



Bella Vista City Council Regular Meeting Agenda

Date/Time: April 27, 2026
6:00 PM

Location: Bella Vista District Court
2483 Forest Hills Blvd.

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

Staff Attorney:

Jason Kelley

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. Pledge of Allegiance

III. Roll Call

IV. Citizen Input

Per the rules, there is a 3 minute per person time limit to address the Council on any topic of that person's choosing. The total time allotted for citizen input is 30 minutes. Any time extension beyond the 30-minute total will be at the discretion of the City Council.

V. Council Member Reply

Any Council Members' reply to comments made during Citizen Input Session is limited to comments only and will not be a discussion period.

VI. Reports

- A. Monthly Financial Report: Mayor Flynn
- B. 2026 Youth Council Presentation: Mayor Flynn and Communications Director Lapp
- C. Litter Clean-Up Award to Tim Pschierer: Mayor Flynn
- D. Mayor's Monarch Pledge Day: Mayor Flynn
- E. Proclamation Garden for Wildlife Month of May: Mayor Flynn

(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.)

VII. Consent Agenda

- F. Approval of Minutes:
March 23, 2026, City Council Regular Meeting Minutes
- G. **RESOLUTION:** AUTHORIZING THE DEVELOPMENT OF A RAZORBACK GREENWAY CORRIDOR KEY PLACE PLAN FOR THE CITY OF BELLA VISTA
- H. **RESOLUTION:** EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS
- I. **RESOLUTION:** EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA TO UTILIZE FEDERAL-AID RECREATIONAL TRAILS PROGRAM FUNDS
- J. **RESOLUTION:** AMENDING THE 2026 CITY BUDGET TO APPROVE THE ADDITION OF ONE-HALF (1/2) STAFF HEADCOUNT TO CREATE A FULL-TIME CUSTODIAL POSITION FOR THE POLICE DEPARTMENT
- K. **RESOLUTION:** AMENDING THE 2026 CITY BUDGET TO APPROPRIATE AN ADDITIONAL \$37,386.13 TO FUND NECESSARY REPAIRS TO FIRE DEPARTMENT CAPITAL EQUIPMENT

VIII. Unfinished Business

- L. **ORDINANCE:** PROHIBITING CAMPING AND VEHICLE HABITATION ON CERTAIN PUBLIC PROPERTY, PROVIDING DEFINITIONS, ESTABLISHING ENFORCEMENT PROCEDURES, PROVIDING EXEMPTIONS, PROVIDING PENALTIES, AND FOR OTHER PURPOSES *2nd reading*

- M. **ORDINANCE:** AMENDING ORDINANCE NO. 2025-16 ESTABLISHING A BUSINESS LICENSE TO EXEMPT SHORT-TERM RENTAL MANAGEMENT BUSINESSES FROM THE LICENSING REQUIREMENT, AND FOR OTHER PURPOSES *2nd reading*
- N. **ORDINANCE:** REQUIRING THE BELLA VISTA ADVERTISING AND PROMOTION COMMISSION TO PUBLISH FINANCIAL STATEMENTS ON ITS OFFICIAL WEBSITE, AND FOR OTHER PURPOSES *2nd reading*

IX. New Business

See meeting packet for complete ordinances and resolutions.

- O. **ORDINANCE:** WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP IN A TOTAL AMOUNT NOT TO EXCEED \$131,000.00 FOR THE PURCHASE OF TWO (2) 2026 CHEVROLET TAHOE SSV VEHICLES WITH POLICE UPFIT FOR USE BY THE POLICE DEPARTMENT
- P. **ORDINANCE:** AMENDING THE BELLA VISTA ZONING ORDINANCE AND MAP TO REZONE PROPERTY DESCRIBED IN REZONING PETITION NO. 2026-63851 (COUNTY PARCEL NO. 16-43201-000) FROM R-E, RESIDENTIAL ESTATE DISTRICT TO A-P, AGRICULTURAL PRESERVATION DISTRICT
- Q. **ORDINANCE:** AMENDING ORDINANCE NO. 2025-16 ESTABLISHING A BUSINESS LICENSE TO REPEAL SUBSECTION 4(f) TO MAKE CLEAR THAT LAWFUL HOME-BASED BUSINESSES, INCLUDING HOME-BASED PROPERTY MANAGEMENT BUSINESSES AND HOME-BASED SHORT-TERM RENTAL MANAGEMENT BUSINESSES, ARE EXEMPT FROM THE BUSINESS LICENSE REQUIREMENT, WHILE STILL PROVIDING THAT SUCH BUSINESSES CONDUCTED OUTSIDE THE HOME ARE NOT EXEMPT, AND FOR OTHER PURPOSES
- R. **RESOLUTION:** APPROVING THE MAYOR'S REAPPOINTMENT OF ELIZABETH DUNCAN TO THE TREE ADVISORY BOARD (POSITION 5) FOR A THREE (3) YEAR TERM ENDING MAY 1, 2029
- S. **RESOLUTION:** APPROVING THE MAYOR'S APPOINTMENT OF BENJAMIN SASINE TO THE TREE ADVISORY BOARD (POSITION 4) FOR A THREE (3) YEAR TERM ENDING MAY 1, 2029
- T. **RESOLUTION:** AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH GARRETT EXCAVATING, INC. AT THE AMOUNT OF \$99.31 PER TON FOR ASPHALT STREET RESURFACING (HOT MIX OVERLAY) AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH VANCE BROTHERS, LLC IN THE AMOUNT OF \$3.13 PER

SQUARE YARD FOR SLURRY SEAL STREETS.

- U. **RESOLUTION:** AMENDING THE RULES OF ORDER AND PROCEDURE OF THE BELLA VISTA CITY COUNCIL REGARDING PROVISIONS FOR COUNCIL RESPONSE TO PUBLIC COMMENT

- V. **RESOLUTION:** TO PROVIDE FOR A STUDY OF CITY PARTICIPATION IN THE ARKANSAS PUBLIC EMPLOYEE RETIREMENT SYSTEM (APERS) FOR NON-UNIFORMED CITY EMPLOYEES

- W. **RESOLUTION:** REFERRING TO THE PLANNING COMMISSION FOR PUBLIC HEARING AND RECOMMENDATION A ZONING CODE CHANGE TO PERMIT NEWLY CONSTRUCTED ELECTRICAL METERS IN THE FRONT OF A RESIDENCE IF THE RESIDENCE IS MORE THAN FIFTY (50) FEET FROM THE STREET RIGHT-OF-WAY

X. Announcements

- Next City Council Work Session: 6:00 pm Monday, May 18, at Bella Vista Police Training Room
- Next City Council Regular Meeting: 6:00 pm **Tuesday**, May 26, at Bella Vista District Court
- Planning Commission Work Session: 4:30 pm Thursday, April 30, at Bella Vista District Court
- Planning Commission Regular Meeting: 4:30 pm, or immediately following BZA, Monday, May 11, at Bella Vista District Court
- Board of Construction Appeals: 3:00 pm Tuesday, May 12, if necessary, at Fire Station #4 Conference Rm, 1639 Forest Hills Blvd.

