rear of the house where it all already said in front of the house I struck the words on the street because they they're really is no need for it to say that because if it was in the front side or rear but for some reason it wasn't in the street or on the street then someone might seek a some sort of an exemption for that so I and the whole point of this was to remove those sorts of things so if you approve this as this if you adopt this amendment it has to be available on the front side or rear of the house so basically you're just saying available to the house is what you're saying but that's exactly what the language is so to your point couldn't cause an issue if you have common property behind your house and then the storyline ran on the other side of the common property it has to be available so keep read all of it together when the sewer said when the sanitary sewer system becomes available in front of the house or the side of the house or the rear of the house for it to be available to you you would have to be able to get to it without going across somebody else's property be it common property or your neighbor's property or anything it wouldn't be available in that circumstance so that covers that scenario uh speaking of that I I did watch the last work session on YouTube unfortunately I couldn't be here and I I meant to thank Mr Fowler for running that meeting I appreciate that I was at Northwest Arkansas original Planning Commission and they had gracious graciously offered to send a couple of our people to a uh I guess I got a seminar in about it's about highways and sidewalks and paved trails and and every aspect of Transit really and there's 1300 people there from all over the country including there's about 20 people from Northwest Arkansas which the regional Planning Commission paid for including the mayors of Bentonville and Rogers and myself and a few other Mayors but quite a few planners and Engineers so it's it was very worthwhile but it's one of those things you sign up for way ahead of time you don't know what's going to be going on city council work session so anyway that having been said I did appreciate Mr Fowler's efforts in that regard but what I wanted to mention on the sewer issue Village Voice where I asked them the question also having heard the discussion they clarified that they paid for bringing the line up to your property so the only part if you're connecting this sewer the only part you're paying for is the part that's on your property which is kind of common I know in the past I've lived in cities and the sewer line breaks or something or the water line and if it's on your property you're paying for it and if it's before it gets your property they're paying for it so people are usually very interested in where it breaks because of that so anyway I I did want to clarify that because I heard some discussion about how much it would cost and this and that but they do get right up your property line so um okay the next ordinance well that was just second reading so we're gonna so my question just for clarification uh counselor uh attorney Kelly is that now if it's in the common property it and sometimes it is located in common property the sewer line and there are various areas where they put it there as opposed to being in the street because that's where it is so if it were there would the house be required to connect is it available in other words does can Village Wastewater go across that property and bring it to your house they would have it in there they would it would be their resp it would be there on them to make that determination if they brought that pipe up to your property then it would and it's on the front side or rear which is going to be any side then you would be required to connect pursuant to the second section which is upon transfer and all that this none of that changes procedurally though you have moved have you made a formal motion to amend I haven't made a motion no the discussion was still good okay well because he's getting ready to go to the next item so if you don't want to amend it got a problem with this with this ordinance and I was hoping that Mr honcho after last work session would propose an amendment requiring a some type of a grace period If a person had just installed a new septic system with that over that time period might be two years one year five years whatever it might be but a grace period if a person has a has just installed a new septic system that is working perfectly that I don't think it's um don't think it's fair right to for that person to have to spend another 10 grand to hook on to the sewer system whenever they again they just got through at that expense I I I mean your point may still stand I want to make sure you understood that this only applies the old ordinance and the new one only applies upon sale of the house yeah I mean so what would be the difference I mean somebody's got to pay somebody just paid 10 grand to get an inceptive system put in now they've got to pay another 10 grand to hook onto the sewer system as I said there should be a grace period there sometime that could be another proposed amendment to the ordinance it doesn't have wouldn't have to be in conjunction with this proposal here so as I said I was hoping maybe Mr Archer would propose it by me that's I was going to address this in the next work session just realizing that this is some second reading the information that we got you know just a couple minutes ago that that puts my mind at ease about some things but yes since I was I'm still trying to navigate through that Amendment and I will be discussing that at the next work session good I don't want to interrupt but also need to be heard on this really what you're talking about is the timing of when it's required that really needs to be a separate ordinance from this one all this talks about is the location where it has to be when you're required there's another section of the code which isn't implicated in this at all it's not in the title or anything which talks about timing if you want to talk about timing we can talk about timing and Grace periods and all that that's perfectly fine we just need to have another really another proposed ordinance in addition to this one to talk about on that issue it shouldn't be separate the way we've done it well I'd like to make a motion to approve an amendment as written so it was motion by Fowler a second by Mr Hansel that's on the motion to amend pursue it too okay okay roll call vote council members snow Hughes yes Wilms Fowler Hansel a motion to man passes five to zero so we can go to third reading next month okay uh next ordinance is uh letter B amending the Bella Vista zoning ordinance and map to rezone property described in rezonium petition number 2023-48211 County parcel number 16-40236-000 from P1 Conservation District is C1 neighborhood commercial District and the staff does request uh third and final rating would you like to have Taylor Robertson address this sure it's like it's loud [Music] staff is recommending approval of