BELLA VISTA CITY COUNCIL REGULAR MEETING

May 27, 2025 6:00 PM

Bella Vista District Court 2483 Forest Hills Boulevard, Bella Vista, AR 72715

MINUTES

Call to Order by Mayor Flynn at 6:00 pm.

Pledge of Allegiance recited.

Roll Call called by Clerk Krug. Council Members Harp, Hughes, Newport, Wilms, Isbell, and Honchell were present. Mayor Flynn was present.

Citizen Input
Gary Elbert, 17 Marykirk Ln. Gary came to speak on behalf of lake property homeowners in a subdivision affected by STRs. He reported that 3 out of 10 homes (30%) are STR business properties with little or no on-site supervision. These businesses disrupt his neighborhood with late-night parties, overflow parking, and no accountability. He believes that neighbors are losing their sense of community, which is based on relationships and shared responsibility. Gary made a request to the Council to strike a balance with these amendments: the cap of 600 reduced to 400 in BV, no more than 5% saturation of STRs in a subdivision to avoid clustering, increase annual application and renewal fee to $250 with fees funding enforcement staff and management, provide public notice with a 14-day comment period when a new permit application is made, and list STR addresses and violations on the city website for transparency.
Suzanne Saltz, 15 Marykirk Ln. Suzanne came to report on the changes in her neighborhood due to the rising number of STRs. Eleven years ago, when she moved here, there were no STRs in her neighborhood. Now 1/3 of her neighborhood homes are owned and operated by investors who run businesses for profit. She spoke about what happens when investors buy lakefront homes: fewer homes are available for families who want to live here, noise and trash increases with less accountability, and there is gradual erosion of what makes BV feel like a community. She believes the lakefront property is the crown jewel of Bella Vista and asked what the city of BV is doing to protect these communities as places to live, not just to rent. She believes that leaders truly committed to their constituents will put timely, balanced policies in place that put residents first.

Council Member Reply Council Member Honchell asked the citizens who spoke to email written copies of their comments to Council Members. He agreed with what they said, but would like to study their comments and suggestions for change. Council Member Hughes thanked Mr. Elbert and Ms. Saltz for coming and making suggestions to the Council. She, too, would appreciate emailed comments. Council Member Wilms mentioned some history and the lawsuit against Bella Vista regarding STRs. He elaborated on Arkansas state legislation proposed by legislators (some from NWA) that do not want municipal regulation of STRs that was narrowly defeated this past season. He encouraged citizens to voice their concerns at the state level, as well. He thanked them for coming out, and agreed with their comments. Council Member Newport thanked Mr. Elbert and Ms. Saltz and for sharing their experiences and well-researched suggestions. She appreciated hearing their ideas on what they see as solutions.

Reports

Monthly Financial Report: March 2025
Mayor John Flynn summarized the monthly report ending March 31, 2025. The report was included in the Agenda Packet. It has been consistent with past reports, and looks favorable. City sales tax was up 14.6% for the year and county sales tax was up 7.9%. Revenues in general were up 9.4%. Operating expenses for March were $807,000 below budget. That nearly wiped out the deficit. There were also several vacancies, which meant lower expenses. He voiced appreciation to the department heads for working so hard to stay within budget.

(The Chair will entertain a motion to suspend the rules of order and procedure to allow all ordinances on the agenda to be read by title only.) *Council Member Wilms made a motion to approve, seconded by Council Member Harp.* ***Roll Call Vote: (Ayes: 6/Nays: 0) Passed 6-0.***

Consent Agenda *Council Member Wilms made a request to remove Resolution C. from the Consent Agenda. Mayor Flynn announced that since it takes only one Council Member request, the item would be removed. Mayor Flynn asked for a motion to approve the Consent Agenda. Council Member Hughes made a motion to approve, seconded by Council Member Isbell.* ***Roll Call Vote: (Ayes: 6/Nays: 0) Passed 6-0.***