XI. 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.



Financial Reports for the one - month
period ending January 31, 2026



	General Fund		Street Fund	
	As of January 2026	As of January 2025	As of January 2026	As of January 2025
ASSETS				
Cash and Cash Equivalents				
General Fund Available	2,521,912			
Cash Reserve Requirement	6,861,125			
Cash Impact Fee Restricted	786,928			
Cash and Cash Equivalents	\$ 10,169,965	\$ 10,790,611	\$ 845,090.25	\$ 666,756
Accounts Receivable	2,331,628	2,204,111	30,451	2,855
Other Assets	76,047	1,719,460	-	-
Interfund Receivables	-	-	-	-
TOTAL ASSETS	\$ 12,577,641	\$ 14,714,183	\$ 875,541	\$ 669,611
LIABILITIES AND FUND BALANCES				
Liabilities				
Accounts Payable	\$ 503,332	\$ 440,149	\$ 8,062	\$ 65,505
Other Payables	\$ 182,751	\$ 71,485		
Interfund Payables	31,116	365,348	121,961	49,655
TOTAL LIABILITIES	\$ 717,199	\$ 876,983	\$ 130,023	\$ 115,160
Fund Balances				
Restricted	\$ 513,915	\$ 869,119	\$ 745,519	\$ 554,451
Assigned	\$ 341,167	\$ 351,928		
Reserved	\$ 6,861,125			
Unassigned	\$ 4,144,234	\$ 12,616,154	\$ -	\$ -
TOTAL FUND BALANCES	\$ 11,860,441	\$ 13,837,201	\$ 745,519	\$ 554,451
TOTAL LIABILITIES AND FUND BALANCES	\$ 12,577,641	\$ 14,714,184	\$ 875,541	\$ 669,611



	GENERAL FUND				STREET FUND			
	Year-To-Date Actual Jan 2026-January 2026	Prior Year-To-Date Actual Jan 2025-January 2025	Year-To-Date Adopted Budget Jan 2026-January 2026	Budget Surplus (Deficit)	Year-To-Date Actual Jan 2026-January 2026	Prior Year-To-Date Actual Jan 2025-January 2025	Year-To-Date Adopted Budget Jan 2026-January 2026	Budget Surplus (Deficit)
REVENUES - Unrestricted/Unassigned								
State Aid	60,788	60,855	36,333	24,455	-	-	-	-
Property Tax Revenue	191,556	-	387,000	(195,444)	-	-	-	-
Franchise Fees	194,363	206,918	192,083	2,279	-	-	-	-
City Sales Tax	454,962	418,126	395,833	59,129	-	-	-	-
County Sales Tax - General	917,792	929,722	825,000	92,792	-	-	-	-
Total Sales Tax Revenue	1,372,754	1,347,848	1,220,833	151,921	-	-	-	-
Fines, forfeitures, and costs	12,790	21,392	16,250	(3,460)	-	-	-	-
Interest Income	32,767	22,045	20,000	12,767	-	-	-	-
Local permits and fees	123,667	110,340	104,605	19,062	-	-	-	-
Solid Waste Pick Up Fees	26,121	24,959	24,500	1,621	-	-	-	-
Ambulance Fees	99,591	121,308	116,667	(17,076)	-	-	-	-
Other Income	2,726	25,342	4,000	(1,274)	-	-	-	-
TOTAL REVENUES - OPERATING	2,117,121	1,941,008	2,122,271	(5,150)	-	-	-	-
REVENUES - Restricted/Assigned								
County Turnback Revenues - Street					42,524	2,855	65,000	(22,476)
State Aid	3,588	12,586	-	3,588	173,657	220,322	208,333	(34,676)
Federal Aid (Grants, etc.)	-	-	-	-	-	-	-	-
Impact Fees	-	-	-	-	-	-	-	-
Fines, forfeitures, and costs	2,340	1,589	-	2,340	-	-	-	-
Interest Income - Street Fund	-	-	-	-	-	-	-	-
Other Income	130	10,316	-	130	-	-	-	-
TOTAL REVENUES - RESTRICTED/ASSIGNED	6,058	24,491	-	6,058	216,181	223,177	273,333	(57,152)
TOTAL REVENUES	2,123,180	1,965,498	2,122,271	908	216,181	223,177	273,333	(57,152)



	GENERAL FUND				STREET FUND			
	Year-To-Date Actual Jan 2026-January 2026	Prior Year-To-Date Actual Jan 2025-January 2025	Year-To-Date Adopted Budget Jan 2026-January 2026	Budget Surplus (Deficit)	Year-To-Date Actual Jan 2026-January 2026	Prior Year-To-Date Actual Jan 2025-January 2025	Year-To-Date Adopted Budget Jan 2026-January 2026	Budget Surplus (Deficit)
EXPENDITURES								
OPERATING AND CAPITAL								
General Government:								
Admin	120,546	129,814	92,981	(27,565)				
HR	52,334	54,737	40,662	(11,672)				
IT	40,445	157,903	87,953	47,508				
Admin (Admin, HR, and IT)	\$ 213,326	\$ 342,454	\$ 221,596	\$ 8,270				
Legal	\$ 13,634	\$ 14,953	22,056	\$ 8,422				
Court	\$ 20,528	\$ 19,180	19,073	\$ (1,455)				
Legal (Legal and Court)	\$ 34,162	\$ 34,133	41,129	\$ 6,967				
Planning & Development	\$ 88,865	\$ 81,685	126,087	\$ 37,223				
Total General Government	\$ 336,352	\$ 458,272	\$ 388,811	\$ 52,459				
Law Enforcement (Police)	544,740	403,475	682,649	137,910				
Streets	-	-	-	-	\$ 227,816	\$ 249,924	\$ 375,345	\$ 147,529
Public Safety (Fire and Ambulance)	694,848	535,099	849,753	154,905				
Recreation and Culture (Library)	42,901	42,142	84,351	41,449				
Total Other Government	\$ 1,282,489	\$ 980,716	\$ 1,616,753	\$ 334,264	227,816	249,924	375,345	147,529
TOTAL OPERATING EXPENDITURES	\$ 1,618,841	\$ 1,438,989	\$ 2,005,564	\$ 386,724	\$ 227,816	\$ 249,924	\$ 375,345	\$ 147,529
REVENUES OVER/ (UNDER) OPERATING EXPENDITURES	\$ 504,339	\$ 526,510	\$ 116,707	\$ 387,632	\$ (11,635)	\$ (26,747)	\$ (102,012)	\$ 90,377
Capital Projects								
Impact Fees	-	-	\$ -	-				
Capital Projects	15,687	-	1,629,750	1,614,063				
Total Capital Projects	\$ 15,687	\$ -	\$ 1,629,750	\$ 1,614,063				
DEBT SERVICE:								
TOTAL DEBT SERVICE	\$ -	\$ -	\$ -	\$ -				
TOTAL OPERATING, CAPITAL IMPROVEMENT, AND DEBT SERVICE EXPENDITURES	\$ 1,634,528	\$ 1,438,989	\$ 3,635,314	\$ 2,000,786	\$ 227,816	\$ 249,924	\$ 375,345	\$ 147,529
REVENUES OVER/ (UNDER) EXPENDITURES BEFORE OTHER FINANCING SOURCES (USES)	\$ 488,651	\$ 526,510	\$ (1,513,043)	\$ 2,001,694	\$ (11,635)	\$ (26,747)	\$ (102,012)	\$ 90,377
OTHER FINANCING SOURCES (USES)								
Transfers In (Out)	\$ -	\$ (57,881)	\$ (102,083)	\$ 102,083	\$ -	\$ -	\$ -	\$ -
TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ (57,881)	\$ (102,083)	\$ 102,083	\$ -	\$ -	\$ -	\$ -
NET REVENUES (EXPENDITURES)	\$ 488,651	\$ 468,628	\$ (1,615,126)	\$ 2,103,777	\$ (11,635)	\$ (26,747)	\$ (102,012)	\$ 90,377



Sales Tax Detail January 2026

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City Sales Tax

FS Month	CY Actual	PY Actual	Increase (Decrease) from Prior Yr	Increase (Decrease) as % from prior yr	2023 Budget	Budget Surplus (Deficit)
Jan	\$ 454,962	\$ 418,126	\$ 36,836	9%	395,833	\$ 59,129
YTD	\$ 454,962	\$ 418,126	\$ 36,836	9%	\$ 4,750,000	\$ (4,295,038)
						-90.4%

Note:
For the January Financials Statement, the January Sales Tax relates to November sales.