this request though staff will note that so what was the issue I didn't go back and listen to the Planning Commission meeting addresses so what was the issue in not passing it the first time um you mean why the recommendation failed not but recommending to forward the city council um I'm not sure and I don't really feel comfortable speaking for the Planning Commission why several members voted against the recommendation or not hard to speak from their heads you know but uh is this one of those things staff still recommends approval whereas you know the planning commission's recommendations failed you can consider one or the other of our recommendations but based on the maps and Analysis that we've provided in our analysis uh here in the packet but like I said I don't feel comfortable speaking for the Planning Commission on why they voted the way they did their campsites are not a permitted P1 either yeah that was a discussion that was held um about basically the reason I would not fix the existing use however that's not what staff looks at whenever we're making recommendations we're looking at what could go there what the future land use says but that was a discussion that was held that basically if we did redone this it would not make the RV park a Buy Right Use yeah early in the year I may be interested in last year we approved the parcel to the east right correct and that has a C1 use right yeah so we will have C1 on the East and then P1 on the west west side of the blowing Springs Park I kind of look at it as all one piece of property I know it's not officially but um I was just looking through you know C1 per minute uses and we've got commercial recreation parks short-term rental right uh uh there's not a restaurant there because the Gary Gardens behind it lodging but we have the uh China cabinets structures Department the tiny cabins so know that we really likelihood of that news changing in the future is probably minimal at best or it's going to be used as some way shape or form in the same manner so I'm not in my mind I'm not really sure why it was turned down and I know you can't get in the heads of the people that are on the Planning Commission but certainly in the camp of approval of this result well the only thing I want to point out was the it's consistent with the 2040 plan also that should be so important to that but I think the thing to recognize that needs to go into the record is that it currently has issues that are legal medical forming with the rezone to C1 it will continue to have uses that are legal non-conforming for the record and those uses would include the camping sites the cabins in the RV park because none of those uses are included as an approved use in C1 District and they're there today they will continue to be there but the C1 is to correct and allow other things on the site to dealt with other than C1 zoning umbrella okay that's dewy noted but if it's my understanding that if there are any important improvements that want to be made into current structures or additional structures that are put in play you know that could benefit that area you know in the future then they would be restricted from doing that correct essentially yeah they're having a hard time even acting as a commercial entity zoning wise because they are zoned as P1 so even pulling sign permits are difficult because there's not supposed to be signs in the P1 zone so even though there's a legal non-conforming use of commercial use there because it sound is P1 for new signs or permanent signs or anything that's small like that it's prohibited so this would get the overall use of just a commercial entity more in play with what's happening on that land right now [Music] so emotion will be to suspend the rules and go to third and final reading that would be my that would be my motion okay that's motion by Mr Wilms second by Mr Hansel Ropo [Music] council member panchal Fowler yes Wilms yes Hughes yes snow Ocean passes five to zero I will go ahead and read it for third and final amending the bellavista zoning ordinance and map to rezone property described in rezoning petition number 2023-48211 County personal number 16-40236-000 from P1 Conservation District to C1 neighborhood commercial District I got a question I'm not sure that uh that Taylor can answer but I see some some social media from people in the neighborhood neighbors around that area that are concerned about that area becoming over commercialized I know that there is such a an answer to that particular questioning but what what happened I mean how many courage on what would happen there that would increase the commercial presence um so regarding like future development if there were anything in the plans that would be more of a POA question but from a zoning perspective I can tell you that C1 has Balkan area requirements and basically restrictions that only so much of the lot can be developed and so much of the lot has to remain as green space and only so much of the lot can have parking on it so we have Protections in place for lots to be over developed for C1 but regarding if there's any future development plans that would be for the property owner what would be allowed over commercialization or in the increase of the commercial availability of that particular area like what would be a if you could think of something what would be allowed there then I think that would depend on who you're talking to you well we could look at our handy dandy and the C1 Zone If This Were to be correct or were to be rezoned I mean you have your use chart there the permit didn't require a c i mean it just depends because also you don't we do want to look at the table of uses but also the suitability of development of the law as well there is some flood playing in this area so that requires additional restrictions that they would have to go through when they're considering what they put on this lot um the setbacks and like I mentioned Balkan area sixty percent has to be remained and developed 40 has to stay as Green Space all of those things have to be worked into whatever development plan they are so there's so many items at play to answer that question it's really difficult but um regarding like what would be allowed If This Were to be successful the used chart would be the best item to look at a water slide um well Waters I would count water slide is playground equipment so playground equipment oh yeah I'm just thinking if you lived in that neighborhood what would be what would be happening down there that would cause you to be concerned about the activities there yeah that would be I just depend on who's living next to them what what concerns them and what doesn't concern them knowledge a water slide okay well yeah I mean that would just be uh that would be a park really in parks are allowed by right in all zones so yeah that would be that could pop up anywhere I guess I suppose but I like to make a motion to approve it's motion by Mr Fowler a second by Mr Hansel a roll call vote council member Hughes no council member snow council member