Approval of Minutes: City Council Regular Meeting, April 28, 2025

RESOLUTION: APPROVING THE MAYOR'S APPOINTMENT OF ANNA AYALA TO THE BELLA VISTA LIBRARY ADVISORY BOARD TO COMPLETE AN UNEXPIRED TERM ENDING DECEMBER 31, 2025, DUE TO A VACANCY

RESOLUTION: APPROVING THE MAYOR'S APPOINTMENT OF ELISSA BLABAC TO THE BELLA VISTA LIBRARY ADVISORY BOARD TO COMPLETE AN UNEXPIRED TERM ENDING DECEMBER 31, 2027, DUE TO A VACANCY

RESOLUTION: APPROVING THE MAYOR'S APPOINTMENT OF CHERRI RODRIGUEZ TO THE BELLA VISTA LIBRARY ADVISORY BOARD TO COMPLETE AN UNEXPIRED TERM ENDING DECEMBER 31, 2027, DUE TO A VACANCY

RESOLUTION: APPROVING THE MAYOR'S APPOINTMENT OF SUSAN VISSER SAEZ TO THE BELLA VISTA LIBRARY ADVISORY BOARD TO COMPLETE AN UNEXPIRED TERM ENDING DECEMBER 31, 2028, DUE TO A VACANCY

RESOLUTION: APPROVING THE MAYOR'S APPOINTMENT OF KRISTIN SLAWINSKI TO THE BELLA VISTA LIBRARY ADVISORY BOARD TO COMPLETE AN UNEXPIRED TERM ENDING DECEMBER 31, 2028, DUE TO A VACANCY

RESOLUTION: APPROVING THE MAYOR'S APPOINTMENT OF PARKER STOHLTON TO THE BELLA VISTA LIBRARY ADVISORY BOARD TO COMPLETE AN UNEXPIRED TERM ENDING DECEMBER 31, 2028, DUE TO A VACANCY

Unfinished Business

New Business

RESOLUTION: AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A THREE-YEAR LEASE CONTRACT WITH STRONGHOLD DATA, LLC, IN AN AMOUNT NOT TO EXCEED $31,269.46, FOR THE LEASE OF DELL COMPUTERS AND ASSOCIATED EQUIPMENT *Mayor Flynn read the Resolution. Council Member Wilms pointed out that within Section 11 of the contract there was a paragraph regarding a penalty for the hiring of one of their workers that had not resigned from employment prior to engagement with our city. He wanted to make sure our Council members were aware of this penalty. The second item was in Section 12, which was explained in detail by Staff Attorney Kelley. Council Member Wilms made a motion to approve the resolution, seconded by Council Member Hughes.* ***Roll Call Vote: (Ayes: 6/Nays: 0) Passed: 6-0.***

ORDINANCE: AMENDING SECTION 16-30 TEMPORARY PORTABLE STORAGE CONTAINERS OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO ALLOW PERMIT FEES TO BE ADOPTED BY RESOLUTION OF THE CITY COUNCIL, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES *Mayor Flynn read the first ordinance under New Business. Mayor Flynn asked if Planning Director Taylor Robertson would come up to comment. Director Robertson clarified several items following discussions during the Work Session. She reiterated that approving this ordinance would not set a fee, and only the Council can set a fee in the future, by resolution, if they so decide. She clarified that the new Act 591 will go into effect in early August. One requirement of that Act is that the City has one master schedule of fees to represent the City. This ordinance is a clean-up which will make it easier for the Council to comply with the new state law. Council Member Wilms asked if there are any regulations on temporary storage containers at present. Director Robertson responded that there is an ordinance stating that one must acquire a permit which is free. The new change is that this regulation will be created by resolution instead of ordinance. The emergency clause is because the City needs to comply with state law by August 5th. It is easier to have one tool or path (resolution), in order to create a master plan. Staff Attorney Kelley reiterated the necessity to pass this resolution with an emergency clause, in order to comply with state law.*