County Sales Tax

	CY Actual	PY Actual	Increase (Decrease) from Prior Yr	Increase (Decrease) as % from prior yr	2023 Budget	Budget Surplus (Deficit)
Jan	\$ 917,792	\$ 929,722	\$ (11,930)	-1%	\$ 825,000	\$ 92,792
YTD	\$ 917,792	\$ 929,722	\$ (11,930)	-1%	\$ 9,900,000	\$ (8,982,208)
						-90.7%

Total	\$ 1,372,754	\$ 1,347,848	\$ 24,906	2%	\$ 14,650,000	\$ (13,277,246)
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Misc Additional Information

January 2026

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2026 Non-budgeted Requests

Estimated Unassigned Funds Available after Capital Requests -

Date Approved	Dept	Description	Type	Inflows	Expenses	Resolution
		Total Non-Budgeted		-	-	
		Net Non-Budgeted Requests			\$ -	

Adjusted Estimated Unassigned Funds Available after Capital Requests -

Impact Fee Revenue

Impact Fees	Current Year		Prior	Other
	44610 - SF Res	Year 44610 - SF Res	Year 44610 - SF Res	
Interest				
PY Years		2,039,397		
1-Jan	65,151	71,485	(6,334)	
2-Feb	88,011	72,009	16,002	
3-Mar			-	
Total YTD	153,162	143,494	9,668	-
2025 Total Revenue		880,793		65,830
Total Impact fees		3,073,352		65,830

*commercial

Impact Fee Use

	Source	Police	Fire	Library	Total	Resolution #
	SFR	811,365	2,117,540	144,448	3,073,352	
	Other	5,866	58,901	1,063	65,830	
Prior Expenditures		(276,400)	(1,953,689)	(36,176)	(2,266,265)	
Funds Available		540,831.36	222,750.83	109,334.94	872,917.13	



Financial Reports for the two - month
period ending February 28, 2026



	General Fund		Street Fund	
	As of February 2026	As of February 2025	As of February 2026	As of February 2025
ASSETS				
Cash and Cash Equivalents				
General Fund Available	2,181,656			
Cash Reserve Requirement	6,861,125			
Cash Impact Fee Restricted	876,241			
Cash and Cash Equivalents	\$ 9,919,022	\$ 10,165,708	\$ 997,564.20	\$ 812,620
Accounts Receivable	1,717,680	2,049,866	3,162	-
Other Assets	76,047	1,719,460	-	-
Interfund Receivables	-	-	-	-
TOTAL ASSETS	\$ 11,712,749	\$ 13,935,034	\$ 1,000,726	\$ 812,620
LIABILITIES AND FUND BALANCES				
Liabilities				
Accounts Payable	\$ 508,630	\$ 380,894	\$ 16,366	\$ 68,899
Other Payables	\$ 270,762	\$ 143,494		
Interfund Payables	(212,108)	434,583	295,583	98,516
TOTAL LIABILITIES	\$ 567,284	\$ 958,971	\$ 311,949	\$ 167,415
Fund Balances				
Restricted	\$ 513,977	\$ 869,163	\$ 688,777	\$ 645,205
Assigned	\$ 341,167	\$ 351,928		
Reserved	\$ 6,861,125			
Unassigned	\$ 3,429,196	\$ 11,754,974	\$ -	\$ -
TOTAL FUND BALANCES	\$ 11,145,465	\$ 12,976,064	\$ 688,777	\$ 645,205
TOTAL LIABILITIES AND FUND BALANCES	\$ 11,712,749	\$ 13,935,035	\$ 1,000,726	\$ 812,620



	GENERAL FUND				STREET FUND			
	Year-To-Date Actual Jan 2026-February 2026	Prior Year-To-Date Actual Jan 2025-February 2025	Year-To-Date Adopted Budget Jan 2026-February 2026	Budget Surplus (Deficit)	Year-To-Date Actual Jan 2026-February 2026	Prior Year-To-Date Actual Jan 2025-February 2025	Year-To-Date Adopted Budget Jan 2026-February 2026	Budget Surplus (Deficit)
REVENUES - Unrestricted/Unassigned								
State Aid	91,591	91,692	72,667	18,925	-	-	-	-
Property Tax Revenue	211,201	16,817	774,000	(562,799)	-	-	-	-
Franchise Fees	428,903	423,974	384,167	44,736	-	-	-	-
City Sales Tax	822,155	767,667	791,666	30,489	-	-	-	-
County Sales Tax - General	1,682,535	1,823,844	1,650,000	32,535	-	-	-	-
Total Sales Tax Revenue	2,504,690	2,591,512	2,441,666	63,024	-	-	-	-
Fines, forfeitures, and costs	32,849	36,074	32,500	349	-	-	-	-
Interest Income	55,897	41,113	40,000	15,897	-	-	-	-
Local permits and fees	280,047	207,217	206,210	73,837	-	-	-	-
Solid Waste Pick Up Fees	52,351	50,013	49,000	3,351	-	-	-	-
Ambulance Fees	205,480	235,194	233,333	(27,854)	-	-	-	-
Other Income	7,081	32,806	8,000	(919)	-	-	-	-
TOTAL REVENUES - OPERATING	3,870,090	3,726,413	4,241,543	(371,452)	-	-	-	-
REVENUES - Restricted/Assigned								
County Turnback Revenues - Street					45,686	5,770	130,000	(84,314)
State Aid	15,871	27,660	-	15,871	394,255	435,265	416,667	(22,411)
Federal Aid (Grants, etc.)	-	-	-	-	-	-	-	-
Impact Fees	-	-	-	-	-	-	-	-
Fines, forfeitures, and costs	3,443	11,930	-	3,443	-	-	-	-
Interest Income - Street Fund	-	-	-	-	-	-	-	-
Other Income	4,333	12,264	-	4,333	-	-	-	-
TOTAL REVENUES - RESTRICTED/ASSIGNED	23,647	51,854	-	23,647	439,941	441,034	546,667	(106,726)
TOTAL REVENUES	3,893,737	3,778,267	4,241,543	(347,806)	439,941	441,034	546,667	(106,726)



	GENERAL FUND				STREET FUND			
	Year-To-Date Actual Jan 2026-February 2026	Prior Year-To-Date Actual Jan 2025-February 2025	Year-To-Date Adopted Budget Jan 2026-February 2026	Budget Surplus (Deficit)	Year-To-Date Actual Jan 2026-February 2026	Prior Year-To-Date Actual Jan 2025-February 2025	Year-To-Date Adopted Budget Jan 2026-February 2026	Budget Surplus (Deficit)
EXPENDITURES								
OPERATING AND CAPITAL								
General Government:								
Admin	190,745	184,573	185,962	(4,783)				
HR	81,354	82,594	81,324	(30)				
IT	240,183	229,942	175,905	(64,278)				
Admin (Admin, HR, and IT)	\$ 512,282	\$ 497,109	\$ 443,191	\$ (69,091)				
Legal	\$ 32,859	\$ 33,331	44,111	\$ 11,252				
Court	\$ 38,960	\$ 34,876	38,146	\$ (814)				
Legal (Legal and Court)	\$ 71,819	\$ 68,207	82,257	\$ 10,438				
Planning & Development	\$ 172,385	\$ 164,318	252,174	\$ 79,789				
Total General Government	\$ 756,487	\$ 729,634	\$ 777,623	\$ 21,136				
Law Enforcement (Police)	1,157,742	939,927	1,365,299	207,556				
Streets	-	-	-	-	\$ 508,318	\$ 462,762	\$ 750,690	\$ 242,373
Public Safety (Fire and Ambulance)	1,455,188	1,305,599	1,699,506	244,318				
Recreation and Culture (Library)	114,084	109,508	168,701	54,617				
Total Other Government	\$ 2,727,014	\$ 2,355,034	\$ 3,233,505	\$ 506,491	508,318	462,762	750,690	242,373
TOTAL OPERATING EXPENDITURES	\$ 3,483,501	\$ 3,084,668	\$ 4,011,128	\$ 527,629	\$ 508,318	\$ 462,762	\$ 750,690	\$ 242,373
REVENUES OVER/ (UNDER) OPERATING EXPENDITURES	\$ 410,236	\$ 693,599	\$ 230,414	\$ 179,823	\$ (68,377)	\$ (21,728)	\$ (204,024)	\$ 135,647
Capital Projects								
Impact Fees	-	-	\$ -	-				
Capital Projects	481,879	686,566	1,629,750	1,147,871				
Total Capital Projects	\$ 481,879	\$ 686,566	\$ 1,629,750	\$ 1,147,871				
DEBT SERVICE:								
TOTAL DEBT SERVICE	\$ 140,163	\$ 140,163	\$ 141,000	\$ 837				
TOTAL OPERATING, CAPITAL IMPROVEMENT, AND DEBT SERVICE EXPENDITURES	\$ 4,105,543	\$ 3,911,397	\$ 5,781,878	\$ 1,676,335	\$ 508,318	\$ 462,762	\$ 750,690	\$ 242,373
REVENUES OVER/ (UNDER) EXPENDITURES BEFORE OTHER FINANCING SOURCES (USES)	\$ (211,806)	\$ (133,131)	\$ (1,540,336)	\$ 1,328,529	\$ (68,377)	\$ (21,728)	\$ (204,024)	\$ 135,647
OTHER FINANCING SOURCES (USES)								
Transfers In (Out)	\$ -	\$ (259,378)	\$ (204,166)	\$ 204,166	\$ -	\$ 85,735	\$ -	\$ -
TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ (259,378)	\$ (204,166)	\$ 204,166	\$ -	\$ 85,735	\$ -	\$ -
NET REVENUES (EXPENDITURES)	\$ (211,806)	\$ (392,509)	\$ (1,744,502)	\$ 1,532,695	\$ (68,377)	\$ 64,007	\$ (204,024)	\$ 135,647