Wilms yes council member Fowler yes council member honchal the mayor yes some motion passes four to two [Music] next one is uh letter C ordinance amending the Bell Events the zoning ordinance and map to rezone property described in rezoning petition number 2023-48614 County personal number 16-18692-000 from P1 Conservation District to C1 neighborhood commercial District and there's another one staff request third and final reading this has to do with the Lakes the ecology Lab at 410 East Lancashire you need discussion all right second that was Mr Fowler and Ms Hughes a roll call vote to move the third final council member Fowler yes council member Wilms yes Hughes yes hanshaw yes snow motion carried five to zero is there discussion move to approve that was Mr Wilms and second by Mr Hansel rosalvo council member Fowler yes Wilms yes snow yes hanshaw yes Hughes yes motion carried five to zero [Music] uh Jason I I don't believe I read that a third time uh you probably don't think you did I think we need to I think you I'm glad you caught that because I didn't hear that okay so um uh go ahead and read it a third time hang on I I think you can go ahead and read it a third time I think that vote we just had is probably void is out of order okay yeah so go ahead and read it a third time the vote to go to the third and final is okay okay I'm reading it for a third time amending the Bell vest is only an ordinance and map to read Zone properties it's described and resorting position number 2023-48614 Connie parcel number 16-18692-000 from B1 Conservation District to C1 neighborhoods commercial District so that's the third reading now we need to promotion in a second we'll make the motion again okay there's motion by Mr Williams second by Mr Hansel council member Wilms Hughes yes yes snow Fowler yes Hansel Gary five zero I'm glad nobody changed their vote in the interim okay next one is letter d coordinates uh amending velvets disowned in ordinance and map to rezone property described in resulting petition number 2023-48701 County parcel number 16-40211-002 from R1 residential single family District to C1 neighborhood commercial District and I believe this is uh Huntley Drive the POA wider any discussion we had an issue at the work session about the labeling of the parcel number do we get a clarification on that plot that was included with the handouts shows the parcel that we're rezoning to be zero zero zero not zero zero two we've never straightened out if you recall if you recall them if you recall on that one there had been a lot split after that drawing if this is that one and and so the numbers the numbers you have are correct so the drawing of the package is not the most current drawing of the land I'm not talking about drawings I'm talking about Parcels numbers that was pre are correct zero zero two what you have in front of you is correct okay zero zero two yes it's correctly okay I'd like to make a motion to spin the rules [Music] that was Mr Fowler and miss Michelle roll call vote is the vote to move the third and final to suspend the rules and move to third and final council members snow yes Hughes yes Honcho Fowler yes Wilms yes motion carried five to zero three three times a man in belvis it's only Learners and map to rezone property describing resulting petition never 2023-48701 County parcel number 16-40211-002 from R1 residential single-family District to C1 neighborhood commercial District hello roll call vote council member Hughes yes honcho yes Fowler snow Wilms yes motion carry five to zero next one is letter e amended his own in ordinance and may have to rezone property described in rezoning petition number [Music] 2023-48641 County personal number 16-72511-001 from P1 Conservation District to C1 neighborhood commercial District and staff requests third and final reading and this is 504 Glasgow which is Highlands Golf maintenance oh why are these guys I've got a question on that one I think this one here is is one of those Parcels that includes some of the golf courses that create any conditions down the road at some of the golf courses don't see one and opposed to whatever the golf course has done no golf courses are commercial use controlled commercial use so zoning lies use wise it would just be in more consistent with the zoning code so the golf course land itself is at its own currently all sets is P1 conservation it wouldn't create an issue for anything [Music] planning staff doesn't see any issues because it will be a pre-existing well yeah that didn't want it to be a legal non-conforming situation so good equation yes sir um this is I think we kind of covered this a bit at the work session but on every one of these final meeting why what is your reason well typically if not very many questions are asked we'll ask for a third and final because we went over the process of the rezone at the work session these have been with us since May I mean March of 20 March 22nd I believe so it's not a short process and that was kind of what we discussed last time about the basic or traditional life of a reason request but if there's typically no discussion or any public comment received between the public hearing and the first reading staff will typically request a third and final there's not really any discussion or questions asked that's typically what makes me request to the mayor for third and final is if there's no discussion or questions but uh the area of the people around the particular area that are notified by a certified letter they are no there are four ways actually we notify the public for a rezone one being the website that's over two weeks before the public hearing uh certified mail that's two weeks before the public hearing um the legal ad in the weekly Vista two and a half weeks before the public hearing and then a big giant red sign on the property 10 days before the public hearing so we notify everyone immediately around it 200 feet around at the entire city via the website and the legal ad so we notify everyone as as possible as much as we can a couple of these there were some emails from the statements that we're concerned about the reasoning so in that particular situation you still answer third and final one those comments that are included in the packet are comments we get for the Planning Commission so those are for the public hearing that that was held with the Planning Commission earlier this month my second who's in third final correct okay it's a motion by Mr Hansel and II by Mr Fowler roll call vote council member Fowler Wilms Hughes snow honshaw yes motion carry five to zero uh let me read it again men in the Bella Vista zonian ordinance and map to rezone property described in Arizona petition number 2023-48641 County personal number 16-72511-001 from P1 Conservation District to C1 neighborhood commercial District any more discussion move to approve second that was Mr Wilms and Mr Fowler roll call vote council member snow Hughes yes Wilms Fowler yes honcho yes motion carrying five to zero next one is letter F amending the Bella Vista zoning ordinance