Bella Vista City Council
Work Session Meeting Agenda

Date/Time: October 20, 2025
5:30 PM

Location: Bella Vista District Court
2483 Forest Hills Boulevard

City Council and Planning Commission regular meetings are live streamed and archived for your convenience. View the meeting at its scheduled time or after at https://bit.ly/bvmeetingslive.

Mayor:
John D. Flynn

City Clerk:
Wanda Lepillez Krug

Council Members:
Ward 1, Position 1 - Travis Harp
Ward 1, Position 2 - Wendy Hughes
Ward 2, Position 1 - Shea Newport
Ward 2, Position 2 - Larry Wilms
Ward 3, Position 1 - Anna Isbell
Ward 3, Position 2 - Craig Honchell

I. Call to Order

This meeting has been given public notice in accordance with Section 25-19-106 of the Arkansas Freedom of Information Act in such form that will apprise the public and news media of subject matter presented for consideration and action.

II. Review of Minutes

A. September 22, 2025, City Council Regular Meeting

III. Unfinished Business

B. **ORDINANCE:** ESTABLISHING A BUSINESS LICENSE REQUIREMENT FOR QUALIFYING BUSINESSES OPERATING WITHIN THE CITY, PROVIDING FOR CLASSES AND EXEMPTIONS, REQUIRING ANNUAL RENEWAL, ESTABLISHING FEES, PROVIDING PENALTIES FOR VIOLATIONS, AND FOR OTHER PURPOSES *Third Reading*

C. **RESOLUTION:** ESTABLISHING RESPECTIVE COST SHARING OF HEALTH BENEFITS BETWEEN THE CITY OF BELLA VISTA AND CERTAIN POLICE DEPARTMENT AND FIRE DEPARTMENT RETIREES AND THEIR DEPENDENTS *Tabled until October*

IV. New Business

See meeting packet for complete ordinances and resolutions.

D. **ORDINANCE**: WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP IN A TOTAL AMOUNT NOT TO EXCEED $128,314.00 FOR THE PURCHASE OF TWO (2) 2025 FORD F-250 TRUCKS FOR USE BY THE POLICE DEPARTMENT

E. **ORDINANCE**: AMENDING THE BELLA VISTA ZONING ORDINANCE AND MAP TO REZONE PROPERTY DESCRIBED IN REZONING PETITION NO. 2025-59940 (COUNTY PARCEL NO. 16-43269-000) FROM R-E, RESIDENTIAL ESTATE DISTRICT TO C-2, LOCAL COMMERCIAL

F. **RESOLUTION:** ESTABLISHING A HEALTH INSURANCE PREMIUM CREDIT FOR ELIGIBLE POLICE AND FIRE DEPARTMENT RETIREES AND THEIR DEPENDENTS, BASED UPON A RULE OF 85 ELIGIBILITY STANDARD

V. Discussion Items

G. Tabling Indefinitely: Council Member Harp

H. 2026 Budget Draft in process: Finance Director Hall (draft sent to Council under separate cover)

I. Proposed Amendments Chapter 109: Council Member Wilms

VI. Adjournment

SPECIAL NOTICES TO THE PUBLIC: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. To request this service, contact City Clerk prior to each meeting at 479-876-1255.

BELLA VISTA CITY COUNCIL REGULAR MEETING

September 22, 2025 6:00 PM

Bella Vista District Court 2483 Forest Hills Boulevard

MINUTES

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

Pledge of Allegiance recited.

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

Mayor Flynn called for a motion to suspend the rules and change the order of the meeting for the Childhood Cancer Week Awareness special presentation. Council Member Wilms made a motion to suspend the rules, seconded by Council Member Honchell. ***Roll Call Vot**e*: ***(Ayes: 5/Nays: 0) Passed 5-0.***

Mayor Flynn read the Childhood Cancer Awareness Week Proclamation and presented it to Representatives Dori Maddry, MacKenzie Maddry, and Heather High. Dory thanked Mayor Flynn and the City of Bella Vista for the support they have shown to the families of BV children with cancer, specifically noting this past year of support for Elijah and the High family. She presented a Gold Bow from the Childhood Cancer families to the City of Bella Vista, inscribed with 6 names of children currently fighting or recently succumbing to cancer: MacKenzie, Elijah, Joplin, Sawyer, Harrison, and Rowyn. The bow will be displayed this month at City Hall.

Mayor Flynn read one more proclamation for SepticSmart Week to highlight the week of September 15-19, 2025, in the City of Bella Vista.

Citizen Input Mayor Flynn explained the 3-minute rule for Citizen Input and read the name of each person on the list, in turn.

Brandon Kelley, 1 Henrietta Ln. He explained the day-to-day operations of Discover Bella Vista and the A&P. He listed all the things they have done since the Work Session last week, including: ran three full-size commercials promoting short-term rentals as an alternative to hotels generating 3,311 landing page views; partnered with Pink Bike to prepare for their arrival; received tear sheets from 3 magazines with full page ads in Bike Arkansas, Arkansas Wild, another travel guide; partnered with America Venture Race Association; partnered with Lifetime Fitness to develop the Lifetime Genius Shake-out Guide; partnered with the Ride Series to create a follow-up video on BV's guide to Little Sugar Creek. The timer cut off his comments.

Allson Nation, 17 Thirsk Ln. She is a 7-year resident of BV who came to share her love of Bella Vista, and her expertise as Chief Marketing Officer of *Visit Bentonville*. She works daily with tourism marketing and A&P Commissions across

the region and explained two main points. 1. The A&P is a pass-through tax paid by customers: 2% on lodging and 1% on prepared food. The A&P provides free marketing services that individual businesses often can't afford on their own, with potential national and international reach. 2. In 2024, tourism regionally had a 17.4 billion dollar impact on the state of Arkansas. By abolishing the Commission, Bella Vista forfeits its seat at the table in state and regional tourism initiatives, ultimately undermining the ability to position itself competitively. She brought a hand-out, "The Community Vitality Wheel", to pass out to Council Members.

Garrett Hubbard, Dolphin Circle. He told a captivating story of his young family who lived in Washington D.C. and ended up in Bella Vista after seeing marketing for northwest Arkansas, a state they never dreamed they would live in. Today, after leaving his journalism career, he is doing storytelling of his own with organizations like Nike, Google, Arkansas State Tourism, State Parks, and the University of Arkansas to help them tell real stories about people affected by their mission or brand. He produced video stories with *Discover Bella Vista.* One of these videos has over 400,000 views, and it's a 17-minute video. He is perplexed about why anyone would want to abolish the A&P.

Mike Maloney, 448 W. Walus, Cave Springs. He is the Chair of the NWA Tourism Association and Director of Tourism for the City of Eureka Springs. He stated one of the strongest assets that Bella Vista has earned with the NWA Tourism Assoc. is its membership. The Assoc. is made up of Benton, Washington, Carroll, and Madison counties. He noted that agriculture is the number one industry in Arkansas, and tourism is second due to the number of jobs it creates and visitors it brings to the state. He said under Gov. Sanders, the current goal is to double tourism in the next ten years. That means more jobs, more opportunities for people to become part of the community, and it will raise the sales tax numbers. Bella Vista benefits with money that comes from the state of Arkansas to promote tourism, but would lose that money if it backs out. He referenced a time when Colorado eliminated the A&P Tax in the mid-2000s, the state lost over $1 billion. In the second year, it lost another $1 billion, and they had to bring the tax back. He urges the Council to take a hard look, and to vote in favor of keeping the A&P Commission.

Shawn Mills, 17 Dumfries Ln. He came to speak about the growth in his neighborhood of 3 new homes, specifically in his Lane (circle) and the severe impact upon the roads. He was disappointed by the contractors' lack of care in the neighborhood, and the builder's desire to build and make money quickly and move on. He spoke with the Street Department, and they found a solution for storm water drainage and erosion. Although they addressed the problems, one big rain washed them out. The City's responsibility ends at the end of the culvert, and then it becomes a neighborhood problem, and that's why he came to speak. He doesn't want a neighborhood problem, he wants the contractor to do his job and fix the problem. He doesn't understand how

anyone could issue his CO, and allow that drainage. He urged the Council to do anything possible to manage this construction growth responsibly.
Sarah Drew, 1108 NE 2nd St., Bentonville. She came to speak in favor of the A&P Commission, as Director of Operations for Women of Oz and co-owner of the Rides series. She, along with her family, has been creating content on the Oz Trails for years, helping people build their vacations, choose where to stay, where to ride the trails, and what food to eat. She read an email from a recent visitor who had seen one of their videos on YouTube, which had received 10,000 views. This was just one example of people discovering Bella Vista, and choosing to bring their families here because of the work that Discover Bella Vista, the A&P, and many other storytellers are doing. She urges the Council to vote in favor of the A&P Commission.
Rich Drew, 1108 NE 2nd St., Bentonville. He is one of the professionals Alison spoke about, and his job is to tell stories passionately, to convey to people why they need to come, visit places, and ride mountain bikes. According to data he has access to, the number of A&Ps they assist around the country is on an uptick. He noted that Brandon's production and direction of key messaging at the A&P Commission addresses what people need to hear and means that Bella Vista can stand out when people choose where to ride their mountain bikes and spend their money.
Greg Menefee, 24 Sidebottom Ln and 3 Pennine Cir. He is an officer with a large financial institution, and his family relocated here from Dallas, Texas. He told the story of how they used to vacation in Colorado in beautiful mountain resort towns, and one day discovered Bella Vista on Facebook. After visiting time and time again, they decided to buy a vacation home for the family. After enjoying a summer here with bike training for the kids with Rich Drew, they made the leap to moving to Bella Vista permanently. He said they discovered a "crown jewel" here, and he can't stop selling BV to clients and friends. Discover Bella Vista website is where he directs them as a landing page to get started, and he can't imagine it going away.
Dex Drew, 1108 NE 2nd St., Bentonville. He is the son of Rich and Sarah Drew. He came to share that he has been in some awesome videos for advertising Bella Vista, which have given him an opportunity to see places in the area that are likely hidden to many people. He knows that these videos give people new ideas about what they can do in Bella Vista, and help many people plan vacations and even move here. He supports keeping the A&P Commission.
Randy Fischer, 41 Uintyre Ln. He has lived here for the last 5 years and came to speak about the rapid growth of Bella Vista. He has been in construction his whole life and has done it all; land development, housing, everything. After going through the unique Bella Vista process to build a garage on his second lot, he has some observations. First, he said you go to the ACC to get a permit, and if your papers are in order, you are out within an hour and pay a permit fee of $618. Then you take your drawings to the Building Dept., but that is really the

Engineering Dept. first, because you need a GEC permit. That's another process because they need to come out and look at all your property, see what you have to do, erosion, etc. The permit fee is $25 for engineers looking at the plan, inspectors coming out to inspect the job site, and again to re-inspect after everything is in place. Next to the Building Department where, once again, they review your plans and return them to you. The fee for this is $393 with no impact fee that he was aware of. The Building Dept. must come out and inspect it once you dig it. Then again for footings, walls, foundations, rough inspection, plumbing, electrical, roof, final inspection: at least 8–10 times. He emphasized we need to pay higher permit fees. There are no impact fees, no money to go back to when complaints are called in, and it's not the Building Department's fault when there are no funds to send out inspectors to do re-inspections. He was astounded at how little the fines were — double the $25 — which he said would not pay for anything. He concluded by stating that many builders are coming in and raping the village, tearing up the streets and areas, and leaving. He thinks the taxpayers will end up paying for the consequences five years down the road.

Becky Parmelee, 2 Brougham Ln. She runs the Bella Vista Farmer's Market and has 112 small businesses that participated in the Market this year. In the last 3 years under her tenure, the market has grown over 260%. She said her farmers need our visitors and she needs the A&P Commission. People who come to the market include BV residents and tourists. Our residents buy mostly groceries, but tourists buy gifts. Her businesses need people who come to participate in the tourist economy, and in turn, her businesses pay their taxes right back into Bella Vista. So it is a growing cycle of economic development for the community. Her market needs the A&P, and she doesn't want to see it go.

Jean Galloway, 25 Kelaen Dr. She came to speak on behalf of Bella Vista first responders: our EMTs, paramedics, firefighters and police officers. She thinks their commitment is unmatched, but their excellence should require investment by the City. She mentioned that competitive salaries, pensions, healthcare, and family benefits are essentials. Without them, she believes we may lose experienced professionals to burn-out, or to better supported cities, or to lower-risk private jobs. She urged the Council to take action and support our first responders.