Sales Tax Detail February 2026

City Sales Tax

FS Month	CY Actual	PY Actual	Increase (Decrease) from Prior Yr	Increase (Decrease) as % from prior yr	2023 Budget	Budget Surplus (Deficit)
Jan	\$ 454,962	\$ 418,126	\$ 36,836	9%	395,833	\$ 59,129
Feb	367,193	349,541	\$ 17,652	5%	395,833	\$ (28,641)
YTD	\$ 822,155	\$ 767,667	\$ 54,488	7%	\$ 4,750,000	\$ (3,927,845) -82.7%

County Sales Tax

	CY Actual	PY Actual	Increase (Decrease) from Prior Yr	Increase (Decrease) as % from prior yr	2023 Budget	Budget Surplus (Deficit)
Jan	\$ 917,792	\$ 929,722	\$ (11,930)	-1%	\$ 825,000	\$ 92,792
Feb	764,743	894,123	\$ (129,380)	-17%	\$ 825,000	(60,257)
YTD	\$ 1,682,535	\$ 1,823,844	\$ (141,310)	-8%	\$ 9,900,000	\$ (8,217,465) -83.0%
Total	\$ 2,504,689	\$ 2,591,512	\$ (86,822)	-3%	\$ 14,650,000	\$ (12,145,311)



Misc Additional Information

February 2026

6

2026 Non-budgeted Requests

Estimated Unassigned Funds Available after Capital Requests -

Date Approved	Dept	Description	Type	Inflows	Expenses	Resolution
		Total Non-Budgeted		-	-	
		Net Non-Budgeted Requests			\$ -	

Adjusted Estimated Unassigned Funds Available after Capital Requests -

Impact Fee Revenue

Impact Fees	Current Year		Prior	Other
	44610 - SF Res	Year 44610 - SF Res	Year 44610 - SF Res	
Interest				
PY Years		2,039,397		
1-Jan	65,151	71,485	(6,334)	
2-Feb	88,011	72,009	16,002	
3-Mar			-	
Total YTD	153,162	143,494	9,668	-
2025 Total Revenue		880,793		65,830
Total Impact fees		3,073,352		65,830

Impact Fee Use

	Source	Police	Fire	Library	Total	Resolution #
SFR		811,365	2,117,540	144,448	3,073,352	
Other		5,866	58,901	1,063	65,830	
Prior Expenditures		(276,400)	(1,953,689)	(36,176)	(2,266,265)	
Funds Available		540,831.36	222,750.83	109,334.94	872,917.13	

*commercial

CITY OF BELLA VISTA, ARKANSAS

CERTIFICATE OF RECOGNITION

Presented to:

Tim Pschierer

In recognition of your dedication to leading the charge for at least the last 8 years to keep our community clean and beautiful by organizing, promoting, and hosting the creative and well-attended annual litter cleanup event, Six in Sixty. It is through these volunteer community led efforts that we see a real impact to the issue of litter along city streets, an increase in awareness of this issue, and a growing pride among residents for the city in which they live.

Presented this 27th day of April, 2026



John D. Flynn

John D. Flynn
Mayor of Bella Vista



City of Bella Vista, Arkansas

PROCLAMATION

Mayors' Monarch Pledge Day

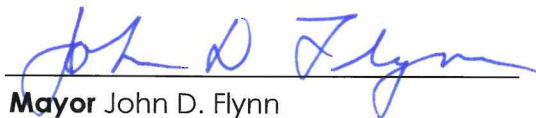
- WHEREAS,** The monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and
- WHEREAS,** Both the western and eastern monarch populations have seen significant declines with less than one percent of the western monarch population remaining, while the eastern population has fallen by as much as ninety percent; and
- WHEREAS,** The City of Bella Vista recognizes that human health ultimately depends on well-functioning ecosystems and that biodiverse regions can better support food production, healthy soil and air quality and can foster healthy connections between humans and wildlife ; and
- WHEREAS,** Cities, towns and counties have a critical role to play to help save the monarch butterfly, and the City of Bella Vista is striving to become a leader; and
- WHEREAS,** On March 31, 2026 I, John D. Flynn, signed the National Wildlife Federation's Mayors' Monarch Pledge and have officially committed to taking meaningful action to protect the monarch butterfly; and
- WHEREAS,** The City of Bella Vista has committed to engaging with gardening leaders to support butterfly conservation, engaging with the Property Owner's Association to identify planting opportunities, engaging with developers to identify planting opportunities for new developments, monitoring the ordinances to allow and/or require planting opportunities and reduce light pollution, amongst other action items; and
- WHEREAS,** Every resident of the City of Bella Vista can make a difference for the monarch by planting native milkweed and nectar plants to provide habitat for the monarch and pollinators in locations where people live, work, learn, play and worship; and

NOW, THEREFORE, I John D. Flynn by virtue of the authority vested in me as Mayor of the City of Bella Vista do hereby proclaim April 27, 2026 as:

Mayors' Monarch Pledge Day

in the City of Bella Vista and encourage all residents to participate in community activities that support and celebrate monarch conservation.

Dated This: 27th day of April



Mayor John D. Flynn



The City of Bella Vista
PROCLAMATION
Garden for Wildlife Month

WHEREAS, The City of Bella Vista recognizes that wildlife species are declining at an unprecedented rate. Globally there are over a million species endangered with extinction and one-third of North American wildlife species are at increased risk of extinction in the coming decades; and

WHEREAS, The City of Bella Vista recognizes that human health ultimately depends on well-functioning ecosystems and that biodiverse regions can better support food production, healthy soil and air quality and can foster healthy connections between humans and wildlife; and

WHEREAS, The City of Bella Vista celebrates local wildlife and wild places such as the many acres of Common Property zoned as Nature Preservation; and

WHEREAS, The City of Bella Vista is working to build a healthy, sustainable and wildlife-friendly community that brings the many benefits of nature to all corners of our community by preserving and protecting the natural identity of Bella Vista including the tree canopy, bluffs, and watersheds; and

WHEREAS, Garden for Wildlife Month is a national initiative of the National Wildlife Federation that empowers Americans to support local wildlife, like birds and pollinators, by planting native plants in their garden and throughout the community to help restore and connect habitat; and

WHEREAS, The City of Bella Vista supports and promotes Garden for Wildlife Month throughout the community and encourages residents to participate, including certifying and maintaining their properties as a Certified Wildlife Habitat with the National Wildlife Federation; and

WHEREAS, The City of Bella Vista will continue to support local efforts that protect, restore, and conserve habitat and vital environmental resources, as well as foster a greater connection between residents and wildlife; and

NOW, THEREFORE, I John D. Flynn by virtue of the authority vested in me as Mayor of the City of Bella Vista, do hereby proclaim the month of May as:

GARDEN FOR WILDLIFE MONTH

In the City of Bella Vista, and encourage all residents to plant native plants and participate in community activities that support and celebrate healthy, sustainable, wildlife-friendly communities.

April 27, 2026

April 27, 2026



John D. Flynn

Mayor John D. Flynn

BELLA VISTA CITY COUNCIL REGULAR MEETING

March 23, 2026 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 Honchell, Harp, Hughes, Newport and Wilms were present. Council Member Isbell was absent.

Citizen Input There were no citizens on the list to speak.