and map to rezone property described in rezonian petition number 2023-48404 County personal number 16-72491-001 from P1 Conservation District is C1 neighborhood commercial District and this area covers the Highlands Golf Club staff requests moving the third final rating it is just suspend the rules and move the third and final yeah right I make a motion okay that was Mr Fowler and Mr Hansel roll call vote counts go ahead council member honchal yes snow yes cues yes Wilms Fowler yes yes motion carried five zero all I rated for the third time men in the Melvis disowning ordinance and math to rezone property described in rezoning petition number 2023-48404 County personal number 16-72491-001 from P1 Conservation District to C1 neighborhood commercial District any further discussion motion to improved second it was Mr Hunter and Mr Wilms uh roll call Hope council member Wilms Hughes snow Fowler Honcho motion carrying five to zero next one is letter G ordinance amending belvis to zoning ordinance and map to rezone property described in resorting petition number 2023-48664 County parcel number 16-70204-000 from P1 Conservation District to C1 neighborhood commercial district and this is the Scottsdale maintenance and staff requests move the third and final is there any discussion make emotions for the rules mood third final that was Mr Fowler and Mr Wilms roll call both council member Hughes honsho Fowler Wilms snow yes motion carried five to zero I'll read it for the third time mending the Bella Vista zoning ordinance and map to result property described in rezoning petition number 2023-48664. Connie parcel number 16-70204-000 from P1 Conservation District to C1 neighborhood commercial District any discussion second that was Mr Wilms and Mr Fowler a roll call vote to approve council member Fowler snow honshaw yes Hughes Wilms motion carried five to zero next one is an H ordinance amending the Bella Vista zoning in order to map the rezone property described in red zoning petition number 2023-48673 County personal number 16-21108-000 from P1 Conservation District to ro residential office District and this is the area that used to be the field water storage I believe the water tank has been removed Taylor could you give us a little background of why we're going to ro of the applicant had requested um a original rezone request of C1 neighborhood commercial however Balkan area requirements require that C1 be a minimum of one acre and due to setbacks and items like that staff normally isn't comfortable recommending approval of a zone that is basically too large for the lot that itself because that could mean that the suitability for development later on setbacks and things like that maybe more difficult to develop so staff requested a modification to ro residential office due to the small size of this lot and it meets the bulk and reg requirements for an RO so staff felt more comfortable with that request and Planning Commission modified their recommendation to you guys to ro from C1 okay is that what they're using for it now is that consistent with ro or maintenance would not be a resident so it would continue as a legal non-conforming use I'm just like it is right now in the P1 Zone yeah but it's probably still better than being VY yeah I mean they would be allowed to have signs or anything like that so I'd like to make a motion move third final that's Mr Fowler Mr Hansel uh roll call vote to move the third and final council member Hughes yes yes no yes handshaw yes Wilms Fowler motion carry five to zero I'll read it for third and final men and developments is only an ordinance and map to rezone property described and rezoning petition number 2023-48673 County parcel number 16-21108-000 from P1 Conservation District to ro residential office District any discussion promotion approved explosion by Mr Fowler second by Mr Hansel a motion to approve roll call vote council member hanshaw yes Fowler snow Hughes yes Wilms motion carry five zero all rated for third and final many developers is only an ordinance and map to rezone property described and rejoining petition number 2023-48673. oh we did that was the finals sir okay now we're on I amending various sections of the code of ordinances the city of Bella Vista to effectuate departmental restriction of planning building inspection and code enforcement functions declaring an emergency and for other purposes uh this was brought forward by me so I'll give you a little explanation um the this involves taking the three code enforcement officers from CPS and moving them to the police department and taking for uh inspection uh folks and moving them from CDs to the fire department and I had a little written explanation there I don't know some of the reasons why I don't know if you folks all had a chance to read that but um this is something actually was in the back of people's minds for a while and you know I've been on city council eight years we've had three different people over CES and um there's always been way more drama in CVS than any other department it's really the nature of the beast that's why I mentioned there's been three different people over it it's not people running it uh you know code enforcement just naturally has conflict because if you don't enforce it hard enough everybody on the streets mad at you if you do enforce it hard the guy who you just enforce it against is mad at you so somebody's always mad at you summer go enforcement and uh there's a couple cities Rogers and Jonesboro who have been to the police and uh uh in the pace of the fire it's way more common more and more cities are going for putting the inspectors into the fire department one of the problems I have in particular is you know in the private sector if you decide to do this you'd go ahead and do it and it would be done in a city in the public sector one of the problems you have is before this meeting you have to tax the place and the fire and the head of CDs and all the employees involved you have to talk to all those people you do it so now they're all in limbo so what I would like to do is pass it go to third and final and pass this and the reason council's involved is just because of the changes in the budget you know the money's a significant amount of money is moving from one Department to another and I I believe it's in the best interest it's City and I'm trying to do what's best with people and you know one of the other things that I mentioned in my little write-up it used to be that the city was doing Ken Herman's a year now they're doing six under so the CDs job is quite challenging the essence of the job it's quite challenging right now and I see things on the horizon in uh you know this commercial area and um also there's uh you know we've had a couple different hypotheticals come up where the CVS would be more involved in uh or somebody would be more involved I think it would be CDs and taking care of grounds and parks and things like that already on the greenway the Met field you know we have some responsibility for lawn mowing and things like that