Staff Attorney Kelley interrupted to say that the 30-minute time limit for Citizen Input was expired. Council Member Isbell made a motion to extend the time period, seconded by Council Member Larry Wilms. ***Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.***

Mark Marsiglio, 218 SW Glover. He came to represent Trail Pilot, a service put in place by the A&P to help tell the story of the community to our visitors. They are a guided audio tour platform for mountain bikers, giving local riders a way to deliver their favorite routes in the area to others. They have ten different tours in Bella Vista and wrap helpful messages into this tour experience. He came to

make others aware of Trail Pilot, another example of Discover Bella Vista's breadth of services.
Michael Spivey, 310 SW A St., Bentonville. He is the President and CEO of the Ozark Foundation, a non-profit in NWA. They own, operate, and support a variety of outdoor recreation events throughout the year. Last year they supported 40+ events, from mountain biking to multi-sport to adventure racing and others. The soul of their organization is family and community events. They work very closely with Discover Bella Vista, who makes it possible for them to put on events affordably. Last year they put on an Enduro race event, with about 300 participants from 15 states. They recently announced the Oz Stage Race, which is going to be a 4-day mountain bike stage race here in Bella Vista. He urges the Council to keep the A&P Commission.
Kurt Carlson, 44 Kirkwall Dr. Due to the time, he waived his comments on the A&P Commission.
Tom Denniston, 8 Plockton Ln. He came to support the A&P, saying he didn't understand the supporters of the repeal of the A&P, because it brings so much value to our community. He had only one comment for Brandon and his team: Focus more on promotion to the local residents and community, so there will be greater support. He urged the Council to vote to keep the A&P Commission, because as many stated during the evening, it brings value to our city.

Council Member Reply Council Members Newport, Honchell, and Isbell thanked all the citizens for coming out and speaking, and said they would reserve their comments for the Business section of the meeting. Mayor Flynn thanked everyone for coming out to speak at the meeting. In particular, he noted Randy Fischer talking about permits and impact fees. Mayor Flynn perceives this Council has been reluctant to require permit fees in most cases. He found it refreshing to hear from a retired contractor in the industry that permit fees are necessary. He added that if permit fees are not set at the right level, then the taxpayers end up paying, and the city can't hire essential permitting staff.

Reports

Monthly Financial Report: 7-month period ending July 31, 2025, presented by Mayor Flynn
Mayor Flynn highlighted several key factors: total operating revenues were up 11.1% compared to last year, county sales tax was up 4% compared to last year, city sales tax was up 13.7% compared to last year. He noticed each of those numbers was a bit "softer" than the previous month, and wonders if that's a sign of something coming in the future. In the operating expenses, the city is $646,000 below budget. The recent Audit Report was a clean report with very satisfying feedback. He feels good about the City's financial position at this point.

SepticSmart Week Proclamation: Mayor Flynn completed prior to Citizen Input.

Childhood Cancer Awareness Proclamation: Mayor Flynn completed prior to Citizen Input.

(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:5 /Nays:0) Passed: 5-0.***

Consent Agenda *Council Member Wilms made a motion to approve, seconded by Council Member Harp.* ***Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.***

Approval of Minutes: August 25, 2025, City Council Regular Meeting

Unfinished Business

ORDINANCE: ADOPTING A NEW ZONING ORDINANCE AND MAP FOR THE CITY OF BELLA VISTA (CHAPTER 109), REPEALING PRIOR ZONING ORDINANCES AND MAPS, AND FOR OTHER PURPOSES *Third Reading Mayor Flynn read the ordinance for the third time. He said each amendment would be considered individually first. Following voting on the amendments, Mayor Flynn asked for a motion to adopt the ordinance. Council Member Wilms made a motion to table the ordinance for 60 days until the November Regular Meeting. No second to the motion, therefore motion failed. Council Member Honchell thanked the Planning Staff and Freese and Nichols for the great work that went into this study and ordinance. Motion to adopt the ordinance made by Council Member Newport, seconded by Anna Isbell.* ***Roll Call Vote: (Ayes: 4/Nays: 1) Passed: 4-1.***

AMENDMENT: ADDING SMALL CELL PERMITTING REQUIREMENTS TO THE PROPOSED ZONING ORDINANCE AS RECOMMENDED BY THE PLANNING COMMISSION *Council Member Larry Wilms made a motion to amend the proposed ordinance by adding the Small Cell Amendment, seconded by Council Member Travis Harp.* ***Roll Call Vote: (Ayes: 5/Nays: 0) Passed 5-0.***

AMENDMENT: REMOVING SEPTIC TREE PRESERVATION REQUIREMENTS AS REQUESTED BY COUNCIL MEMBER HARP *Mayor Flynn read the amendment. Council Member Harp said after careful consideration of this, he doesn't think this amendment would fix the problem he was targeting. He doesn't want to entertain a motion on this amendment.*

AMENDMENT: CLARIFYING THE FRONT YARD RESTRICTION REQUIREMENT FOR ELECTRIC PANELS AS RECOMMENDED BY STAFF *Council Member Honchell made a motion to amend the proposed ordinance to clarify the provisions regarding the front yard restriction requirement for electric panels. Council Member Wilms seconded the motion.* ***Roll Call Vote: (Ayes: 5/Nays: 0) Passed 5-0.***

AMENDMENT: CLARIFYING SEWER UTILITY INSTALLATION DESIGN REQUIREMENTS AS RECOMMENDED BY STAFF Mayor Flynn read the

amendment. Director Robertson gave a brief history of this amendment. She met with General Manager Frank Wright of Village Waste Water (VWW) to discuss issues he was having regarding sewer installation of our single-family residential new builds. The issue was one of gaining consistency with his requirements for sewer installations. Staff proposed at the Planning Commission Work Session in late June to codify their installation requirements. At that Work Session, the Planning Commission chose to adopt it by reference, so that is what happened at the Public Hearing. Then it came to City Council Work Session in July. Staff proposed to Council to put this amendment into technical writing, rather than adopting it by reference and received approval on that, before it went to a public hearing. One other amendment was suggested by Council Member Harp, of having one sentence to replace all the other technical writing. Council Member Wilms also suggested another amendment upon reviewing the current document. He met with Frank Wright from VWW, who added some refinements. He cited several items they changed. Attorney Kelley stated that a motion was needed first, before debate. Council Member Wilms made a motion to amend Section 109-112E of the proposed Chapter 109, but did not receive a second. Council Member Harp made a motion to amend the proposed ordinance in accordance with the sentence on the page he handed out, but did not receive a second. Council Member Honchell asked for clarification of these two failed amendments to the proposed ordinance, and also the septic tree preservation amendment that failed, and a short discussion followed. Council Member Newport made a motion to approve the amendment to the ordinance as written, seconded by Council Member Honchell. ***Roll Call Vote: (Ayes: 3/Nays: 2 Larry Wilms, Travis Harp) Mayor Flynn voted Aye. Passed: 4-2.***

AMENDMENT: REVISING THE PROPOSED ZONING MAP FOR BOUNDARY CLARIFICATION, FUTURE LAND USE POLICY, AND OTHER PURPOSES AS RECOMMENDED BY STAFF *Mayor Flynn read the amendment. Council Member Wilms made a motion to approve, seconded by Council Member Newport.* ***Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.***

ORDINANCE: ADOPTING A NEW SUBDIVISION ORDINANCE FOR THE CITY OF BELLA VISTA (CHAPTER 107), REPEALING THE PRIOR SUBDIVISION ORDINANCE, AND FOR OTHER PURPOSES *Third Reading Mayor Flynn read the ordinance for the third time. Council Member Wilms made a motion to approve, seconded by Council Member Harp.* ***Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.***

ORDINANCE: ESTABLISHING A BUSINESS LICENSE REQUIREMENT FOR QUALIFYING BUSINESSES OPERATING WITHIN THE CITY, PROVIDING FOR CLASSES AND EXEMPTIONS, REQUIRING ANNUAL RENEWAL, ESTABLISHING FEES, PROVIDING PENALTIES FOR VIOLATIONS, AND FOR OTHER PURPOSES

Second Reading Mayor Flynn read the ordinance for the second time. He said Council Member Wilms had proposed 3 amendments. Council Member Newport expressed her desire to let this go to a third reading due to the number of emails she received and to the proposed amendments. She would like to discuss this further at the October Work Session. Council Member Honchell agreed. Council Member Harp said he would like to see all ordinances go to third reading. Mayor Flynn said this ordinance would be discussed further at the October Work Session.

New Business

ORDINANCE: AMENDING ARTICLE III PARADES OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO PROVIDE FOR BETTER REGULATION OF SPECIAL EVENTS, TO RENAME THE ARTICLE, AND FOR OTHER PURPOSES *Mayor Flynn read the ordinance. Council Member Wilms made a motion to suspend the rules and go to the third and final reading, seconded by Council Member Isbell.* ***Roll Call Vote: (Ayes: 4/Nays: 1 Harp) Passed: 4-1.*** *Mayor Flynn read the ordinance for the third and final time. Council Member Newport made a motion to approve, seconded by Council Member Wilms.* ***Roll Call Vote: (Ayes: 5/Nays: 1) Passed: 5-0.***

ORDINANCE: REPEALING ORDINANCE NO. 2017-15, WHICH LEVIED A TAX ON HOTEL, MOTEL, AND PREPARED FOOD SALES, CREATED THE BELLA VISTA ADVERTISING AND PROMOTION COMMISSION, AND FOR OTHER PURPOSES *Mayor Flynn read the ordinance for the first time. Council Member Newport made a motion to table indefinitely, seconded by Council Member Isbell. Council Member Harp brought up his discussion items in support of this ordinance, highlighting the groups and people he believes do not want this tax. He thinks the VRBO and Airbnb advertising for STRs is fantastic and believes most STR owners get their guests from these sites. He referred to the document he passed out, equating it to the BV A&P Commission's White Pages, and urged the Council Members to read it. Council Member Honchell said this repeal is glaring to him for several reasons. He believes A&P represents the community, which includes volunteers and appointments to the Commission. He can't understand why the City of Bella Vista would prefer an algorithm to run its promotion, over its own people, who are filled with passion for our city. He has no problem giving this ordinance time for further debate, rather than tabling it now. Mayor Flynn called for a vote on whether to table indefinitely.* ***Roll Call Vote: (Ayes: 3/Nays: 2 Honchell, Harp) Mayor Flynn voted Aye. Passed: 4-2.***

RESOLUTION: ACCEPTING THE FINANCIAL AUDIT REPORT PRESENTED BY FORVIS MAZARS, LLP FOR THE YEAR ENDING DECEMBER 31, 2024 *Mayor Flynn read the resolution. Council Member Wilms made a motion to approve the resolution. He thought the audit report was thorough and extremely well done, thanks to our staff who generated much of the information for it.*

Council Member Newport seconded the motion. ***Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.***

RESOLUTION: ESTABLISHING RESPECTIVE COST SHARING OF HEALTH BENEFITS BETWEEN THE CITY OF BELLA VISTA AND CERTAIN POLICE DEPARTMENT AND FIRE DEPARTMENT RETIREES AND THEIR DEPENDENTS *Mayor Flynn read the resolution. Council Member Harp said he reached out to the city for salary information, and gave some figures of pay scale information for firefighters, EMTs, firefighter/paramedics, permit techs in planning, building inspectors, and police officers. The City Attorney requested a pause in the meeting due to technical audio recording issues. Council Member Wilms made a motion to take a temporary recess of 10 minutes, seconded by Council Member Isbell. Mayor Flynn indicated when the pause was over and asked Council Member Harp to continue. Council Member Harp said he thinks the police and fire staff he mentioned aren't compensated very well. He compared a variety of factors, including weekly work hours. He thinks if the City could give them the benefit of the shared cost of health insurance after 25 years with the City of Bella Vista, it would be a small price to pay for those who risk their lives every day. At Council Member Harp's request, Lt. Bryon Stival came forward and gave more statistics regarding police salaries. He said Chief Graves is always trying to think outside the box in order to recruit and retain. He believes this is one of those opportunities, and a good long-term investment in the police department and the officers. Currently, the BV Police Department has 3 officers that could potentially benefit from this resolution. Discussion between Council Members Harp, Wilms, and Lt. Stival continued, and included comments from Fire Chief Sims. Council Member Newport said she supports the spirit of this resolution, but she needs to see more documented information, and believes the Council needs more time for consideration. Mayor Flynn said HR Director Kelderman has been working on this, and she has some good concepts. He believes it needs more time to iron out. Council Member Harp requested information from Chief Sims regarding the salaries of firefighters. Chief Sims said the Fire Department does a good job of staying competitive with salaries, and ranks well within the top 5 cities in NWA. Every budget cycle salaries are reviewed to make sure they stay competitive. The Fire Department has two employees at this time who would meet the requirement for this benefit: himself, and Chief Deputy Wolfgang. He said they would both be on the city's insurance for 8–9 more years during retirement, and it is quite expensive. Mayor Flynn asked Lt. Stival to explain "the drop", which is a complicated, substantial benefit that no other employees have an opportunity to receive. Lt. Stival proceeded to explain the benefit. Council Member Isbell said they need to see a concrete plan with numbers before they can really look at this resolution and have a real conversation. Motion to table the resolution until October was made by Council Member*

Newport, seconded by Council Member Honchell. ***Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.***

RESOLUTION: AUTHORIZING AND LEVYING THE MILLAGE RATE OF AD VALOREM REAL AND PERSONAL PROPERTY TAX FOR THE CITY OF BELLA VISTA, ARKANSAS FOR THE YEAR 2025 TO BE COLLECTED IN 2026 *Mayor Flynn read the resolution. He explained that citizens had voted in the past for mills up to 2.0 and the Council had done another 4.0, as they can go up to 5 mills. So, the city was at 6 mills. Staff Attorney Kelley explained that after a county-wide reappraisal, if that would lead to more than a 10% increase in property valuation, then the rate gets rolled back, so the increase is not more than 10%. There are a lot of exceptions to it, but it is meant to protect property owners from gigantic tax bill increases. There was a county-wide reappraisal last year. We were notified that we would have to roll back because we would have exceeded that 10% increase. The general millage went from 4 to 3.81, based on the rollback. The proposal here would leave it at 3.81, and it would return the police and fire pensions approved by the voters back to 1.0 each, which is what they were approved at, making a total of 5.81. Council Member Harp mentioned that he thinks the citizens of Bella Vista do not want to increase the price of anything right now, based on the POA vote. Council Member Newport made a motion to approve, seconded by Council Member Honchell.* ***Roll Call Vote: (Ayes: 4/Nays: 1 Harp) Passed: 4-1.***

Announcements

- Next City Council Work Session: 5:30 pm Monday, October 20, at Bella Vista District Court
- Next City Council Regular Meeting: 6:00 pm Monday, October 27, at Bella Vista District Court
- Planning Commission Work Session: 4:30 pm Thursday, October 2, at Bella Vista District Court
- Planning Commission Regular Meeting: 4:30 pm, or immediately following BZA, Monday, October 13, at Bella Vista District Court
- Board of Construction Appeals: 3:00 pm Tuesday, October 14, if necessary, at Fire Station #4 Conference Rm, 1639 Forest Hills Blvd.