Council Member Reply N/A

Reports

State of the City Report: Mayor John Flynn highlighted the accomplishments of the year 2025, noting the local economy of Bella Vista holding strong with continued growth in both residential and commercial development. He attributed Bella Vista's success to its people — the cornerstone of qualified and professional staff members of each city department. He thanked them for their hard work over the years. Several new businesses opened in 2025: Rosita's Little Sugar Bistro, Table a Pain, Vagabond Coffee, as well as Campfire Ranch. There was a 12% increase in city tax in 2025, which placed BV within the top three cities in Arkansas. More businesses coming up for 2026 are the OZ Trails Bike Park, slated to open June 12, and the Veteran's Health Clinic on the west side.

On the financial side, revenues ended up \$2.4 million over budget and expenses were \$500,000 under budget. He was pleased to report the city was \$2.9 million ahead of budget at the end of the year. He reported that Phase 1 and 2 of the Town Center Complex (living quarters for firefighters and offices for city administration and fire department) came in almost \$600,000 under the budget (guaranteed maximum price). Residents approved the Sales Tax Extension in November by a more than 70% positive vote. The sales tax bond would be at 3.76% and if the city sales tax stays even, it will be paid off in only 7.5 years. That bond will cover further projects at the Town Center, finishing up the Planning, Permitting, and Development areas and adding some new bays for the Fire Department. It will also help

for Fire Department growth and Fire Station #5, three new radio towers for the Police, Fire, and Streets, and also some street resurfacing, among other things.

On the transparency front, the Communications Department worked hard last year to get JustFOIA in place, a software platform that helps to respond to FOIA requests. The Planning and Development Department had more than 4,000 applications of various types, and almost 1,000 GEC (Grading and Erosion Control) permits. They established a GIS database, which helps to show where parcel lines are, property info, and zoning. The Planning Department had an impressive year with the completion of the new Zoning and Development Code, following two years of study and work. The Building Department had 787 housing permits, a 24% increase over 2024. They had 1,965 total permits, so they were working very hard. The Street Department completed 1,240 work orders, and they paved and slurried 46 miles of roads. They paved 35 streets that were gravel, as more building is happening on streets that aren't paved. The Street Department also got a grant for \$300,000 to pave Bethel Road, which will take place this year. The Police Department experienced a lot of success, and we are still one of the safest cities in Arkansas. They added a full-time Warrants Officer, and a full-time Resource Officer at Cooper Elementary starting this year. The Police Department does all kinds of outreach, including Police Night Out and The Citizens Police Academy. The Fire Department had almost 5,000 calls in 2025. They held a very successful Kid's Day in October at the Fire Training Tower. The Fire Chief was very involved in the ongoing construction at the Town Center. In the future, the City will build Fire Station #5, and two new bays at the Town Center. The Library had a great increase in programming, kids programming in particular. They established a new social area with a coffee bar and the Teen Advisory Board helped with remodeling the teen area. He is pleased with the way things are going at the Library. Mayor Flynn is looking forward to another year of progress in 2026. His goal is to ensure our city remains a safe, desirable, and well-managed community for those who live and visit here.

Monthly Financial Report: Mayor John Flynn stated the year-end report for 2025 was available. Revenues were \$2.4 million over budget and expenses were \$500,000 below. Total fund balances were still at \$11.5 million, so the city is in good shape with funds. On the revenue side, property tax had an increase of 14.7% over the prior year. The city sales tax increased by 12%, and the county sales tax by 2.5%. Local permits and fees were up 32% and that reflects much of the hard work accomplished in the Building and Permit area. Total operating revenue was up 8.7% over the prior year while operating expenses, in contrast, were up 5.4%. Expenses were \$500,000 below budget. He stated he was very pleased with the finances in 2025, and he is encouraged by the city departments' ability to control their costs

and stay within budget.

(The Chair will entertain a motion to suspend the rules of order and procedure to allow all ordinances on the agenda to be read by title only.)

*Motion approved by Council Member Larry Wilms and seconded by Council Member Travis Harp. **Roll Call Vote: (Ayes: 5/Nays:0) Passed: 5-0.***

Consent Agenda

Mayor Flynn introduced the items on the Consent Agenda. Council Member Wilms made a motion to approve, seconded by Council Member Hughes. **Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.**

Approval of Minutes: February 23, 2026, City Council Regular Meeting

RESOLUTION: AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH FORVIS MAZARS, LLP IN AN AMOUNT NOT TO EXCEED \$61,000.00 FOR AUDIT SERVICES FOR THE YEAR ENDED DECEMBER 31, 2025

RESOLUTION: AMENDING THE 2026 CITY BUDGET TO RE-APPROPRIATE UNSPENT DONATION REVENUE TO VARIOUS DEPARTMENTS FROM 2025

Unfinished Business

New Business

ORDINANCE: AMENDING ORDINANCE NO. 2021-23 TO MODIFY AND SET NEW DEVELOPMENT IMPACT FEES, AND FOR OTHER PURPOSES *Mayor Flynn read the ordinance for the first time. Council Member Wilms asked several clarifying questions, answered by Mayor Flynn. Council Member Newport asked if an emergency clause might be in order for this resolution to pass quickly. Mayor Flynn responded saying he was going to ask the Council to move to 3rd and final reading, and then the Emergency Clause, in order to avoid a logjam in Permits. Council Member Harp said he was not in favor. Mayor Flynn proposed an amendment that would include the Emergency Clause, which was passed out in writing. Council Member Hughes made a motion to amend, seconded by Council Member Wilms. **Roll Call Vote: (Ayes: 4/Nays: 1 Harp) Passed: 4-1.** Council Member Honchell made a motion to suspend the rules and move to 3rd and final reading, seconded by Council Member Newport. **Roll Call Vote: (Ayes: 4/Nays: 1 Harp) Passed: 4-1.** Mayor Flynn read the amended ordinance title for the 3rd and final time. Council Member Honchell made a motion to adopt the ordinance as amended, seconded by Council Member Hughes. **Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.** Council Member Hughes made a motion to adopt the Emergency Clause, seconded by Council Member Wilms. **Roll Call Vote: (Ayes: 4/Nays: 1 Harp) Passed: 4-1.***

ORDINANCE: WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE

BIDDING AND AUTHORIZING A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP IN A TOTAL AMOUNT NOT TO EXCEED \$60,000.00 FOR THE PURCHASE OF A 2026 FORD TRANSIT VAN FOR USE BY THE POLICE DEPARTMENT *Staff requests move to 3rd and final Mayor Flynn read the ordinance for the first time. Council Member Hughes made a motion to suspend the rules and move to 3rd and final reading, seconded by Council Member Wilms. **Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.** Mayor Flynn read the ordinance for the 3rd and final reading. Council Member Hughes made a motion to approve, seconded by Council Member Wilms. **Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.***

ORDINANCE: PROHIBITING CAMPING AND VEHICLE HABITATION ON CERTAIN PUBLIC PROPERTY, PROVIDING DEFINITIONS, ESTABLISHING ENFORCEMENT PROCEDURES, PROVIDING EXEMPTIONS, PROVIDING PENALTIES, AND FOR OTHER PURPOSES *Mayor Flynn read the ordinance for the first time. Council Member Harp explained why he proposed this ordinance, and why it offers protection for our residents. Although Bella Vista may not need this today, he believes it will eventually and this ordinance will take care of the problem. Council discussion followed, and it was determined that more time to deliberate was needed. Council Member Wilms asked if a survey could be completed by the City Clerk to see if a similar ordinance may be in place in other northwest Arkansas cities. The Mayor suggested moving the ordinance to the 2nd reading for the April meeting.*

ORDINANCE: AMENDING ORDINANCE NO. 2025-16 ESTABLISHING A BUSINESS LICENSE TO EXEMPT SHORT-TERM RENTAL MANAGEMENT BUSINESSES FROM THE LICENSING REQUIREMENT, AND FOR OTHER PURPOSES *Mayor Flynn read the ordinance for the first time. Council Member Harp said he believed there is confusion over the exempt classes listed in the original ordinance. He mentioned conversations he held with Attorney Kelley and Planning Director Robertson that he found to be conflicting. Council Member Wilms spoke about the original Ordinance 2025-16 and the amendment he had made in Section 4 (f) which states: "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." Council Member Honchell asked clarifying questions and voiced concerns about carving out special interest groups from the Ordinance. Attorney Kelley suggests waiting on this for the Planning Director to return. Mayor Flynn stated that he does not like ambiguity and wants laws to be clear, so residents can read them without calling their attorneys for clarification. Council Member Harp said he was fine with waiting to have these conversations with Planning Director Robertson next month. Mayor Flynn said it would be addressed in April.*