that we didn't have in effect so I see things going and and later on in the agenda there's something by the engineer and CVS so they're growing in a lot of different ways getting different responsibilities so I I just thought this was the best way to go with this so that was [Music] today could I uh interpose one thing there there is an amendment that I drafted that you have there in front of you this is because of a drafting error on my part okay so the we ended up changing something in here that I didn't intend to change in the draft that's in the packet and really what it is it's pretty simple the very last sentence in what you have we refer to volume one and two is the fire code and three is the building code it should be volume one is the fire code and two and three are the building code and so that's what this amendment does so I would request someone moved to it whether you end up adopting the wholesale change or not if you would at least adopt this amendment so we can get it correct for your final approval I would appreciate that because we need to fix this no matter what you do version that's been presented in a second sorry that was Mr Fowler and second by Mr Hansel a roll call vote on the amendment council members snow Hughes yes um Wilms yes Fowler yes honchal this is five to zero thank you for that Jason it's on page four page section three sub part D uncovering work I think there's some verbiage in there that doesn't make sense I'll read it it says uncovering work any installation or part thereof which is installed altered or repaired and which covered before being inspected shall be uncovered for inspection as required by the building official I think there should be a work to clarify that it's probably which was covered do you mean in which the cupboard is covered give me three minutes I need I need a little time to tell you hang on just a minute I would consider it to be a typing error yes all right so Mr Williams you're talking about in the draft which should be subsection d yeah okay well I can tell you that the current version says that and that's because it was copied and pasted from the current code I didn't change that part so the current D says uncovering work any installation or part thereof which is installed altered or repaired and which covered before being inspected shall be uncovered for inspection as required by the building official I think it says the way it's supposed to say if you covered it before it was inspected you're going to have to uncover it so it can be inspected well if you redid it to me it doesn't well I can tell you that that that's the current code we need to so I didn't change any of that these these changes in this ordinance are items in the code we needed to fix to account for the fact that these depart these people are going to be answering at different departments so they they're in different areas and so uh when I drafted this I took our current code change what needed to be changed and didn't touch the rest of it so it could be that we'd prefer some different things in various places but I didn't attempt to change that we needed I would suggest we look at that as a future change or potentially a modification it's not a typo it's the way it's written now it's not a typo it may not be worded the way you like well it's not a typo on your part from when it was originally yeah well I did that too so I you know that was just 12 years ago but I I don't think so I think if you you read it it says what it's supposed to say [Music] does any installation or part thereof which is installed altered or repaired and which covered before being inspected of the uncovered yes and which covered to me that doesn't make this grammatical I didn't change any of that from the current code I understand that yeah Justin maybe we fix it now so in the future would you change that later I don't think it needs to be changed I think it says what it needs to say but if you wanted to yeah we're getting in the weeds are deep yeah you can read right it's fine I kind of understand what you're saying but I don't think which cover I think it kind of yeah so anyway can we we can move along yeah all right we've got the amendment approved exactly all right move the third and final reading as a method so or not where are we now we just we just approved the amendment right yeah right right what he just paid one but I didn't know people wanted to discuss it more even more somebody could make a second and we can discuss it if you like you approved the amendment but that's it you are on debate on the first reading of this ordinance you have you have adopted an amendment it is now it is on first reading of this ordinance with where you are right now I do have something I'd like to say it after you know the movement uh yeah I mean this is a big change right it's a big change [Music] my wife and I were actually traveling whenever mayor called me and said I need you know you can do the meeting but I need to know a couple things before because I don't know if you've seen them yet and one of them was this and first I was surprised because I didn't know conversations were taking place uh because it's a big change and you know you kind of get used to things being done a certain way and it's being structured a certain way right so um yeah I had to think about it a little bit and I was still a little bit ambivalent about it but at the end of the day taking a step back and I'm not I'm not going down the path of saying I think this is the wrong thing to do at all uh where I'm going with this is uh Mr Flynn is the mayor and ultimately he's a CEO he's the boss of Bella Vista city government and we've been advised in the past that we thought that there were issues with employees in certain movements were made within the local city government those people answered in the mayor and we were advised really not to become involved in those conversations those were Personnel conversations and I think the departmental part is kind of like part of that Personnel so at the end of the day as much as I might be a little uncomfortable at least initially uh it's not my call it's a mayor's call and all we're being asked to do right now is approved um the changes in the budget you know to go from CDs to go to police to go to fire in order to support pay the employees as they move over that's really what we're being asked to do um we had the police chief here during the work session we had the fire chief here during the work session they had their opportunity to get up and speak and it feels like they're comfortable I've actually talked with Doug and I know that they've been having meetings internally trying to get everything organized my only concern would be at this time is are we really ready to go as long as the mayor feels that way that we are the policing feels that way RG feels that way then you know I don't know how I can oppose not approving movement moving the money around like we need to do within the budget and one of the reasons we're moving the money around the budget this week is because