Adjournment Mayor Flynn adjourned the meeting at 7:58 pm.

City Clerk Wanda Lepillez Krug

Mayor John D. Flynn

MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
October 20, 2025		**ORDINANCE:** ESTABLISHING A BUSINESS LICENSE REQUIREMENT FOR QUALIFYING BUSINESSES OPERATING WITHIN THE CITY, PROVIDING FOR CLASSES AND EXEMPTIONS, REQUIRING ANNUAL RENEWAL, ESTABLISHING FEES, PROVIDING PENALTIES FOR VIOLATIONS, AND FOR OTHER PURPOSES *Third Reading*

AGENDA ITEM # III.B

ORDINANCE: ESTABLISHING A BUSINESS LICENSE REQUIREMENT FOR QUALIFYING BUSINESSES OPERATING WITHIN THE CITY, PROVIDING FOR CLASSES AND EXEMPTIONS, REQUIRING ANNUAL RENEWAL, ESTABLISHING FEES, PROVIDING PENALTIES FOR VIOLATIONS, AND FOR OTHER PURPOSES *Third Reading*

BACKGROUND

Requiring a business license within city limits is a fundamental step toward ensuring accountability, safety, and fairness in the local economy. Without a licensing requirement, the city has no formal way to track who is operating a business, what kind of activity or land use is taking place, or whether it complies with zoning, health, or safety regulations. A business license ordinance provides a straightforward mechanism for gathering this essential information, helping the city manage growth, enforce adopted requirements, and protect the interests of residents, customers, and business owners alike.

It is a small, reasonable investment from business owners that contributes to the overall health of the community in which they operate. By adopting this ordinance, the city council can strengthen its ability to plan for the future, respond to concerns effectively, and foster a safe, thriving, and well-organized local economy.

RECOMMENDATION

Staff supports this ordinance.

FISCAL IMPACT

None.

ATTACHMENTS

1. Business License AMENDED AFTER 1ST READ
2. LARRY WILMS Amendments

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

ESTABLISHING A BUSINESS LICENSE REQUIREMENT FOR QUALIFYING BUSINESSES OPERATING WITHIN THE CITY, PROVIDING FOR CLASSES AND EXEMPTIONS, REQUIRING ANNUAL RENEWAL, ESTABLISHING FEES, PROVIDING PENALTIES FOR VIOLATIONS, AND FOR OTHER PURPOSES

WHEREAS, Ark. Code Ann. § 26-77-102(a) authorizes the City Council, by a two-thirds vote of all members elected thereto, to require any person, firm, individual, or corporation engaging in any trade, business, profession, vocation, or calling within the corporate limits of the City to obtain a business license and to pay a license fee or tax; and

WHEREAS, the City Council finds it beneficial to require such licensing to maintain an accurate inventory of businesses operating within Bella Vista, facilitate public safety contact and emergency response; and support economic retention, expansion, and diversification, as well as long-term planning;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS (TWO-THIRDS CONCURRING):

SECTION 1: BUSINESS LICENSE REQUIRED

It shall be unlawful for any business subject to this Ordinance to operate within the City of Bella Vista without first obtaining a City business license and paying the applicable license fee, and thereafter renewing such license annually while the business remains in operation.

SECTION 2: DEFINITIONS

For purposes of this Ordinance:

Business means any trade, profession, vocation, commercial enterprise, or occupation conducted for profit or gain.

Business premises means the physical location from which a business operates or conducts substantial activities within the City.

Licensee means the person or entity to whom a business license is issued.

SECTION 3: APPLICABILITY

This Ordinance applies to:

(a) All businesses, corporations, LLCs, LLPs, partnerships, sole proprietorships, and individuals conducting business from a business premises within the corporate limits of Bella Vista;
(b) All non-governmental entities engaged in any trade, service, or occupation from a physical location within Bella Vista;
(c) Any business that does not maintain a physical business premises within Bella Vista but conducts business within the City, unless such business is currently licensed by another municipality in the State of Arkansas.

SECTION 4. CLASSES AND EXEMPTIONS

Pursuant to Ark. Code Ann. § 26-77-102(d), the following shall constitute separate classes of activity for licensing purposes. The City may set different license fees for each class or exempt a class entirely. These classifications are established in accordance with Ark. Code Ann. § 26-77-102(d), and each class shall be subject to a uniform fee applicable to all members of that class.

Exempt Classes (no license required):

(a) Persons under eighteen (18) years of age operating a business;
(b) Charitable or fundraising activities conducted solely for public benefit by schools or City government;
(c) Temporary businesses associated with festivals, farmers' markets, or special events, limited to the duration of the event;
(d) Religious organizations, except to the extent they operate separate business activities such as daycares or private schools;
(e) Home-based occupations as defined in the City's Zoning Code.
(f) Short-term rentals as defined in the City short-term rental Ordinance.

SECTION 5. APPLICATION, ISSUANCE AND DISPLAY

(a) **Application** — Each applicant for a business license shall submit a form provided by the City containing the following:

1. Business name, address, and contact information;
2. Name and contact information of the owner or designated agent;
3. Nature and classification of the business;
4. Any other information reasonably necessary to administer the license program.

(b) **Issuance** — Upon receiving a completed application and the required license fee, the City Planning Department shall issue a business license for the remainder of the calendar year, unless the City's Zoning Code prohibits the proposed business use at the business premises and the use is not a permitted pre-existing, nonconforming use under the Zoning Code.

(c) **Display** — Business licenses issued pursuant to this Ordinance shall be conspicuously displayed by the licensee at the business premises.

SECTION 6. LICENSE FEES

(a) The annual license fee shall be established from time to time by resolution of the City Council.
(b) Any business first obtaining a license on or after June 1 of a given year shall pay fifty percent (50%) of the applicable fee for that calendar year.

SECTION 7. ANNUAL RENEWAL, NON-TRANSFERABILITY

(a) Business licenses shall be renewed annually for the following calendar year between November 1 and December 31.

(b) License renewal requires payment of the applicable fee and confirmation of current business information.

(c) Licenses are non-transferable either as to licensee or business premises.

SECTION 8. ENFORCEMENT AND PENALTIES

(a) **Violation** — Operating a business subject to this Ordinance without a valid license shall constitute a violation.

(b) **Penalty** — Each day a business operates without a valid license constitutes a separate offense punishable by a fine of not less than $50 and not more than $500 per offense.

(c) **Civil Remedies** — In addition to criminal penalties, the City may seek injunctive relief to prevent unlicensed business operations.

SECTION 9. EFFECTIVE DATE AND TRANSITION

Businesses in operation on the effective date of this Ordinance shall have sixty (60) days to apply for and obtain a license.

Notwithstanding any other provision of this Ordinance, all business licenses first issued during the calendar year in which this Ordinance becomes effective shall remain valid from the date of issuance through December 31, 2026. Such licenses shall not require annual renewal prior to January 1, 2027.

ADOPTED THIS _____ DAY OF _____, 2025.

APPROVED:

_____
JOHN D. FLYNN
MAYOR

ATTEST:

_____

WANDA KRUG
CITY CLERK

LARRY WILMS' PROPOSED AMENDMENTS TO BUSINESS LICENSE ORDINANCE PROPOSAL (3 AMENDMENTS)

Amend Section 4(b) to read "Charitable or fundraising activities conducted solely for public benefit;"

Amend Section 4(f) to read "Short-term rentals as defined in the City short-term rental Ordinance. Property management businesses, even though managing short-term rentals as part of their operation, shall not be exempt."

Amend Section 6(a) to read "The initial annual license shall be $25. Said amount may be modified from time to time by resolution of the City Council, taking into consideration administrative costs related to administration of the business license program. At no time shall the license fee be considered as a source of general revenue."

MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
October 20, 2025	Wanda Krug, City Clerk	**RESOLUTION:** ESTABLISHING RESPECTIVE COST SHARING OF HEALTH BENEFITS BETWEEN THE CITY OF BELLA VISTA AND CERTAIN POLICE DEPARTMENT AND FIRE DEPARTMENT RETIREES AND THEIR DEPENDENTS *Tabled until October*

AGENDA ITEM # III.C

RESOLUTION: ESTABLISHING RESPECTIVE COST SHARING OF HEALTH BENEFITS BETWEEN THE CITY OF BELLA VISTA AND CERTAIN POLICE DEPARTMENT AND FIRE DEPARTMENT RETIREES AND THEIR DEPENDENTS *Tabled until October*

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Resolution Retiree Health Fire Police

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

ESTABLISHING RESPECTIVE COST SHARING OF HEALTH BENEFITS BETWEEN THE CITY OF BELLA VISTA AND CERTAIN POLICE DEPARTMENT AND FIRE DEPARTMENT RETIREES AND THEIR DEPENDENTS

WHEREAS, the Arkansas General Assembly adopted amendments to Ark. Code Ann. § 14-1-110 regarding the eligibility of certain municipal police and fire department retirees for health benefits after retirement but before reaching Medicare eligibility age; and

WHEREAS, pursuant to law, an eligible police or fire department retiree, or his or her eligible dependents, as defined by the Act, shall be entitled to enroll in the municipality's health benefit program within sixty (60) days from the date of retirement, with the retiree or dependent paying a premium as determined by the municipality; and

WHEREAS, the City Council of Bella Vista finds it necessary and proper to establish the respective cost sharing of health benefits between the City and its eligible police and fire department retirees and their dependents as local implementation of the law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:

SECTION 1. ELIGIBLE PARTICIPANTS.

Only those persons defined as eligible participants under Ark. Code Ann. § 14-1-110 are entitled to cost sharing pursuant to this Resolution. Any provisions or issues not expressly addressed herein shall be governed by Ark. Code Ann. § 14-1-110 and its implementing rules and regulations.

SECTION 2. COST SHARING ESTABLISHED.

From and after the effective date of this Resolution, or the date established by Ark. Code Ann. § 14-1-110, whichever is more beneficial to the participant, the City shall charge an eligible participant in accordance with the cost-sharing schedule as follows:

Health Benefit Cost Sharing Schedule

Years of Service	City's Share	Retiree's Share
25 or more	25%	75%

For purposes of this Resolution, "Years of Service to the City of Bella Vista" shall mean the total years of service, measured on the anniversary date of hire, as a police officer or firefighter

employed by the City of Bella Vista, Arkansas, plus the number of years of service said police officer or firefighter may have served as an employee of the Bella Vista Village Property Owners Association, Inc. immediately prior to employment with the City of Bella Vista, Arkansas.

SECTION 3. IMPLEMENTATION.

The Mayor, City Clerk, and other appropriate officials are hereby authorized and directed to take such actions as are necessary to implement this Resolution.

ADOPTED THIS _____ DAY OF _____, 2025.