Council Member Harp stated why he was opposed to this resolution. He *offered his critique of Director Robertson's explanations, saying he found them to be misleading. He said he doesn't support fees for those in difficult circumstances or emergencies, or for new residents, and that he doesn't think there should be a fee. He said if he could vote no twice against this resolution, he would. Council Member Hughes asked for clarification that passing this resolution is not to set a fee, but the Council has the ability to set a fee in the future should they so desire. This is purely changing an ordinance to a resolution. Director Robertson affirmed this as correct, no fee was set by this resolution. Council Member Harp interrupted by saying that he thinks the intent is to set a fee. Council Member Isbell stated that she doesn't think the intent is to set a fee, adding that if a fee is desired, it is up to the Council to set the fee. Council Member Wilms, in response to Council Member Harp's comment on residents in emergency situations, said that the City has the ability to reduce or waive that fee should a true emergency exist. He also asked about moving pods, and if there is a fee from the City for those to sit on the property. Director Robertson said there is no differentiation regarding the type of container. A free permit is required in all residential areas in Bella Vista for any portable storage units. Council Member Honchell addressed the Mayor, who acknowledged him, and said the Council should not demonize Director Robertson. He stated this is a requirement by the state with a deadline of August 5, and Director Robertson was trying to help the city streamline approval. With that being said, he made a motion to approve the ordinance, seconded by Council Member Hughes. Staff Attorney Kelley said it was inappropriate because the ordinance was on first reading. Council Member Hughes made a motion to suspend the rules and waive three readings, seconded by Council Member Honchell.* ***Roll Call Vote: (Ayes: 4/Nays: 2 Harp, Wilms) Passed 4-2.*** *The motion to adopt the ordinance was made by Council Member Honchell, seconded by Council Member Hughes.* ***Roll Call Vote: (Ayes: 4/Nays: Harp, Wilms) Passed: 4-2.*** *The Mayor requested a motion on the Emergency Clause. Council Member Newport made a motion, seconded by Council Member Isbell.* ***Roll Call Vote: (Ayes: 4/Nays: Harp, Wilms) Passed: 4-2.***

RESOLUTION: AMENDING THE 2025 CITY BUDGET TO APPROPRIATE AVAILABLE RESERVE FUNDS IN THE AMOUNT OF $38,500.00 TO FUND AN IMPACT FEE STUDY *Mayor Flynn read the resolution. He explained that our city has a history with this company, having used their services in the past. He responded to questions from the Council regarding what would be included in the study. He explained that Tischler-Bise studies the situation in such a way that it will bullet-proof the city from litigation. Council Member Wilms brought up the subject of approved expenditures for the 2025 budget. He was concerned that reserve funds would be used for this study. Council Member Newport made a motion to approve, seconded by*

Council Member Wilms. ***Roll Call Vote: (Ayes: 6/Nays: 0) Passed: 6-0.***

Announcements

- Next City Council Work Session: 5:30 pm Monday, June 16, at Bella Vista Police Training Room
- Next City Council Regular Meeting: 6:00 pm Monday, June 23, at Bella Vista District Court
- Planning Commission Work Session: 4:30 pm Thursday, May 29, at Bella Vista District Court
- Planning Commission Regular Meeting: 4:30 pm, or immediately following BZA, Monday, June 9, at Bella Vista District Court
- Board of Construction Appeals: 3:00 pm Tuesday, June 10, if necessary, at Fire Station #4 Conference Rm, 1639 Forest Hills Blvd.

Council Member Isbell made a request to recognize the presence of the new Library Board members at the meeting and thanked them for coming. Mayor Flynn stated his appreciation, as well.

Adjournment Mayor Flynn adjourned the meeting at 6:41 pm.

Wanda Lepillez Krug

City Clerk Wanda Lepillez Krug

John D Flynn

Mayor John D. Flynn

CITY CLERK
BELLA VISTA
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ARKANSAS