we're trying to make a clean break uh in June right yeah June 26th June the 26th uh basically halfway through the year it's kind of easy math so um having said that I I hope we're all ready to go and if there are some issues you know to work out because really the way I mean this moving people I think there were some Blurred Lines and responsibility between the CDs who are the inspectors and Fire and I think there were some blurred lines between code enforcement and the police there kind of were some shared things there responsibilities and I think over time I think those are going to be clarified as literally and I do think uh in the future and I'm not putting the timeline around anything I really don't know I do think we're going to be some see some development in the future it's going to be more than just residential I think it's going to become way at some point and this will help actually maybe lay some of the groundwork for us to be better prepared for that to happen because some of that does unfold there's going to be a big burden put on CDs you know you know trying to figure out is hard scale development things like that and I'm not making any comments I don't know anything trust me I don't have to see that those Stables you know whoever may be coming this way and maybe want to do something in the future but I think we all feel it's coming at some point so it'll help get us kind of maybe ahead of the curve a little bit so I haven't said all that uh I'm support of you know going ahead and moving forward comment if you're done my concern would be is is the language in in this draft ordinance talks about a building inspector the person in charge or inspection unit under this tap is titled the Chief Building official and while that's not in the state code per se it's a common common title for the position at the local level as an example of a chief building inspector is called the Chief Building official is its official title that makes in the king of the kill at the local level about you know commercial residential inspections and all of those things and I think that that same position applies to our current Chief Building Inspector Mr Fred Huddleston I think that's his title and I think it's important that you retain that title and functional control of that unit so I guess I would not want to see um Direction coming from the fire department per se other than as it might be aligned by code requirements to happen volume two and three is that mostly what they use because I know it's an international building code and some other things that's a part of that I don't know if that's under volume two and three or not to the fire code actually uh the fire chief and uh Fred Huddleston have met on that very point and because Fred was concerned that it you know it might be some work in a certain way yeah and and they come to a meeting of the mind so I that's a good point there's one we've been working through things like that but that was certainly one of the major ones so so they all feel good about where they're at I would say I just had a second okay I like to make a motion to suspend the rules was Mr Fowler Mr honchal yes right as amended roll call vote Council no council member snow Hughes Wilms Fowler honchal vote was five to zero I'll read it for the third time amended in various sections of the code of ordinance of the city of Bella Vista to effectuate departmental restructuring and planning building inspection and code enforcement functions declaring an emergency and for other purposes almost second that was Mr Wilms and Mr Fowler that was a motion to approve yeah motion to approve right so that's a separate people okay roll call vote council member hanshell Fowler yes Williams snow Hughes uh oh it was five to zero and uh that we did separate vote on the emergency class the motion the second to approve the emergency Clause right right and the effect of that is it becomes effective right away as opposed to what in 60 days or 90 days no it becomes effective June 20 it it comes due sooner than it normally would yeah that's why you have the emergency class not it wouldn't be immediate the terms of this emergency Clause make it effective the 26th of June okay thank you so am I making a proves emergency calls beneficial yes second that's Mr Hansel and Mr Fowler roll call vote council member honchal yes Fowler yes Hughes yes yes Wilms yes and snow a vote was five to zero so motion for the Emergency Clause passes thank you next one is uh item J resolution expressing the willingness of city of Bella Vista to utilize Federal Aid Service Transportation block grant program attributable Transportation Alternatives program and or carbon Reduction Program funds to assist with the construction of the mercy way Corridor improvements I don't know if you folks want MLA government to address this or you felt you talked about it enough in the work session she went over pretty thoroughly at the work session my only disappointment is we're not pursuing a shared cost of the additional increase from our consultant do I support the action okay yeah I I did notice that that works as you brought that up had to do with the extra 39 000 and I think you felt that it was that some of the engineers had culpability perhaps in the conflict and uh you know so I had a situation where it was 39 000 at stake and there was a pretty good chance somebody else was going to pay 80 percent of that so Mr Wilm suggested maybe we should pursue litigation on that and I didn't I didn't think that I appreciate anytime anybody brings up any ideas I didn't think that was prudent I will note that I spent 38 years as a corporate attorney decided when to sue people and when not to and defending lawsuits and deciding when to settle and when not to so I felt like I was well positioned that I make that decision but I I as I said I don't mind anybody by bringing up anything I think it's good to all his throw ideas out there so I don't criticize that at all I can make a motion to approve I do just have one question um is this going to go the pace that the typical path is in I guess my question may be uh is this going to delay or slow down anything in Florida completion no I don't know thank you a motion by Mr Fowler second by Mr Wilms motion to approve roll call vote honchal yes Fowler yes to know cues yes Wilms motion path uh five to zero uh next one is resolution amending the 2023 budget to facilitate repayments of short-term financing indebtedness related to the purchase of new fire truck and I believe this one brought forward by Kim Hall and uh the reason was that we had thought we were going to pay cash in the fire truck and decided to finance it so then that affects how much Capital expenditures you have this year that was something we voted on an earlier meeting yeah the the interest from the C NC covers the cost of the interest on them for all the money for the fire truck on the CD the car covers the last interest that we're going to pay for it yeah it's a little bit mind-bending to me to be honest you know normally if you ever