APPROVED:

_____
MAYOR JOHN D. FLYNN

ATTEST:

_____
CITY CLERK WANDA KRUG

Requested by: Council Member Travis Harp
Prepared by: Jason Kelley, Staff Attorney

MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
October 20, 2025	James Graves, Police Chief	**ORDINANCE**: WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP IN A TOTAL AMOUNT NOT TO EXCEED $128,314.00 FOR THE PURCHASE OF TWO (2) 2025 FORD F-250 TRUCKS FOR USE BY THE POLICE DEPARTMENT

AGENDA ITEM # IV.D

ORDINANCE: WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP IN A TOTAL AMOUNT NOT TO EXCEED $128,314.00 FOR THE PURCHASE OF TWO (2) 2025 FORD F-250 TRUCKS FOR USE BY THE POLICE DEPARTMENT

BACKGROUND

The Arkansas 2025 vehicle state bid contract is held by Smart Ford in Malvern. We have had two trucks on order with them since the beginning of the year. They just advised us they would not be able to meet our order this year and do not anticipate being able to meet it in the future.

A bid waiver is requested to purchase two trucks from Superior Automotive in Siloam Springs: Fully outfitted 2026 Ford F250 Diesel at $71,564 (needed for heavy pulling, LESO trips, etc. and fully outfitted 2026 Ford F250 Gas at $56,750 (needed as a replacement truck for Code enforcement).

The funds for these purchases have already been approved in the 2025 police department capital budget.

RECOMMENDATION

The Chief of police recommends approval of the bid waiver and purchase of trucks with the allocated and approved 2025 capital budget.

FISCAL IMPACT

$128,314 has already been approved in the 2025 Capital Budget.

ATTACHMENTS

1. Bid Waiver Superior Auto 2-Ford F250 Police

ORDINANCE NO _____

CITY OF BELLA VISTA, ARKANSAS

WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP IN A TOTAL AMOUNT NOT TO EXCEED $128,314.00 FOR THE PURCHASE OF TWO (2) 2025 FORD F-250 TRUCKS FOR USE BY THE POLICE DEPARTMENT

WHEREAS, the Arkansas 2025 vehicle state bid contract is held by Smart Ford in Malvern; and

WHEREAS, two trucks have been on order with Smart Ford pursuant to state bid since the beginning of 2025; and

WHEREAS, Smart Ford has advised the City they would not be able to meet the City's order this year or in the future; and

WHEREAS, the City must act soon to procure needed vehicles in 2025;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:

SECTION 1. The City Council of the City of Bella Vista, Arkansas hereby determines that the above circumstances make formal competitive bidding not feasible or practical and therefore waives the requirement of formal competitive bidding and authorizes a contract with Superior Auto Group in a total amount not to exceed $128,314.00 for the purchase of two (2) 2025 Ford F-250 trucks for use by the Police Department.

ADOPTED THIS _____ DAY OF _____, 2025.

APPROVED:

_____
JOHN D. FLYNN
MAYOR

ATTEST:

_____
WANDA KRUG
CITY CLERK

Requested by: Mayor
Prepared by: Jason Kelley, Staff Attorney

MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
October 20, 2025	Taylor Robertson, Planning and Development Director	**ORDINANCE**: AMENDING THE BELLA VISTA ZONING ORDINANCE AND MAP TO REZONE PROPERTY DESCRIBED IN REZONING PETITION NO. 2025-59940 (COUNTY PARCEL NO. 16-43269-000) FROM R-E, RESIDENTIAL ESTATE DISTRICT TO C-2, LOCAL COMMERCIAL

AGENDA ITEM # IV.E

ORDINANCE: AMENDING THE BELLA VISTA ZONING ORDINANCE AND MAP TO REZONE PROPERTY DESCRIBED IN REZONING PETITION NO. 2025-59940 (COUNTY PARCEL NO. 16-43269-000) FROM R-E, RESIDENTIAL ESTATE DISTRICT TO C-2, LOCAL COMMERCIAL

BACKGROUND

Following a public hearing on September 8, 2025, the Planning Commission did not vote to recommend approval to the Council to rezone the subject property (Parcel 16-43269-000) from R-E Residential Estate to C-2 Local Commercial. The affirmative motion failed with 1 in favor and 6 not in favor. As stated in local ordinance, the applicant has a right to appeal this Planning Commission vote to the City Council within 30 days of the action taken. Mr. Jack Kehoe has chosen to appeal that decision and his letter to the Council is attached to this memo. The Staff Report is also attached directly after. Staff did not recommend approval of this request due to the intensity of all uses within C-2 in the new ordinance and current ordinance. The final attachment contains the approved minutes from the September 8, 2025 meeting.

RECOMMENDATION

The Planning Commission nor Staff are recommending approval of the C-2 zone.

FISCAL IMPACT

None.

ATTACHMENTS

1. Applicant's RZN59940 Appeal Letter
2. Staff Report for RZN 59940

3. Planning Commission Meeting Minutes 9-8-25
4. Ord RZN 59940 Appeal

October 8, 2025
Applicant: Jack Kehoe

Bella Vista RZN59940 Rezone Appeal

(1)Summary of any reasons provided by the planning commission concerning the decision made in the case;

The main reasons provided were steep grading of the current property and adjacent to residential.

(2)Reasons the applicant of the appeal contends that the planning commission erred in its decision;

This property falls under the Bella Vista's 2040 plan for the village center: The City's Comprehensive Plan states: A Village Center is intended to provide mid-scale and use intensity to serve the needs of the greater
community, anchored by a core retail, service, or institutional use. This property is directly across from commercial zoned C-2 and would be a great location for a restaurant or other mid scale commercial property.

Across the street is C-2, two parcels over to the East, 633 W Lancashire, has been rezoned from residential to commercial as well even though it has residential on both sides, similar to the subject property.

On the steep grade, we will simply be able to grade the property to make it less steep.

Neighbors complained about having commercial development adjacent and the worry that it will diminish property value. Residential property value is based on comparable sales. A coffee shop may increase desirability for some buyers. Rezone is simply the first step to then be able to discuss with developers best use for the property.

Additionally, the city has code ordinances specifically for commercial adjacent to residential that have been put in place for this exact purpose to ensure harmony between commercial and residential.

(3)Reasons the applicant of the appeal believes that the public health, safety, welfare, and morals would be better served if the planning commission's action were reversed;

Bella Vista is in need of more coffee, food, and dining options. There currently is very limited options for coffee in Bella Vista. We would love to develop a coffee shop similar

to Onyx in Bentonville, Airship, or Meteor that would serve the community in Bella Vista. I have attached a rendering and stie plan we had created of the potential coffee shop.

(4)Any new and pertinent information bearing on the case which may not have been available or have been overlooked by the planning commission or which may have come to light following the meeting at which the planning commission made its decision.

The reasons stated in section 2. I have also attached a site plan and rendering we had created for a potential coffee shop development on the property.

Meeting Information:
2483 Forest Hills Blvd
September 8, 2025 at
4:30 pm

Reviewer:
Jessica Grady, CNU-A
Planning Technician

Project Number	RZN-2025-59940
Applicant	Jack Kehoe
Address/Location	Near the Lancashire & Oak Hill Intersection
Current Zoning	R-E Residential Estate
Site Area	1.64 acres
Nature of Request	Requesting a rezone from R-E to C-2

Current Zoning Map (Prior to Reform)

Future Land Use

Property Description
This property is located in Bella Vista along the south side of Lancashire Boulevard near the intersection of Oak Hill Road and is located on Parcel #16-43269-000 (Lot 23 of the Mountain Springs Estate (3rd) Subdivision).

Request
Per Sec. 109-40(c), the applicant is requesting to rezone their property from R-E, Residential Estate to C-2, Light/ Local Commercial to better serve the existing land uses surrounding this parcel.

Background
Per the most recently adopted Zoning Map, this parcel is zoned R-E, Residential Estate. The Zoning Map currently under final stages with the Council also shows this lot as R-E, Residential Estate. Due to timing of the reform project, staff is recommending to consider the uses listed within the proposed C-2 Local Commercial as well as the current C-2 Light Commercial as the requested zone may no longer exist in the near future pending Council approval. The parcel is currently surrounded by the following zoning districts: C-2, Light Commercial to the north and R-E, residential estate to the south, east, and west. Existing adjacent land uses include residential on both sides directly adjacent to the lot and commercial land uses to the north across the street. Further, the Master Street Plan depicts Lancashire as major arterial. The Future Land Use Plan shows this property to be within a future residential neighborhood. However, the Future Land Use Plan does provide a general overlay for a future village center having intense uses at the intersection of 340 and 279 and feathering out near the edges of the node. The Village Center is intended to provide a mid-scale commercial activity center, that is limited to both scale and use intensity, to serve the needs of the greater community, such as core retail, service, or institutional use. These centers should be well connected to adjacent neighborhoods to promote walking or biking. Village Centers should also be supported by expanding housing types, small parks, civic open spaces that are promoted by the community. This area is not affected by the floodplain. It should be noted Staff finds the schedule of permitted uses for the requested zoning district to support the goals of the 2040 Comprehensive Plan such as retail centers, offices, clinics, and varied civic uses. However, existing uses of residential houses may not be compatible for C-2 due to its intensity of scheduled uses in both use charts.

Public Comment
None at the time of this report.

Legal Notifications
Staff posted a public hearing notice in the Weekly Vista on August 20, 2025. The applicant sent the required certified mail on August 22, 2025. Staff will post a public hearing sign on site August 29,2025.

Recommendation
Based on the above analysis and the adjacent land uses, staff does not recommend a C-2 zoning of Light or Local Commercial.

Appendix A of CURRENT Zoning Code: Table of Permitted Uses: "C" states that the use is allowed with a conditional use permit. "P" states that that use is permitted by right. Any of these uses shown in the C-2 column would be allowed by right (P) or conditionally (C). See the chart below for reference.

Residential Uses	**R-E**	**C-2**
Duplex		P
Single-Family	P	P
Townhouse		P
Civic Uses	**R-E**	**C-2**
Administration	C	P
Cemetery	C	P
Clubs	C	P
College	C	P
Convalescent Services		P
Cultural Services	C	P
Day Care	C	P
Education		P
Emergency		P
Group Care		P
Guidance Services		P
Health Care		P
Hospital		P
Maintenance Facility		P
Parks	P	P
Postal Services		P
Public Assembly	C	P
Recreation	C	P
Religious	C	P
Safety	C	P
Office Uses	**R-E**	**C-2**
General		P
Financial		P
Medical		P
Commercial Uses	**R-E**	**C-2**
Ag Services		P
Auctioneering		P
Auto		P
Bed & Breakfast		P
Business Support		P
Trade School		P
Campground		
Commercial Recreation	C	P

Commercial Cont.	**R-E**	**C-2**
Communications		P
Pharmacy		C
Construction		P
Consumer		P
Storage		C
Equipment Rental/Repair		
Food Sales		P
Funeral		P
Gaming		P
Laundry		P
Liquor		P
Lodging		P
Pawnshop		P
Personal Improvement		P
Personal Services		P
Pet Services		P
RV Storage		C
Restaurants		P
Retail		P
Surplus		P
Taverns		P
Trade Services		P
Travel Center		P
Vehicle Storage		P
Veterinary		P
Parking Uses	**R-E**	**C-2**
Off-Street Parking		P
Parking Structure		
Industrial Uses	**R-E**	**C-2**
Custom		P
Recycling		P
Office Warehouse		P
Misc. Uses	**R-E**	**C-2**
Communications Tower	C	C
Medical Marijuana		C

Sec. 109-40 – Zoning Ordinance Amendments

a) *Authority*. The city council shall have the authority to enact amendments to the text or map of this chapter in accordance with the provisions of this section. Such action may be initiated by the city council, on the recommendation of the planning commission or on petition from a property owner. Before action is taken in regard to any amendment of the ordinance, the planning commission or its staff, shall review the case and give a recommendation. However, nothing in this section shall be construed to limit the city council's authority to recall the ordinances and resolutions by a vote of the majority of the council.

b) *Guidelines for decision making*. The city council may consider several recommendations and planning documents when attempting to make a decision on the granting of an amendment. Such guidelines may be derived from recommendations from the planning commission or the planning staff; use of provisions of the any existing, master street plan, land use plan, capital improvements plan, or community facilities plan; as well as any other document created to provide required public facilities necessary to protect the public interest. A disapproval by the city council of an amendment shall be final for one year and the same application may not be reinitiated until the expiration of that deadline.

c) *Procedure for* amendments*; property owners.*

1. *Application*. An application giving the legal description of the property involved and both the current and requested zoning classification for the property shall be submitted to the planning commission by the owner or his agent pursuant to the city development calendar. The petition shall also include a statement and diagram explaining why the proposed changes will not conflict with the surrounding land uses. The owner shall submit a complete written legal description of the property with the application.
2. *Public notification and hearing*. The planning commission shall hold a public hearing on the proposed amendment. Public notification for property owner-initiated zoning ordinance amendments shall occur pursuant to subsections 109-45(d)(1) through (3) before such an application may be reviewed by the planning commission.