ORDINANCE: REQUIRING THE BELLA VISTA ADVERTISING AND PROMOTION

COMMISSION TO PUBLISH FINANCIAL STATEMENTS ON ITS OFFICIAL WEBSITE, AND FOR OTHER PURPOSES Mayor Flynn read the ordinance for the first time. Council Member Harp explained his reasons for this proposal, and expressed regret that this wording was not added to the recent ordinance requesting the Minutes to be published. He believes that taxpayers should have access to the financials, without going through the FOIA process. He says it is a transparency issue for him. Council Member Honchell wanted confirmation that the FOIA procedure was the appropriate way to have access to the financials at the current time. Attorney Kelley said yes, a request for information is a FOIA request, and it can be done by phone or in writing. Attorney Kelley said the A & P Commission's financial records are public, and all anyone has to do is request to see them, and they would be presented to the requester. This ordinance would require the Commission to post them online for ease of access to residents. Council Members discussed a variety of thoughts and differing perspectives on the proposal. Council Member Honchell said he thinks this request is redundant, and not necessary, which was also echoed by Council Member Wilms. The Mayor said the ordinance would be moved to the 2nd reading on the April agenda. Council Member Newport said, with all due respect, that the mood in the room felt vindictive, and she was concerned if one wasn't successful in abolishing the A&P, then one might just continuously pass regulations as a form of punishment which would be crossing a line.

RESOLUTION: EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA, ARKANSAS TO UTILIZE FEDERAL-AID FUNDS FOR A TRAIL EXTENSION PROJECT FOR BLOWING SPRINGS PHASE 2 Mayor Flynn read the resolution. He called forward Megan Workman, from the Planning Department to provide background on the resolution. She explained that this resolution requested the Council's approval to submit a grant application to the Northwest Arkansas Regional Planning Commission for a trail extension project in the amount of \$3,539,264.30. This is to cover the estimated construction costs of Blowing Springs Phase 2 from the Metfield Skills Park to Sleeper Lane, about 1.6 miles of new trail and 10 feet wide. The entire Blowing Springs Greenway with the extension would be a little over 4 miles long. Federal funding would be at 80% and private grant funding at 20%, which the City has applied for. Council Member Hughes made a motion to approve, seconded by Council Member Wilms. Megan noted that the deadline to apply for this Regional grant is April 2nd. **Roll Call Vote: (Ayes: 5/Nays: 0) Passed: 5-0.**

RESOLUTION: CHANGING THE MEETING TIME FOR CITY COUNCIL WORK SESSIONS FROM 5:30 PM TO 6:00 PM Mayor Flynn read the resolution. Council Member Newport, who proposed the resolution, explained that working Council members and residents usually work until 5:00 pm. She proposed moving the start time of Work Sessions to 6:00 pm to keep both monthly Council Meetings with the same start times. Council Member Hughes made

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

Announcements

- Next City Council Work Session: 6:00 pm Monday, April 20, at Bella Vista District Court
- Next City Council Regular Meeting: 6:00 pm Monday, April 27, at Bella Vista District Court
- Planning Commission Work Session: 4:30 pm Thursday, April 2, at Bella Vista District Court
- Planning Commission Regular Meeting: 4:30 pm, or immediately following BZA, Monday, April 13, at Bella Vista District Court
- Board of Construction Appeals: 3:00 pm Tuesday, April 14, if necessary, at Fire Station #1 Conference Rm, 103 Town Center.

Adjournment by Mayor Flynn at 7:06 pm.

City Clerk Wanda Lepillez Krug

Mayor John D. Flynn



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026	Taylor Robertson, Planning and Development Director	RESOLUTION: AUTHORIZING THE DEVELOPMENT OF A RAZORBACK GREENWAY CORRIDOR KEY PLACE PLAN FOR THE CITY OF BELLA VISTA

AGENDA ITEM # VII.G

RESOLUTION: AUTHORIZING THE DEVELOPMENT OF A RAZORBACK GREENWAY CORRIDOR KEY PLACE PLAN FOR THE CITY OF BELLA VISTA

BACKGROUND

During 2025, Staff participated in a regional Greenway Corridor Plan for the Razorback Greenway with Northwest Arkansas Regional Planning and the other six cities that the greenway connects. This was known as Phase 1 of the two-phase project. Phase 2 will be focused on the cities and their greenway targeted areas within them, creating seven different plans--one for each city that will activate spaces along the corridor that connects Bella Vista to Fayetteville. Northwest Arkansas Regional Planning has been invited to apply for a grant to deliver Phase 2. As such, a resolution showing support of participation from each participating city has been requested for that grant.

Through this grant that NWARPC receives, manages, and administers, the City of Bella Vista **will not have any cost** associated with this project. Phase 2 is projected to start this spring or early summer, should Bella Vista participate and would be fully funded at no expense to the City.

RECOMMENDATION

Staff recommends approval.

FISCAL IMPACT

None.

ATTACHMENTS

1. Resolution Razorback Gnwly Key Place

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

AUTHORIZING THE DEVELOPMENT OF A RAZORBACK GREENWAY CORRIDOR KEY PLACE PLAN FOR THE CITY OF BELLA VISTA

WHEREAS, the City of Bella Vista partnered with the Northwest Arkansas Regional Planning Commission (NWARPC) and the other six cities the Razorback Greenway passes through to develop phase 1 of a Razorback Greenway Corridor Plan; and

WHEREAS, Phase 1 produced a shared regional vision for the Razorback Greenway, and was developed through public input, collaboration between the seven cities, and studying best practices of trail corridor development; and

WHEREAS, an area in Bella Vista along the Greenway was identified during Phase 1 as a place that warrants detailed study in a planned Phase 2; and

WHEREAS, the NWARPC was awarded a grant through the Walton Family Foundation to fund, at no cost to the City of Bella Vista, the development of a detailed plan for the identified study area in Bella Vista; and

WHEREAS, the consulting firm, Field Operations, was selected by NWARPC to lead Phase 1 and Phase 2 of the development of the Razorback Greenway Corridor Plan;

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

SECTION 1: The City Council hereby authorizes the Mayor and City Staff to pursue the development of a Razorback Greenway Corridor Key Place Plan in coordination with the consulting firm Field Operations.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

Attest:

City Clerk Wanda Krug

Requested by Mayor



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026	Taylor Robertson, Planning and Development Director	RESOLUTION: EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS

AGENDA ITEM # VII.H

RESOLUTION: EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS

BACKGROUND

The Planning and Development Department is seeking City Council approval to submit a grant application to Arkansas Department of Transportation's (ARDOT) Transportation Alternative Program (TAP) for constructing Blowing Springs Phase 2 to bring the existing hard surface trail at Metfield Skills Park to Sleaford Lane in Bella Vista. The full estimated cost of construction and environmental requirements is approximately \$3,539,264.30 and this grant application would be requesting 80% of that for a total amount of \$2,831,411.44 in federal funds. The locally required 20% match is approximately \$707,852.86. However, the City of Bella Vista has recently been invited to apply for the 20% match with a local private entity—bringing the City's proposed portion of this construction phase to 100% covered by grants. Staff recently applied to the NWARPC STBGP-A's program with City Council's approval delivered in March. It is best practice to apply to both NWARPC and ARDOT to increase chances of receiving a grant.

Similar to the last, this grant application requires a resolution from the City Council to accompany it.

RECOMMENDATION

Staff recommends approval.

FISCAL IMPACT

None.

ATTACHMENTS

1. Resolution TAP Grant Support Blowing Spgs 2
2. Blowing Springs Ph 2 Alignment

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS

WHEREAS, the City of Bella Vista understands Federal-aid Transportation Alternatives Program funds are available at 80% federal participation and 20% local match to develop or improve Blowing Springs Phase 2, and

WHEREAS, the City of Bella Vista understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement, and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

SECTION 1: The City of Bella Vista will participate in accordance with its designated responsibility, including maintenance of this project.