look at interest rates you know mortgage rates or such and such and then the rates you earn on money is always less it's always been that way but whole life corporate wise individual wise whatever and they have something where the amount you're borrowing their interest rate your borrowing that is lower than what you're getting on investments is amazing yeah so we can hold on to our cash and put that that cash back into our unassigned funds yeah so but this resolution is just about changing the budget so it's their motion to approve that was Mr Wilms and Mr Hansel uh roll call vote council members snow Hughes yes Wilms Fowler yes Honcho you pass Five to zero next one is a resolution amending the 2023 budget the amount of forty one thousand dollars to authorize one additional part-time engineering position in community development services and to fund the position um this was a uh something that was brought forward by me it was discussed a lot last year and Peter Christie was very seriously considering getting an engineer and some of the people in CPS have been negated to me it's a little uncomfortable when they get things from the engineer stamp and now they're saying hey that's no good when they're not Engineers so I I feel like it's not the best situation but I saw a real analogy to what I did I was always an in-house attorney and you know one of the things that happens with corporations is you have legal questions come up and you have to go to an outside guy and you think oh he's gonna cost a lot of money so you just never ask the question a lot of times whereas if you have an inside guy say or girl you say hey I can go to this person it's like a sunk cost would you hire if I can ask them all the questions I want and and the person gets to know the business really well so it's a totally different kind of relationship and we've had a little struggles with the outside people our outside Engineers have done a great job but they're really busy they have a lot of business so sometimes you know we're asking something and take a week to get back and uh you know the builders they're screaming Wives has taken so long but you know it's just another delay in the process so to speak so I thought we'd dip our toe in the Water by having just a part-time engineer Plus I was worried about you know crafting to always telling us they were a short 20 engineers so I was really worried about our ability necessarily to hire a full-time one is being a pretty scarce resource so let's do bird Joe in the water dry one part time and I've begged over time that's gonna grow but that's what this proposals about so a discussion Jerry um right after the first of the year during the budget process I was in the budget previously for an engineer I asked about that and it was taken out because we didn't couldn't justify the expense that was in January and we're missed about five months five months from that and now then we're hiring so what was changed in five months that we couldn't justify then but we but we can now what what's changed oh I think well that's a good question well first of all the people in CDs have have believed in it all along and probably this point it was taken out but if you just look at the sheer number uh the serial number of the billing you could say hey wait a minute it's not all that high so why should we hire somebody in-house but there's all these well first of all I'm getting a part-time one which cuts down the cost quite a bit and there's all these intangible type of benefits I've mentioned that you know they get to know our business really well and they're more responsive people get to know and that kind of thing so uh yeah that's a good point it's been on the table like I said it was talked about last year and I don't feed her one thing about feeder was he kind of saw this coming that we needed it but on the other hand he thought hey it's in my my time here I don't think I should be rushing out there and hire an engineer if they let you know in the last couple months I'm in or whatever I think he thought hey I'll leave that for the next guy I'd figure that out so so it's 41 000 but there still was an expense Associated so it's not really a whole 41 000 we had money in the budget for uh what would you call that consultant or right budget I don't know how much that was so you don't say you have to subtract that from 41 000 that word we won't be spending that we would have been spending a little more maybe but it's not going to be a lot I guess the reservation that I have is that not knowing the coverage that is being sought in Infinity development services there are different licensure levels civil engineers or civil engineers but you get licensed in certain areas as a structural engineer that's a civil engineer they're a structural specialty so they have to have a structural designation in being licensed that way to review structures and structural aspects of the project as opposed to just being a civil engineer and there are other things that are specialty items that we may be depending upon our consultant to do now as an example reviewed survey aspects of the document of Platt or something like that I don't know if that's something that you do in-house here or you have technicians that do that or whether you pass that on to your consultant to look at plats and other things who does that for you that that is something that a civil engineer is not licensed for unless he's a licensed surveyor as well to scrutinize those documents so I I guess my question is are we really going to help ourselves by moving ahead with this and I know I know that I'm talking with Community Development Services that they're lacking in terms of being able to call someone on a timely basis and get a timely answer because it's an outside consultant sometimes at the end I've personally been in that capacity in prior Life as a consultant worked with Consultants when I was at the center to we had Consulting engineer but there were a number of people that we would call and asked to go down to the list of those John there is Charlie there is Sam there and depending on what we needed we could get the answers from one of those because they were working on projects in our community and so they were familiar with things that we had table so I'm not I'm not sure whether we're maximizing our use or maybe we're not demanding enough from our consultant today to get the best service out of them and you've got the wrong firm on board example so I'm not sure I think I think Garber has some good attributes across the across the platform of the consulting services for municipalities that other firms may not possess so I think we have a good choice we just may not have their attention or or have an arrangement with them where we can get more timely results so I guess it begs the question for me is what are we who are we going to hire here for this great um for a part-time experience if you're looking for someone that's retired they may or may not be receptive they may or may not have the skill sets haven't been in design and