Sec. 109-42 – Appeals to City Council

a) *Notice of appeal*. Any decision by the planning commission regarding a rezoning or conditional use permit may be appealed to the city council. In order to make an appeal, the aggrieved party shall file a notice of appeal with the city clerk within 30 days of the planning commission's final action. The notice of appeal shall be filed on forms and in a format prescribed by the planning commission. As a minimum, however, the applicant shall provide the following information:

   a. Summary of any reasons provided by the planning commission concerning the decision made in the case;
   b. Reasons the applicant of the appeal contends that the planning commission erred in its decision;
   c. Reasons the applicant of the appeal believes that the public health, safety, welfare, and morals would be better served if the planning commission's action were reversed; and
   d. Any new and pertinent information bearing on the case which may not have been available or have been overlooked by the planning commission or which may have come to light following the meeting at which the planning commission made its decision.

b) *City council action*. Appeals to the city council shall be de novo (brand new); however, they shall first be considered on the record of the public hearing and planning commission meeting at which the original case was heard and the original decision made. Based on this review, the city council may affirm the planning commission's decision, reverse it, or send the case back to the planning commission for further study and re-certification. If new information is placed before the council that, in the opinion of the council, would affect the planning commission's decision, the council may refer the case back to the planning commission for further study, including the new information, and recertification.

Sec. 109-026. Use Table

(a) *Applicability*. This Division shall follow the requirements established in Table 026.1: Use Table.

(b) *Use-Specific Standards*. Use-specific standards are established in Division 2. and Division 3. of this Article.

Table 026.1: Use Table

Use Table														
Key	**P** = Use Allowed By-Right | **C** = Use Allowed by Conditional Use Permit | blank cell = Use Prohibited | Sec. 109-0XX = Applicable Use-Specific Standards													
Zoning District → Use ↓	**NP**	**AP**	**RE**	**R-1**	**R-2**	**R-3**	**CR**	**C-1**	**C-2**	**C-3**	**IA**	**TSO**	Use-Specific Standards	Parking Ratios
	Residential													
	Household Living													
Assisted Living						**P**		**P**	**P**	**P**				1.5/1,000 sf
Cottage Court					**P**	**P**		**P**					Division 2. Sec. 109-028. (a)	1/DU
Manufactured Home		**P**		**P**	**P**	**P**							Division 2. Sec. 109-028. (b)	2/DU
Mixed-Use Building					**P**	**P**		**P**	**P**	**P**			Division 2. Sec. 109-028. (c)	
Mobile Home		**P**				**P**								2/DU
Modular Home		**P**	**P**	**P**	**P**	**P**							Division 2. Sec. 109-028. (d)	2/DU
Multi-Family Dwelling					**P**	**P**		**P**	**P**	**P**			Division 2. Sec. 109-028. (e)	1/1 BRU 1.75/2 BRU 2/3 BRU
Single-Family Dwelling		**P**	**P**	**P**	**P**	**P**								2/DU
Townhome					**P**	**P**		**P**	**P**	**P**			Division 2. Sec. 109-028. (f)	2/DU
Triplex					**P**	**P**		**P**						2/DU
Two-Family Dwelling				**P**	**P**	**P**		**P**						2/DU
	Group Living													
Educational Housing						**C**		**P**	**P**	**P**				

Use Table														
Key	**P** = Use Allowed By-Right | **C** = Use Allowed by Conditional Use Permit | blank cell = Use Prohibited | Sec. 109-0XX = Applicable Use-Specific Standards													
Zoning District → Use ↓	**NP**	**AP**	**RE**	**R-1**	**R-2**	**R-3**	**CR**	**C-1**	**C-2**	**C-3**	**IA**	**TSO**	Use-Specific Standards	Parking Ratios
Emergency and Rehabilitative Housing		**P**				**P**		**C**	**P**				Division 2. Sec. 109-028. (g)	
	Commercial													
	Retail Sales													
Retail Store							**P**	**P**	**P**	**P**		**P**		
	Food and Beverage													
Outdoor, Mobile, or Temporary Vending		**P**				**P**	**P**	**P**	**P**	**P**		**P**	Division 2. Sec. 109-029. (a)	
Restaurant						**P**	**P**	**P**	**P**	**P**		**P**	Division 2. Sec. 109-029. (b)	
Tavern or Bar							**P**	**P**	**P**	**P**		**P**	Division 2. Sec. 109-029. (c)	
	Personal Services													
Day Care			**P**	**P**	**P**	**P**		**P**	**P**	**P**			Division 2. Sec. 109-029. (d)	
Personal Services								**P**	**P**	**P**				
	Lodging													
Bed and Breakfast			**C**	**C**	**C**	**C**		**P**				**P**	Division 2. Sec. 109-029. (e)	2/DU + 1/guest room
Hotel							**C**	**C**	**P**	**P**				
Recreational Vehicle Park							**P**						Division 2. Sec. 109-029. (f)	
Short-term Rental		**C**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**		**P**		
	Professional Services													
Alternative Financial Institution								**P**	**P**	**P**			Division 2. Sec. 109-029. (g)	
Professional and Trade Office								**P**	**P**	**P**				
Research Services											**P**			
Studio								**P**	**P**	**P**				
	Medical Facilities													

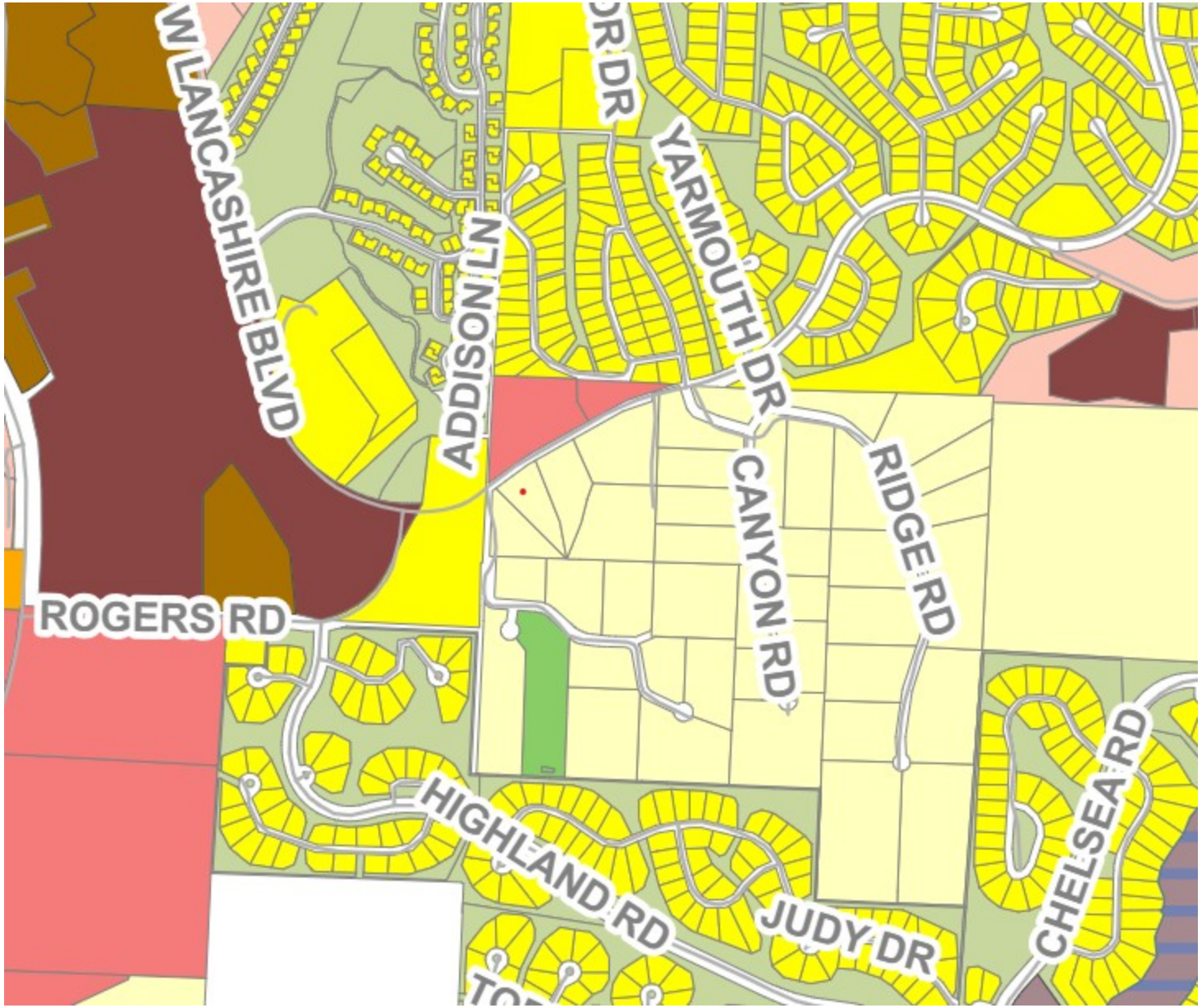
Use Table														
Key	**P** = Use Allowed By-Right | **C** = Use Allowed by Conditional Use Permit | blank cell = Use Prohibited | Sec. 109-0XX = Applicable Use-Specific Standards													
Zoning District → Use ↓	**NP**	**AP**	**RE**	**R-1**	**R-2**	**R-3**	**CR**	**C-1**	**C-2**	**C-3**	**IA**	**TSO**	Use-Specific Standards	Parking Ratios
Clinic						**P**		**P**	**P**	**P**				
Hospital		**P**							**P**	**P**			Division 2. Sec. 109-029. (h)	
	Recreational Entertainment and Amusement													
Campground		**P**					**P**					**P**	Division 2. Sec. 109-029. (i)	
Indoor Entertainment and Amusement Venue							**P**	**C**	**P**	**P**				
Outdoor Entertainment and Amusement Venue		**C**					**P**		**P**				Division 2. Sec. 109-029. (j)	
Sport Shooting Range		**P**					**C**		**C**		**P**		Division 2. Sec. 109-029. (k)	
	Animal Services													
Animal Boarding		**P**						**P**	**P**	**P**			Division 2. Sec. 109-029. (l)	
Commercial Stables		**P**											Division 2. Sec. 109-029. (m)	
Veterinary Services		**P**						**P**	**P**	**P**	**P**		Division 2. Sec. 109-029. (n)	
	Automotive and Equipment Storage, Sales, and Service													
Auto Sales									**P**		**P**		Division 2. Sec. 109-029. (o)	
Heavy Auto Repair											**C**		Division 2. Sec. 109-029. (p)	
Large Equipment and Materials Storage and Sales											**P**		Division 2. Sec. 109-029. (q)	
Light Auto Repair									**P**		**P**		Division 2. Sec. 109-029. (r)	
	Adult Entertainment													

Use Table														
Key	**P** = Use Allowed By-Right | **C** = Use Allowed by Conditional Use Permit | blank cell = Use Prohibited | Sec. 109-0XX = Applicable Use-Specific Standards													
Zoning District → Use ↓	**NP**	**AP**	**RE**	**R-1**	**R-2**	**R-3**	**CR**	**C-1**	**C-2**	**C-3**	**IA**	**TSO**	Use-Specific Standards	Parking Ratios
Gaming Facilities									C		C		Division 2. Sec. 109-029. (s)	
Sexually Oriented Business											C		Division 2. Sec. 109-029. (t)	
	Civic													
	Afterlife Care													
Cemetery	P	P	C	C	C	C		P					Division 2. Sec. 109-030. (a)	
Funeral Services								P	P	P			Division 2. Sec. 109-030. (b)	
	Assembly													
Public Assembly		P	C	C	C	P	P	P	P	P				
Religious Land Use		P	P	P	P	P	P	P	P	P	P			
Sporting Venue		C					P		C	C				
	Parks and Open Space													
Private Parks and Recreational Facilities	P				C	C	P	P	P			P		
Public Parks and Recreational Facilities	P	P	P	P	P	P	P	P	P	P	C	P		
	Government Facilities													
Detention Facilities		C									C			
Government Services		P	P	P	P	P	P	P	P	P	P			
Natural Resource Preservation Area	P	P	P	P	P	P	P					P	Division 2. Sec. 109-030. (c)	
Safety Services	C	P	P	P	P	P	P	P	P	P	P	P		
	Educational Facilities													
Business or Trade School		P						P	P	P				
College or University								P	P	C				