SECTION 2: The Mayor and City Clerk are hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

SECTION 3: The City Council of the City of Bella Vista pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

Attest:

City Clerk Wanda Krug

Requested by Mayor

SLEAFORD LN



BLOWING SPRINGS PH 2

TRAFALGAR RD

COMMONWEALTH RD



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026	Taylor Robertson, Planning and Development Director	RESOLUTION: EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA TO UTILIZE FEDERAL-AID RECREATIONAL TRAILS PROGRAM FUNDS

AGENDA ITEM # VII.I

RESOLUTION: EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA TO UTILIZE FEDERAL-AID RECREATIONAL TRAILS PROGRAM FUNDS

BACKGROUND

The Planning and Development Department is seeking City Council approval to submit a grant application to Arkansas Department of Transportation's (ARDOT) Recreational Trails Program (RTP) for improving three gravel trail heads licensed to the City: Huntley Gravity, Tweety Bird, and Snowbird. All three are currently gravel or dirt lots. Improvements considered include: paving, access management improvement, and water fountain installation. The full estimated cost of construction is approximately \$508,400.00 and this grant application would be requesting 80% of that for a total amount of \$406,720.00 in federal funds. The locally required 20% match is approximately \$101,680.00. However, Staff intends to apply for the 20% match with a local interested private entity.

Similar to the others, this grant application requires a resolution from the City Council to accompany it.

RECOMMENDATION

Staff recommends approval.

FISCAL IMPACT

None.

ATTACHMENTS

1. Resolution RTP Trailheads Grant Support

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

EXPRESSING THE WILLINGNESS OF THE CITY OF BELLA VISTA TO UTILIZE FEDERAL-AID RECREATIONAL TRAILS PROGRAM FUNDS

WHEREAS, the City of Bella Vista understands Federal-aid Recreational Trails Program funds are available at 80% federal participation and 20% local match to develop or improve three (3) trailheads, and

WHEREAS, the City of Bella Vista understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement, and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

SECTION 1: The City of Bella Vista will participate in accordance with its designated responsibility, including maintenance of this project.

SECTION 2: The Mayor and City Clerk are hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project.

SECTION 3: The City Council of the City of Bella Vista pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

Attest:

City Clerk Wanda Krug

Requested by Mayor



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
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April 27, 2026	James Graves, Police Chief	RESOLUTION: AMENDING THE 2026 CITY BUDGET TO APPROVE THE ADDITION OF ONE-HALF (1/2) STAFF HEADCOUNT TO CREATE A FULL-TIME CUSTODIAL POSITION FOR THE POLICE DEPARTMENT
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AGENDA ITEM # VII.J

RESOLUTION: AMENDING THE 2026 CITY BUDGET TO APPROVE THE ADDITION OF ONE-HALF (1/2) STAFF HEADCOUNT TO CREATE A FULL-TIME CUSTODIAL POSITION FOR THE POLICE DEPARTMENT

BACKGROUND

The City will experience additional maintenance needs as current staff retire later this year. These city building maintenance/management needs can be fulfilled by current PD maintenance/custodial staff if the existing PD part-time custodial position is transitioned into a full-time position. This change should give staff the ability to pick up work that is currently being accomplished by staff that will soon retire.

RECOMMENDATION

The Chief of Police recommends a 1/2 headcount increase to the PD headcount. This will be accomplished by changing the part-time custodian position into a full-time position. This re-designation of this position will have an annual fiscal impact of \$37,000.

FISCAL IMPACT

No budget adjustment is being requested. Sufficient funds should be available in the current PD 2026 operating budget to support this request.

ATTACHMENTS

1. Resolution Police Custodial Staff Add
2. Recommendation to City Council April 2026

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

AMENDING THE 2026 CITY BUDGET TO APPROVE THE ADDITION OF ONE-HALF (1/2) STAFF HEADCOUNT TO CREATE A FULL-TIME CUSTODIAL POSITION FOR THE POLICE DEPARTMENT

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

SECTION 1: The City Council of the City of Bella Vista hereby amends the 2026 City budget to approve the addition of one-half (1/2) staff headcount to create a full-time custodial position for the Police Department

SECTION 2: Funding for this addition shall be from funds previously included in the 2026 City Budget.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

Attest:

City Clerk Wanda Krug

Requested by Mayor Flynn

Recommendation - convert Part-time Custodian position to Full-time position.

Background – Public Safety Building

- Public Safety building currently has 1 full-time Custodian and 1 part-time Custodian.
- Both positions report to the Police Department.
- Both positions currently work almost exclusively for the Public Safety Building with occasional assistance to the BV Public Library.
- These positions clean the building and perform low-level maintenance. There is no outside cleaning service for the Public Safety building.

Background – all other City Buildings

- Outside cleaning services clean buildings including the library.
- General maintenance currently being handled by an individual who donates most of his time.
- Contract negotiation for a variety of things related to all city departments is currently being handled by Deputy Chief Wolfgang. Contracts include such things as mowing, propane purchases, plumbing & HVAC contracts, etc.

Deputy Chief Wolfgang retiring before end of 2nd quarter/2026.

Donated maintenance work ending before end of 2nd quarter/2026.

Recommendation – Part-time to Full-time Custodian (additional hours & benefits)

- Assume contract management that is currently handled by Deputy Chief for contracts not related to the specific needs of the Fire department.
- Assume general maintenance duties currently being donated.
- Assume responsibility of contacting outside vendors when repairs, etc. needed (plumbing, etc, etc).
- Daily check condition of exterior of public access buildings to ensure cleanliness at all times; ensure snow & ice is removed; other general care of exterior spaces.
- Special assistance to library with urgent cleaning needs and other tasks.



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
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April 27, 2026	Steve Sims, Fire Chief	RESOLUTION: AMENDING THE 2026 CITY BUDGET TO APPROPRIATE AN ADDITIONAL \$37,386.13 TO FUND NECESSARY REPAIRS TO FIRE DEPARTMENT CAPITAL EQUIPMENT
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AGENDA ITEM # VII.K

RESOLUTION: AMENDING THE 2026 CITY BUDGET TO APPROPRIATE AN ADDITIONAL \$37,386.13 TO FUND NECESSARY REPAIRS TO FIRE DEPARTMENT CAPITAL EQUIPMENT

BACKGROUND

The FD vehicle Ladder 4 needed an expensive repair, and we need to amend 26 capital of the budget to include the repair.

RECOMMENDATION

Recommend to amend and approve the budget.

FISCAL IMPACT

Repair invoice is for \$37,386.13

ATTACHMENTS

1. Resolution Budget Amend Fire Equipment repairs
2. Budget Amendment Form-FD Capital
3. Fire Master Fire Equip-134985

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

**AMENDING THE 2026 CITY BUDGET TO APPROPRIATE AN
ADDITIONAL \$37,386.13 TO FUND NECESSARY REPAIRS TO FIRE
DEPARTMENT CAPITAL EQUIPMENT**

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

SECTION 1: The City Council of the City of Bella Vista hereby amends the 2026 City Budget to appropriate an additional \$37,386.13 to fund necessary repairs to Fire Department capital equipment as shown in the attached document.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

Attest:

City Clerk Wanda Krug

Requested by Mayor

City of Bella Vista Budget Amendment Request Form

Expense not included in the annual budget process.

Meeting Date 4/20/26

Department 30-Fire

Budget Impact Information

Agenda / Expense Description

Amend the FD capital budget for Fire "Truck and Ambulance Repairs >\$5,000" (FD-26-01) due to Ladder 4 needing and expensive repair.