currently but they've been in a supervisory capacity tuned in to some of the current technology that's out there to do a fair review so there's a whole bunch of issues that you can raise questions about so I'm not I'm not in the administrative side of things so we'll rely upon you Mr Mayor to tell us whether this is the right way to go but I do have some real reservations that's going to improve our functionality and we'll be able to find someone that's going to actually be productive for us okay thank you Jerry do you have something yes um I I realize that it's your decision as to who you hire for this particular position but I think before we go further with it before we make any vote on it that we should at least be able to see qualifications are what the job description is before we budget well uh do we know if we're going to get someone from this rate well yeah human resources department did some study and we've determined this was the ineffective right here so but yeah I've been saying this believing like as I said it's a it's a tight market right but we can't go out and advertise and hire for somebody without your approval certainly we're gonna get somebody uh that CDs thinks can help them and they're going to be heavily involved in it but uh you know you made an interesting point really on that whole issue of it's a DNA it's a specialization and for instance in my case when I was an in-house attorney I did a lot of things but sometimes we still hired outside counsel can get into really specialized areas where you need that of course an engineer also can help you get the right person because they're way more knowledgeable about it than you are so I think it's a it's a good way forward but do I know how it's going to come out at any time no I don't it's a very tough market like I said engineering firms I'm sure it's a short it's uh we are living in a strange time of shortage of resources in many ways yeah we're gonna we're not getting police cars on the uh normal uh you know the safe process because you can't get them that way that's not normal it's never been like that and you know some of the fields are very tight and difficult to get people so the only thing I can actually you could put a job description together I'm not I'm not I'm not an expert in this field I have no experience right so you can put one together and I'm still not going to really know whether we're going to be a sourcing exactly to have to rely upon you going to uh to put the job description try to Source someone what I do know is we've been kicking around this idea of pioneering hiring an engineer for a long time and at some point you know if we're going to do that you need to take a step forward so I'm ready to take a step forward and let's go out and and do the search and do one unfolds you don't want services and hopefully you know it's going to be what we're looking for that's all I can say so I'm really forward with it I have a quick question this is my ignorance so if I'm going to answer to be great with city council do we typically get a job description in full before we approve hiring a new position is that under our purview or is that under like the hr's purview we say yes we accept this position you control the money if it's not unreasonable I mean I just said not that I wouldn't know any any difference if I saw that job description uh Mr Wells saying an engineer I'm sure he would have been put on it but uh I just think that it was before we approve the funding we should have an idea of what we're being what's being hired that given our financial situation I think asking for a part-time engineer for 41 000 frankly is a pretty modest request we've got to reserve at 18 million dollars in your agonizing about spending forty one thousand dollars come on you seem to be I'm not agonizing about spending 41 000 but if you spend 41 000 to hire an engineer they can't do what what we're supposed to have what needs to be done well then you got to turn around and go to the outside of the engineers too do support what well I agree with that there's three people sitting back there Doug tap and Glenda kelderman and Taylor Robertson and they all know way more about it than I do and I know they know way more about it than I do and I'm confident they're gonna hire somebody who can help us they're not going to hire somebody and say gee it turns out he doesn't know any of the things we needed he or she I mean come on go ahead are we seeking to save any money from our Consulting fees in in getting this person on board you know are we looking at all to save things there or are we looking to maybe utilize that Consulting service more efficiently by having this part-time position on board I I think you have sex I think you'll probably save some you'll probably have some of the other benefits uh you know that I mentioned yeah just to give you a simple example you know when I became mayor in January multiple people told me don't do a farmer's market anymore it's a huge mistake it's going to be a disaster will you go out there on Sunday morning now to see what's going on yeah we had two candidates and I was lucky I hired the right one you know and I'm gonna call it what it is it was lucky but I could have easily killed the farmer's market and I didn't and now I've spoken I mean you can't succeed if you don't try you know you can't uh if you don't go to the plate you're not going to get any hits it's live I'm gonna make a motion to improve a second it's Mr Fowler and Mr angel roll call vote council member Hans Shaw yes Fowler Wilms yes Hughes yes yes snow a motion passed four to one the next one is amending the 2023 budget to facilitate transfer of employees and funding between departments to implement departmental restructuring of code enforcement and building inspection duties and I believe uh Wanda sent out an attachment today and also handed it out I think at the meeting that the main thrust of the attachment that shows how many dollars are are going to CVS into or not to CVS to the police into the fire but but the total budget is the same it's just transferring around it's mostly Personnel a little bit of it as equipment you're moving the shelves around to have the same bottom line yeah and so so this will be your money transferred out of cbs's account into these are firearms respectively yeah and that's why we had to have a date and we picked that June 26th you know end of the day at the beginning of a pay period whatnot move to approve second that was Mr Wilms and Mr Fowler roll call Bob council members snow Hughes yes Wilms Fowler Honcho yes motion pass Five to zero a few announcements next city council work session is 5 30 P.M Monday June 19th Bella Vista district court next city council regular meeting 6 30 P.M Monday June 26th Planning Commission work session 4 30 p.m Thursday June 1. Planning Commission regular meeting 4 30 P.M Monday June 12th board and construction appeals 3 P.M Tuesday June 13 if necessary all those are Bella Vista District Court so unless there's anything else uh maybe it is adjourned thank you