Use Table														
Key	**P** = Use Allowed By-Right | **C** = Use Allowed by Conditional Use Permit | blank cell = Use Prohibited | Sec. 109-0XX = Applicable Use-Specific Standards													
Zoning District → Use ↓	**NP**	**AP**	**RE**	**R-1**	**R-2**	**R-3**	**CR**	**C-1**	**C-2**	**C-3**	**IA**	**TSO**	Use-Specific Standards	Parking Ratios
School			**P**	**P**	**P**	**P**		**P**	**P**	**P**			Division 2. Sec. 109-030. (e)	
	Cultural Facilities													
Library			**C**				**P**	**P**	**P**	**P**			Division 2. Sec. 109-030. (d)	
Museum							**P**	**P**	**P**	**P**				
	Agricultural													
Animal Production		**P**												
Confined Animal Feeding Operation		**C**												
Crop Production		**P**												
Horticulture		**P**												
Livestock Sales		**C**												
	Industrial													
Artisan Industry		**P**						**P**	**P**	**P**	**P**	**P**		
Heavy Industry											**C**		Division 2. Sec. 109-031. (a)	
Light Industry											**P**			
Personal Storage Facility									**P**		**P**		Division 2. Sec. 109-031. (b)	
Resource Extraction		**C**									**C**			
Warehousing											**P**			
	Miscellaneous													
	Infrastructure, Utilities, and Technology Uses													
Alternative Energy Production		**P**									**P**	**P**	Division 2. Sec. 109-032. (a)	
Communications Tower	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**		Division 2. Sec. 109-032. (b)	
Utility Facilities	**C**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**		
	High-Impact Uses													
Landfill											**C**		Division 2. Sec. 109-032. (c)	

Use Table														
Key	**P** = Use Allowed By-Right | **C** = Use Allowed by Conditional Use Permit | blank cell = Use Prohibited | Sec. 109-0XX = Applicable Use-Specific Standards													
Zoning District → Use ↓	**NP**	**AP**	**RE**	**R-1**	**R-2**	**R-3**	**CR**	**C-1**	**C-2**	**C-3**	**IA**	**TSO**	Use-Specific Standards	Parking Ratios
	Marijuana Uses													
Medical Marijuana Cultivation Facilities		**P**									**P**		Division 2. Sec. 109-032. (e)	
Medical Marijuana Dispensaries									**C**		**C**		Division 2. Sec. 109-032. (f)	
	Accessory Uses													
	Residential													
Accessory Dwelling Unit		**P**	**P**	**P**	**P**	**P**		**P**				**P**	Division 3. Sec. 109-037. (a)	
Carport		**P**	**P**	**P**	**P**	**P**		**P**	**P**	**P**	**P**	**P**	Division 3. Sec. 109-037. (b)	
Dock or Pier	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**		Division 3. Sec. 109-037. (c)	
Home Occupation		**P**	**P**	**P**	**P**	**P**		**P**	**P**	**P**		**P**	Division 3. Sec. 109-037. (d)	
Private Stable		**P**	**P**	**C**										
Hobby Chickens		**P**	**P**	**P**	**P**	**P**							Article IV. Division 15. Sec. 109-111. (c)	
Livestock		**P**	**P**										Article IV. Division 15. Sec. 109-111. (d)	
Personal Recreational Facilities		**P**	**P**	**P**	**P**	**P**		**P**	**P**	**P**		**P**		
	Nonresidential													
Accessory Alternative Energy Production		**P**	**P**	**P**	**P**	**P**		**P**	**P**	**P**	**P**		Division 3. Sec. 109-037. (e)	
Accessory Building	**C**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	Division 3. Sec. 109-037. (f)	
Automatic Teller Machine								**P**	**P**	**P**			Division 3. Sec. 109-037. (g)	

Use Table														
Key	**P** = Use Allowed By-Right | **C** = Use Allowed by Conditional Use Permit | blank cell = Use Prohibited | Sec. 109-0XX = Applicable Use-Specific Standards													
Zoning District → Use ↓	**NP**	**AP**	**RE**	**R-1**	**R-2**	**R-3**	**CR**	**C-1**	**C-2**	**C-3**	**IA**	**TSO**	Use-Specific Standards	Parking Ratios
Drive-in Facility									**P**				Division 3. Sec. 109-037. (h)	
Drive-through Facility								**C**	**P**				Division 3. Sec. 109-037. (i)	
EV Charging Station		**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**		Division 3. Sec. 109-037. (j)	
Fuel Pumps									**P**		**P**		Division 3. Sec. 109-037. (k)	
Marina	**C**						**P**	**P**	**P**	**P**			Division 3. Sec. 109-037. (l)	
Outdoor Dining							**P**	**P**	**P**	**P**		**P**	Division 3. Sec. 109-037. (m)	
Outdoor Display									**P**	**P**	**P**	**P**	Division 3. Sec. 109-037. (n)	
Outdoor Storage		**P**							**P**	**P**	**P**		Division 3. Sec. 109-037. (o)	


W LANCASHIRE BLVD
ADDISON LN
YARMOUTH DR
CANYON RD
RIDGE RD
ROGERS RD
HIGHLAND RD
JUDY DR
CHELSEA RD

June 13, 2025

To: Bella Vista Planning Commission and City Council

From: Jack Kehoe

1945 Carters Creek Pike

Franklin, TN 37064

Cell: 503-333-8650

Email: jack@yourpurposeproperties.com

Subject: Zoning Change Request – Parcel ID: 16-43269-000

Dear Planning Commission and City Council,

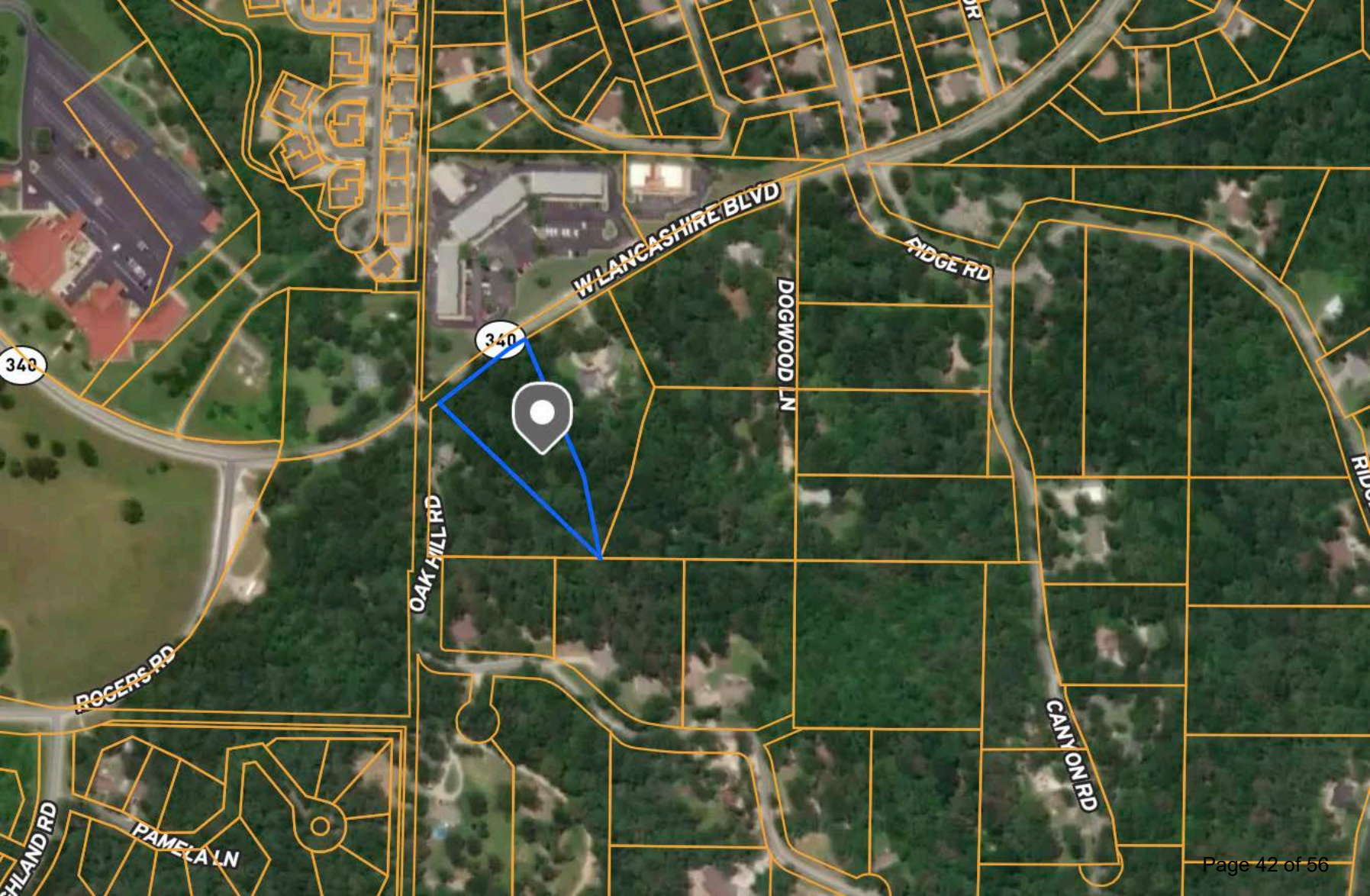
My name is Jack Kehoe, and I am the current owner of the property identified as Parcel ID: 16-43269-000 in Bella Vista, Arkansas. I am writing to respectfully request a zoning change for this property from its current zoning designation of R-E (Residential Estate) to C-2 (General Commercial).

The reason for this request stems from the property's location within the Future Land Use Type 2: Village Center area, as defined by the city's long-range planning documents. This designation envisions a mix of residential, commercial, and civic uses that foster vibrant, walkable centers of activity. Rezoning the parcel to C-2 would align with this vision by allowing for a broader range of commercial opportunities that support both community and economic development in Bella Vista.

While there is currently no sale pending, the intent behind the rezoning is to ensure that the land can be developed in a way that supports the Village Center goals. I believe this rezoning will benefit the city's long-term planning efforts and contribute positively to the surrounding community.

Thank you for considering this application. Please feel free to contact me at 503-333-8650 or jack@yourpurposeproperties.com if you have any questions or need additional documentation.

Warm regards,
Jack Kehoe


W LANCASHIRE BLVD
340
340
DOGWOOD LN
RIDGE RD
OAK HILL RD
ROGERS RD
CANYON RD
PAMELA LN
HLAND RD

Price Same as I + II

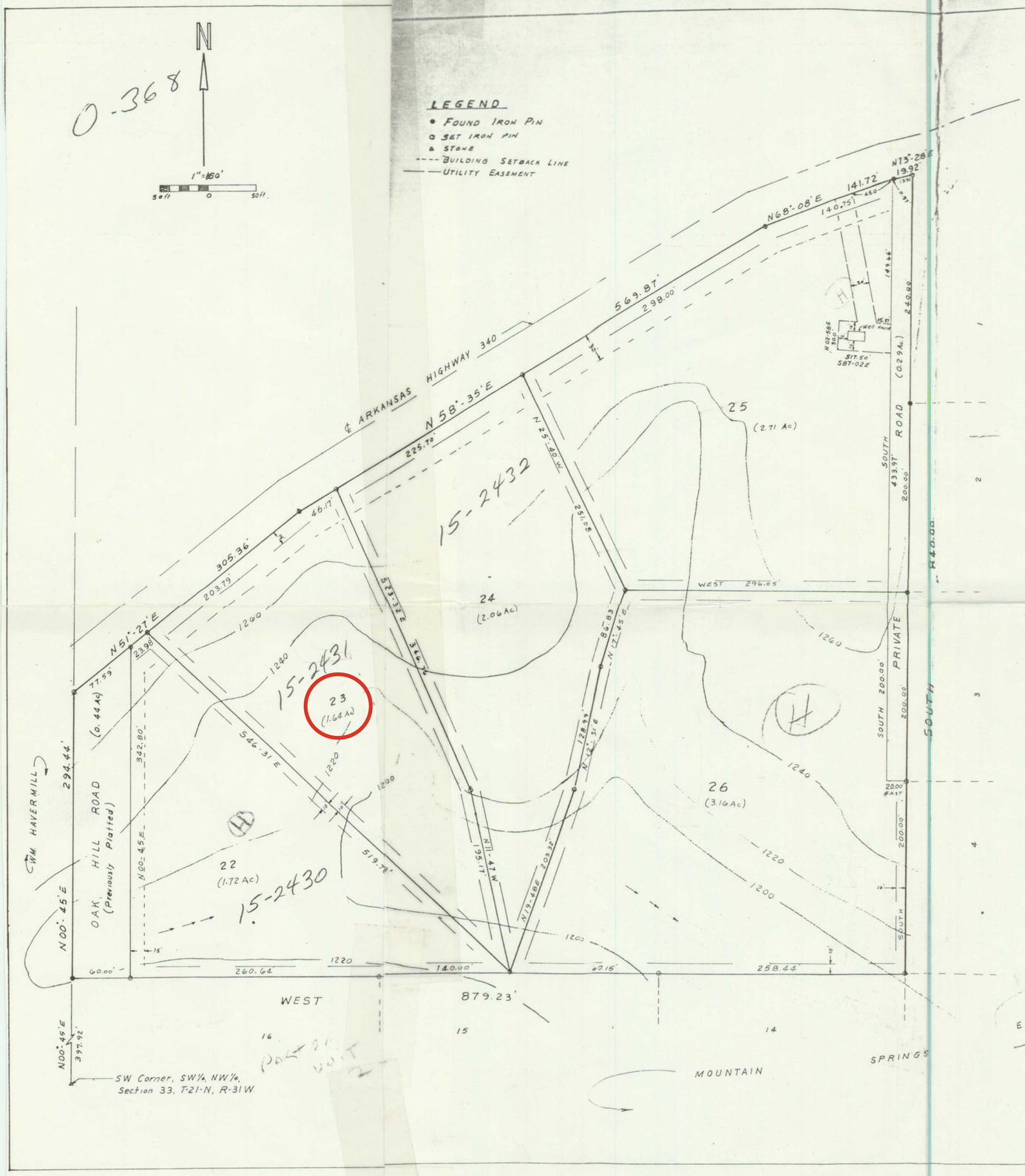
SD#20

MOUNTAIN SPRINGS ESTATES #3

(FINAL PLAT)

HIWASSE, ARKANSAS

APRIL 1975



LEGAL DESCRIPTION

Part of the SW 1/4, NW 1/4, Section 33, Township 21 North, Range 31 West, Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows:

From the SW corner of said SW 1/4, NW 1/4, thence N 00°-45' E, 397.92 feet to the point of beginning, thence N 00°-45' E 294.44 feet to a point on the southerly right of way line of A340 Highway; thence N 51°-27' E, 305.36 feet along said R/W line; thence N 58°-35' E, 569.87 feet along said R/W line; thence N 68°-08' E 141.72 feet along said R/W line; thence N 73°-28' E 19.92 feet along said R/W line; thence South 840.00 feet; thence West 879.23 feet to the point of beginning, containing 12.02 acres, more or less.

OWNERS CERTIFICATION AND DEDICATION

As owner I hereby certify that I have caused the land described on this plat to be surveyed, divided, mapped, dedicated and access rights reserved as represented on the plat.

Mrs Helen Leithleiter — ROUTE 1, BOX 62
Kenneth Leithleiter — HIWASSE, ARK

Subscribed and sworn before me this 2 day of July, 1975

Ann Lepp — My commission expires 6-26-78
Notary Public

ENGINEERS CERTIFICATE

All improvements conform to all applicable engineering requirements and specifications.

Cecil E. Aycock — Date 7/1/75
Cecil E. Aycock P.E.#3343

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 3343
CECIL E. AYCOCK

LAND SURVEYORS CERTIFICATE

This is to certify that the hereon platted and described parcel has been surveyed and that this plat conforms to that survey. Corners shown on plat, both exterior and interior lines, are, or will be set as shown in accordance with all regulations.

Cecil E. Aycock — Date 7/1/75
Cecil E. Aycock R.L.S. #708

CECIL AYCOCK
REGISTERED
LAND SURVEYOR
STATE OF
ARKANSAS
NO. 708
SIGNATURE

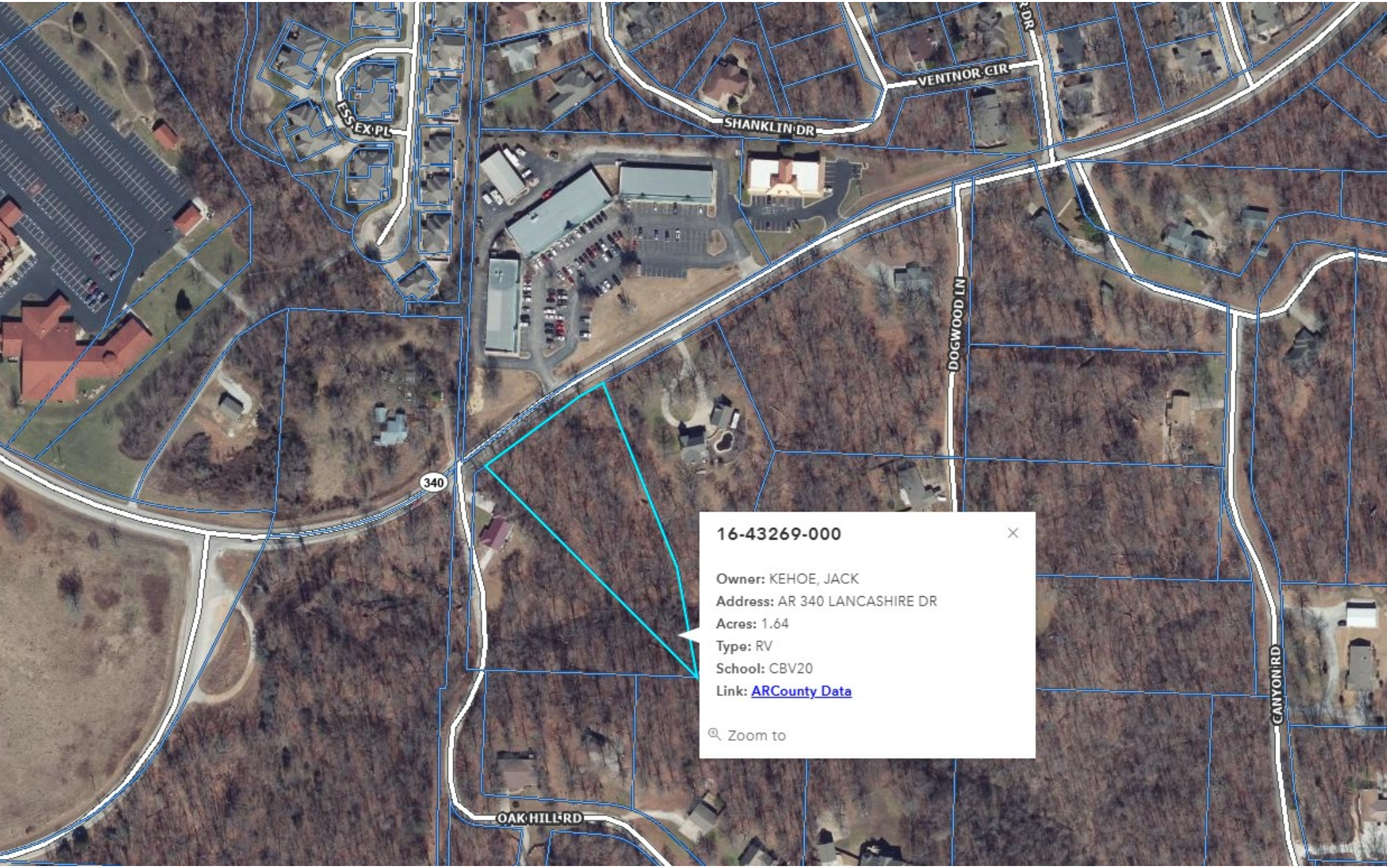
PLANNING BOARD ACCEPTANCE

This plat of MOUNTAIN SPRINGS ESTATES NO.3 is hereby accepted by the Benton County Planning Board on this 1st day of July 1975.

Chairman

NOTE:
KENNETH LEITHLEITER SHALL RETAIN A PERMANENT EASEMENT AROUND THE WELLHOUSE AS SHOWN AND OWNERSHIP OF EXISTING FACILITIES.

FILED FOR RECORD
At 10:45 O'Clock A M.
JUL 2 1975
JOSEPHINE R. HEYLAND
Clerk and Recorder
BENTON COUNTY, ARK.


ESSEX PL
SHANKLIN DR
VENTNOR CIR
DOGWOOD LN
340
OAK HILL RD
CANYON RD
16-43269-000
Owner: KEHOE, JACK
Address: AR 340 LANCASHIRE DR
Acres: 1.64
Type: RV
School: CBV20
Link: ARCounty Data
Zoom to

340
OAK HILL RD
1220
1230
16-43269-000
Owner: KEHOE, JACK
Address: AR 340 LANCASHIRE DR
Acres: 1.64
Type: RV
School: CBV20
Link: ARCounty Data
Zoom to

Planning Commission
Regular Meeting Minutes
September 8, 2025
2483 Forest Hills Blvd

I. CALL TO ORDER

Chairman Ellis called the meeting to order at 5:04 PM

II. ROLL CALL

Members: Daniel Ellis, PE, Chairman; Doug Farner, Vice-Chairman; Gail Klesen, Secretary; Clayton Sedberry; JB Portillo; Jack Wagnon, and Linda Lloyd.

Member(s) Absent: None.

III. CONSIDERATION OF MINUTES

A. *Regular Meeting Minutes – August 11, 2025*

On a motion by Mr. Farner and a second by Ms. Portillo, the August 11, 2025 minutes were approved by a voice vote.

IV. PUBLIC INPUT

A. Chairman Ellis opened the public input session.
B. Chairman Ellis closed the public input session.

V. UNFINISHED BUSINESS

A. WVR-2025-59726(A): A waiver request on required right-of-way dedication associated with PLA 59124 near 411 Town Center (East); Parcel 16-40168-000; Applicant Crafton Tull; Presented by Planner Grady.

1. Planner Grady presented the staff report in the packet.
2. A discussion was held regarding the request.
3. Applicant Evan McMahon was present to answer questions and reiterate hardship.
4. A motion to approve the waiver was made by Ms. Portillo and a second was made by Ms. Lloyd.

Doug Farner – Y
JB Portillo – Y
Jack Wagnon – Y
Linda Lloyd - Y
Gail Klesen – Y
Clayton Sedberry – Y
Daniel Ellis – Abstain
Motion approved with six yes votes. (6-0)

B. PLA-2025-59124: A Property line adjustment proposal located near 411 Town Center (East); Parcel 16-40168-000; Applicant Crafton Tull; Presented by Planner Grady.

1. Planner Grady presented the staff report alongside item A.
2. A discussion was held regarding the request.
3. Applicant Evan McMahon was present to reiterate hardship and answer questions.
4. A motion to approve the property line adjustment was made by Ms. Klesen and a second was made by Mr. Sedberry.

JB Portillo - Y
Jack Wagnon – Y
Linda Lloyd – Y
Gail Klesen – Y
Clayton Sedberry - Y
Doug Farner - Y
Daniel Ellis - Abstain
Motion approved with six yes votes. (6-0)

C. WVR-2025-59726(B): A waiver request of retaining wall setback requirements for a proposed retaining wall located near 411 Town Center (East); Parcel 16-40168-000; Applicant Crafton Tull; Presented by Senior Planner Hyatt.

1. Senior Planner Hyatt presented the staff report in the packet.
2. Discussion was held regarding the proposal.
3. The applicant Evan McMahon was present to answer questions and reiterate hardship.
4. A motion to approve the waiver was made by Ms. Klesen and a second was made by Mr. Farner.

Jack Wagnon – Y
Linda Lloyd – Y
Gail Klesen – Y
Clayton Sedberry – Y
Doug Farner – Y
JB Portillo - Y
Daniel Ellis - Abstain
Motion approved with six yes votes. (6-0)

VI. NEW BUSINESS

A. LSD-2025-57468: A request to extend the approved development permit for the Republic Services Transfer Station for an additional six months at 36 Bella Vista Way; Parcel 16-43396-000; Applicant Dan Koziatek; Presented by Senior Planner Hyatt

1. Senior Planner Hyatt presented the staff report in the packet.
2. Stephen Brown, representing Republic Services was present for questions.
3. A discussion was held regarding the request.
4. A motion to approve the large-scale development extension was made by Mr. Farner and a second was made by Mr. Sedberry.

Linda Lloyd – Y
Gail Klesen – Y
Clayton Sedberry – Y
Doug Farner – Y

JB Portillo - Y
Jack Wagnon - Y
Daniel Ellis - Y

Motion approved with seven yes votes. (7-0)

B. <u>Public Hearing</u> RZN-2025-59940: A request to rezone the subject property from R-E Residential Estate to C-2 Light/Local Commercial near Lancashire Blvd and Oakhill Drive; Parcel 16-43269-000; Applicant Jack Kehoe; Presented by Planner Grady.

1. Planner Grady presented the staff report in the packet.
2. Christopher Brandon was present to answer questions and reiterate intent.
3. A discussion was held regarding the request.
4. Commissioner Ellis opened the public hearing.
5. Darin Callahan, 645 W Lancashire Blvd spoke in opposition of the rezone.
6. Jaclyn Callahan, 645 W Lancashire Blvd spoke in opposition of the rezone.
7. Randy Kizzia, 14892 Oak Hill Rd. spoke in opposition of the rezone.
8. Commissioner Ellis closed the public hearing.
9. A motion to recommend the rezone to city council was made by Ms. Klesen and a second was made by Mr. Sedberry.

Gail Klesen – N
Clayton Sedberry – N
Doug Farner – N
JB Portillo - N
Jack Wagnon - N
Linda Lloyd - Y
Daniel Ellis - N

Motion denied with six no votes and one yes vote. (1-6)

C. WVR-2025-60189: A waiver request of retaining wall setback requirements for an existing retaining wall located at 3 Buckingham Dr; Parcel 16-05904-000; Applicant Zachariah Smith; Presented by Senior Planner Hyatt

1. Senior Planner Hyatt presented the staff report in the packet.
2. Staff recommends approval as long as a septic design be established for the adjacent lot.
3. A discussion was held regarding the request.
4. Zach Smith was present to answer questions and reiterate hardship.
5. A motion to approve the waiver with staff conditions was made by Mr. Sedberry and a second was made by Mr. Wagnon.

Clayton Sedberry – Y
Doug Farner – Y
JB Portillo - Y
Jack Wagnon - Y
Linda Lloyd - Y
Gail Klesen - Y
Daniel Ellis - Y

Motion approved with seven yes votes. (7-0)

D. MSD-2025-60193: A proposed minor subdivision creating four new lots near Copinsay Drive and Kirkwall Drive; Parcel 16-72577-012; Applicant Cooper Communities; Presented by Planner LaRue

1. Planner LaRue presented the staff report in the packet.
2. Kent Burger was present to answer questions.
3. A discussion was held regarding the request.
4. A motion to approve the minor subdivision was made by Mr. Farner and a second was made by Ms. Portillo.

Doug Farner – Y
JB Portillo - Y
Jack Wagnon - Y
Linda Lloyd - Y
Gail Klesen – Y
Clayton Sedberry - Y
Daniel Ellis - Y

Motion approved with seven yes votes. (7-0)

VII. COMMITTEE REPORTS

None.

VIII. OPEN DISCUSSION

A. House placement certification discussion

IX. ANNOUNCEMENTS

A summary of upcoming meetings was announced.

IIX. ADJOURNMENT

Chairman Ellis adjourned the meeting at 5:53 pm.

SUBMITTED BY:

_____
Sarah Costa, Office Manager
City of Bella Vista

APPROVED AND ACCEPTED THIS 13TH DAY OF October 2025:

_____
Daniel Ellis, P.E., Chairman
Bella Vista Planning Commission

_____
Gail Klesen, Secretary
Bella Vista Planning Commission

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

AMENDING THE BELLA VISTA ZONING ORDINANCE AND MAP TO REZONE PROPERTY DESCRIBED IN REZONING PETITION NO. 2025-59940 (COUNTY PARCEL NO. 16-43269-000) FROM R-E, RESIDENTIAL ESTATE DISTRICT TO C-2, LOCAL COMMERCIAL

WHEREAS, a rezoning petition was properly filed and considered by the Bella Vista Planning Commission according to the requirements of law; and

WHEREAS, the Planning Commission did not vote to recommend to the City Council that said petition be granted and that the property described therein be rezoned from R-E, Residential Estate District, to C-2, Light Commercial District; and

WHEREAS, the Planning Commission denial was appealed by the applicant and the City Council is of the opinion that said parcel should be rezoned as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:

SECTION 1: The Bella Vista Zoning Ordinance and Map are hereby amended to rezone property described in rezoning petition No. 2025-59940 (County Parcel No. 16-43269-000) from R-E, Residential Estate District to C-2, Local Commercial District.

SECTION 2: The legal description of the parcel is attached to this Ordinance as Exhibit "A" and incorporated herein as if set out word-for-word.

ADOPTED THIS _____ DAY OF _____, 2025.

APPROVED:

_____
Mayor John D. Flynn

ATTEST:

_____
City Clerk Wanda Krug

Requested by Mayor
Prepared by Jason Kelley, Staff Attorney

MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
October 20, 2025	Wanda Krug, City Clerk	**RESOLUTION:** ESTABLISHING A HEALTH INSURANCE PREMIUM CREDIT FOR ELIGIBLE POLICE AND FIRE DEPARTMENT RETIREES AND THEIR DEPENDENTS, BASED UPON A RULE OF 85 ELIGIBILITY STANDARD

AGENDA ITEM # IV.F

RESOLUTION: ESTABLISHING A HEALTH INSURANCE PREMIUM CREDIT FOR ELIGIBLE POLICE AND FIRE DEPARTMENT RETIREES AND THEIR DEPENDENTS, BASED UPON A RULE OF 85 ELIGIBILITY STANDARD

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Mayor Resolution Fire-Police Retiree Health
2. Information Sheet Fire-Police Retiree Health

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

ESTABLISHING A HEALTH INSURANCE PREMIUM CREDIT FOR ELIGIBLE POLICE AND FIRE DEPARTMENT RETIREES AND THEIR DEPENDENTS, BASED UPON A RULE OF 85 ELIGIBILITY STANDARD

WHEREAS, the Arkansas General Assembly adopted amendments to Ark. Code Ann. § 14-1-110 regarding the eligibility of certain municipal police and fire department retirees for health benefits after retirement but before reaching Medicare eligibility age; and

WHEREAS, pursuant to law, an eligible police or fire department retiree, or his or her eligible dependents, as defined by the Act, shall be entitled to enroll in the municipality's health benefit program within sixty (60) days from the date of retirement, with the retiree or dependent paying a premium as determined by the municipality; and

WHEREAS, the City Council of Bella Vista finds it necessary and proper to establish a health insurance premium credit policy for certain police and fire retirees and their dependents, as local implementation of the law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:

SECTION 1. ELIGIBLE PARTICIPANTS.

Only those persons defined as eligible participants under Ark. Code Ann. § 14-1-110 are entitled to participate pursuant to this Resolution. To qualify for the premium credit established herein, a retiree must meet the Rule of 85 (the sum of age at retirement plus years of credited service equals at least eighty-five (85)). The phrase "years of credited service" as used in this Resolution means the total years of service, without interruption, measured on the anniversary date of hire, as a police officer or firefighter employed by the City of Bella Vista, Arkansas, plus the number of years of service said police officer or firefighter may have served as an employee of the Bella Vista Village Property Owners Association, Inc. immediately prior to employment with the City of Bella Vista, Arkansas. Additionally, the retiree or their eligible dependents must have been covered under the City of Bella Vista's health insurance plan immediately prior to the retiree's effective retirement date.

SECTION 2. COST SHARING ESTABLISHED.

Effective January 1, 2026, an eligible retiree shall receive a health insurance premium credit in the total amount of One Hundred Thirty Dollars ($130.00) per month, to be applied only toward the cost of participation in the City's health benefit program. This credit shall continue until the retiree becomes eligible for Medicare or otherwise ceases to qualify under Ark. Code Ann. § 14-1-110.

SECTION 3. IMPLEMENTATION.

The Mayor, City Clerk, and other appropriate officials are hereby authorized and directed to take such actions as are necessary to implement this Resolution.

ADOPTED THIS _____ DAY OF _____, 2025.

APPROVED:

_____
MAYOR JOHN D. FLYNN

ATTEST:

_____
CITY CLERK WANDA KRUG

Requested by: Mayor
Prepared by: Jason Kelley, Staff Attorney

25 years of Service - T. H Proposal

	# yrs eligible next 10 yr period	25% City Paid Monthly	Total Paid next 10 years	Currently Monthly Cost 100% Based on actual enrollments	Current Coverage
Fire	10	$ -	$ -	$ -	No Cov
Fire	10	$ 164.25	$ 19,710.00	$ 657.00	Single Co-pay
Fire	10	$ 386.35	$ 46,362.00	$ 1,545.40	Family HDHP
Police	10	$ -	$ -	$ -	No Cov
Police	10	$ 493.18	$ 59,181.00	$ 1,972.70	Family Co-pay
Fire	10	$ 244.69	$ 29,362.50	$ 978.75	Children HDHP
Fire	10	$ 493.18	$ 59,181.00	$ 1,972.70	Family Co-pay
Police	6	$ 493.18	$ 35,508.60	$ 1,972.70	Family Co-pay
Police	5	$ -	$ -	$ -	No Cov
Fire	5	$ 164.38	$ 9,862.95	$ 657.53	Single Co-pay
Fire	5	$ 386.35	$ 23,181.00	$ 1,545.40	Familiy HDHP
Fire	3	$ 345.22	$ 12,427.92	$ 1,380.88	Spouse Co-pay

$ 294,776.97 **Total City Pd 10 year period**

Rule of 85 - Mayor Flynn Proposal

Dept	# yrs eligible next 10 yr period	City Paid $130 Flat amount	Total Paid next 10 years	Currently Monthly Cost 100% Based on actual enrollments	Current Coverage
Fire	10	$ 130.00	$ 15,600.00	$ 657.00	Single Co-pay
Fire	10	$ -	$ -	$ -	No Cov
Police	6	$ 130.00	$ 9,360.00	$ 1,972.70	Family Co-pay
Police	5	$ -	$ -	$ -	No Cov
Fire	3	$ 130.00	$ 4,680.00	$ 1,380.88	Spouse Co-pay

$ 29,640.00 **Total City Pd 10 year period**

PROPOSED AMENDMENTS BY Councilor Wilms - 10/27/2025

Requested changes per VWWC Meetings 09/19/25 and 11/16/2025~~.~~

PROPOSED AMENDMENT: Correcting ADOPTION per VWWC Request

109-112(b): Construction and Installation standards for wastewater collection systems.

1. The utility plan must illustrate the location and size of the wastewater utility mains. Pipe stub-outs shall be located in manholes to facilitate the future extension of wastewater lines.
2. Wastewater collection systems shall adhere to the following minimum standards unless otherwise approved by the ~~Director~~ **City Engineer**:
    a. General Installation.
        1. Inlet Pipe. Inlet pipes should be installed using a 5**-1/4**" hole saw with a 4" Adapt-a-Flex water-tight connector.
        2. Outlet Pipe. Outlet pipes shall have a stainless-steel pipe extending from the tank to the 2" PVC discharge line. This connection shall be a pressure connection, and the stainless shall be supported by undisturbed soil or packed under with bricks/blocks.
        3. Electrical Conduit. Electrical conduit shall be sealed with silicone to prevent moisture and ground water from entering the J-box inside the tank.
    b. Typical Grinder Installation
        1. Tank Requirements
            a. The tank lid shall be installed 2" – 6" above the final grade.
            b. The tank lid shall be below the elevation of the lowest floor of the house.
            c. No extensions or risers shall be installed with the tank.
            d. The tank shall not be obstructed in any way by shrubs, bushes, decorative rock, or any other fixture that would inhibit maintenance to the lift station.
            e. The tank shall be placed within sight of the electrical panel. providing power to the tank.
            f. The tank shall ~~not~~ be in a location that is not under a deck or in an area that will have heavy traffic.
            g. The utility provider shall set the tank float**(s)** before water is allowed to flow into the tank.
        2. Electrical Requirements
            a. All electrical connections shall be made by the ~~utility provider~~ **Installer** inside the **NEMA-4** J-Box **with water-tight connections**.
            ~~a.~~
            b. Electrical inlet shall have a watertight connection to the conduit from the house mounted panel and will be left exposed for inspection for the utility provider **and City Electrical Inspector**.
            ~~b.~~
            c. Electrical feed into the wall-mounted panel shall be a minimum of a 220-VAC, single phase, 20-amp circuit, AWG 12/3 ~~with ground~~

minimum feed wire. An electrical disconnect shall be provided at the pump station area (clearly visible from the tank) for maintenance purposes.

d. Use of stranded wire conductors between the control panel and the pump is recommended or as otherwise required by the utility provider. **All wire connections within the Grinder Station interior shall be Water-Tight.**

e. 2HP / 220V Grinder Pump requirements.

a. Two (2) conductors + ground, AWG 12**-3** minimum, shall be required for pumps.

b. Two (2) conductors, AWG 14 minimum, shall be required for alarm lights.

3. Plumbing Requirements

a. All piping connections at the tank shall be left exposed for utility inspection.

b. Stainless steel discharge pipe **shall be** supplied with tank ~~(#2 on diagram)~~ installed outside the tank wall **and** shall be of sufficient length to rest on undisturbed soil. This pipe shall rest on undisturbed soil or **com**packed **SB-2 backfill around Tank perimeter and under all connections** ~~with bricks/blocks~~.

c. 4" Adapt-a-Flex Hub water-tight connector supplied with the lift station shall be installed in the inlet and silicone sealed both inside and outside to prevent infiltration~~,~~ ~~which causes overload~~ ~~to~~ that is **Prohibited from entering**~~to~~ the **sewer** collection system.

d. FERNCO or PVC drain type fittings on pressure lines shall be prohibited.

e. Utility provider shall set floats before water is allowed to flow into the tank.

3. All Wastewater components and collection system designs/connections shall be Approved by Arkansas Department of Health, Engineering Division, and/or Village WasteWater Company prior to Installation, as applicable for project.

~~3.~~4. ~~3.~~ Abandoned Septic Tanks. Per Arkansas State Law Section 11.5, ~~s~~Septic ~~t~~Tanks ~~n~~No ~~l~~Longer ~~i~~In ~~u~~Use, must be pumped out by a licensed septic tank cleaner, **top shall be** collapsed **into tank OR removed from site**, and filled with clean material **or SB-2 compacted in lifts to minimize settlement,** at the time of abandonment. **Village Wastewater Company shall inspect abandoned septic tank work.**

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These proposed revisions were Approved by Village Waste Water Company (VWWC) Director 09/19/25 & 10/16/2025