Amount

\$ 37,386.13

Fund

General

Source

Available Funds

Expense Dept

Capital - C130

Account Name or Number

53400

PLEASE REMIT TO:

FIRE MASTER FIRE EQUIPMENT, INC.
2049 E DIVISION ST
SPRINGFIELD MO 65803



REPAIR INVOICE

www.firemaster.com

(417) 865-8713
 (800) 641-4724
 Fax: (417) 865-2174

Ship To

Bill To

CITY OF BELLA VISTA
 CHIEF STEPHEN SIMS
 P.O. BOX 5655
 BELLA VISTA AR 72714

Invoice #	Date	Terms	Job	PO #
134985	4/14/2026	Net 30	JW824 - AERIAL REPAIRS	
Truck Name	Build #	Year/Make	Mileage	VIN #
LADDER	HS 4663	2009 SUTPHEN	76742	1S9A3LLE692003207
Qty	Item Code	Description	Price Each	Amount
8.5	LABOR	COMPLAINT: Dept reported the ladder was out of service due to damaged rotation box. CAUSE: Upon investigation found the rotation box assembly broken and the pinion support damaged. CORRECTION: Upon receipt of replacement parts returned to dept. Removed compartment door and wall to access rotation gear assembly. Removed rotation motor and marked and removed hydraulic lines to allow removal of gear assembly. Secured gearbox assembly with service crane, removed mounting bolts. Lowered gear box and removed from truck. Installed new pinion gear, flywheel and retainer plate onto new gearbox, verified new gearbox was shipped with proper oil level. Using service crane lifted new gearbox into position and secured with new bolts. Installed new pinion support and secured with new bolts. Reinstalled rotation motor, hydraulic lines, compartment wall, and compartment door. Reinstalled deck plates removed by dept, checked operation - Okay.	190.00	1,615.00
1	SPSALE	000948 - GEAR REDUCER WINSMITH MINI TOWER	26,174.37	26,174.37T
1	SPSALE	003674 - GEAR, PINION MINI TOWER	3,528.94	3,528.94T
1	SPSALE	002912 - KEYSTOCK UNDERSIZED, ZINC PLATED 3/8"W X 3/8" H X 12" L	14.26	14.26T
1	SPSALE	005701 - ASSEMBLY, PINION GEAR CAP	1,339.81	1,339.81T
1	SPSALE	003773 - FLYWHEEL, ROTATION GEAR, MINI TOWER	981.38	981.38T
1	SPSALE	009794 - KEYSTOCK, STEEL, ZINC PLATED 3/16' W X 3/16" H X 12"L	2.65	2.65T
1	SPSALE	005815 - COLLAR, SHAFT 5/8"	10.21	10.21T
4	SPSALE	060254 - BOLT, HEX, FLANGE, MAGNI 1/2"- 13 X 2"	2.75	11.00T
3	SPSALE	060259 - BOLT, HEX, FLANGE, GRADE 8, MAGNI 5/8-11X 2-1/4 5/8-11 X 2-1/4	4.59	13.77T
4	SPSALE	031748 - SPACER, WINSMITH, MINI-TOWER	116.26	465.04T
4	SPSALE	060251 - BOLT, HEX, FLANGE, MAGNI 3/4"-10 X 2 1/2"	4.59	18.36T
1	SHIPPING	SHIPPING & DELIVERY	439.00	439.00
1.5	TRAVEL TIME - MOB...	TRAVEL TIME	90.00	135.00

Sales Tax (8.1%)	\$2,637.34
Subtotal	\$37,386.13
Payments/Credits	\$0.00
Balance Due	\$37,386.13

Please like and follow us on Facebook and Instagram. We would appreciate positive reviews on our Facebook and Google pages. If you are so inclined. Thank you.

Received by: X _____



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
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April 27, 2026	Wanda Krug, City Clerk	ORDINANCE: PROHIBITING CAMPING AND VEHICLE HABITATION ON CERTAIN PUBLIC PROPERTY, PROVIDING DEFINITIONS, ESTABLISHING ENFORCEMENT PROCEDURES, PROVIDING EXEMPTIONS, PROVIDING PENALTIES, AND FOR OTHER PURPOSES <i>2nd reading</i>
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AGENDA ITEM # VIII.L

ORDINANCE: PROHIBITING CAMPING AND VEHICLE HABITATION ON CERTAIN PUBLIC PROPERTY, PROVIDING DEFINITIONS, ESTABLISHING ENFORCEMENT PROCEDURES, PROVIDING EXEMPTIONS, PROVIDING PENALTIES, AND FOR OTHER PURPOSES *2nd reading*

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Ordinance Vehicle Habitation

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

PROHIBITING CAMPING AND VEHICLE HABITATION ON CERTAIN PUBLIC PROPERTY, PROVIDING DEFINITIONS, ESTABLISHING ENFORCEMENT PROCEDURES, PROVIDING EXEMPTIONS, PROVIDING PENALTIES, AND FOR OTHER PURPOSES

WHEREAS, the City Council finds that camping and habitation in public rights-of-way and other public property can impede pedestrian and vehicular traffic, interfere with access to businesses and residences, create public health and safety concerns, and impede the intended use of public spaces; and

WHEREAS, the City has a legitimate governmental interest in maintaining safe, sanitary, and accessible public streets, sidewalks, publicly-owned or controlled property, and rights-of-way;

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

SECTION 1: PURPOSE.

The purpose of this Ordinance is to promote public health, safety, and welfare by regulating camping and the use of vehicles as living quarters on public property, while preserving lawful access to public spaces.

SECTION 2: DEFINITIONS.

For purposes of this Ordinance:

- (a) “Public Property” means any property owned, leased, maintained, or controlled by the City, including but not limited to streets, sidewalks, alleys, rights-of-way, parks, plazas, parking lots, greenways, recreational trails, and public buildings.
- (b) “Right-of-Way” means the area dedicated to public use for pedestrian or vehicular travel, including sidewalks, streets, medians, and adjacent areas.
- (c) “Camping” means:
 - 1. Erecting or maintaining a tent or temporary shelter;
 - 2. Placing or using bedding materials, sleeping bags, blankets, mattresses, or similar items for the purpose of sleeping outdoors;
 - 3. Storing personal belongings in a manner consistent with habitation; or
 - 4. Remaining overnight in a location with indicia of living accommodation.
- (d) “Vehicle Habitation” means occupying a motor vehicle for the purpose of sleeping, cooking, or otherwise using the vehicle as living quarters.

(e) “Authorized Area” means a location specifically designated by the City for camping or overnight vehicle parking pursuant to a permit or written authorization.

SECTION 3: PROHIBITED ACTS.

- (a) Camping on Public Property.
It shall be unlawful for any person to camp on Public Property except within an Authorized Area.
- (b) Camping in the Public Right-of Way
It shall be unlawful for any person to camp, sleep, or place bedding or personal property in any Right-of-Way in a manner that:
 - 1. Obstructs pedestrian or vehicular passage;
 - 2. Blocks access to any building, driveway, fire hydrant, or utility; or
 - 3. Interferes with the intended public use of such property.
- (c) Vehicle Habitation on Public Property
It shall be unlawful for any person to engage in Vehicle Habitation while parked or stopped on Public Property, except in an Authorized Area.

SECTION 4: NOTICE AND ENFORCEMENT.

- (a) Notice to Vacate.
Except where an immediate threat to public health or safety exists, a law enforcement officer shall provide notice to vacate prior to issuing a citation. Notice may be verbal and shall identify:
 - (1) The specific conduct violating this Ordinance;
 - (2) The requirement to cease such conduct; and
 - (3) A reasonable time to comply, not to exceed twenty-four (24) hours.
- (b) Immediate Enforcement.
Immediate citation or removal may occur where:
 - (1) The conduct presents a fire hazard or public safety risk;
 - (2) The location obstructs emergency access; or
 - (3) The individual has previously received notice within the prior thirty (30) days.
- (c) Personal Property.
If personal property is removed pursuant to this Ordinance, the City shall:
 - (1) Make reasonable efforts to document and store non-hazardous property;
 - (2) Provide information regarding retrieval procedures; and
 - (3) Dispose of unclaimed property in accordance with Arkansas law.

SECTION 5: EXEMPTIONS.

This Ordinance shall not apply to:

- (a) Camping within designated public campgrounds;
- (b) Special events authorized by City permit;

- (c) Emergency response personnel acting within the scope of official duties; or
- (d) Persons temporarily stranded due to vehicle malfunction for a period not exceeding twenty-four (24) hours.

SECTION 6: PENALTIES.

Any person violating this Ordinance shall, upon conviction, be subject to the penalties provided in Section 1-8 of the City Code.

SECTION 7: SEVERABILITY.

If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

ATTEST:

WANDA KRUG
CITY CLERK

Requested by: Council Member Travis Harp



MEETING DATE PREPARED BY LEGISLATIVE TITLE

April 27, 2026 Wanda Krug, City Clerk **ORDINANCE:** AMENDING ORDINANCE NO. 2025-16 ESTABLISHING A BUSINESS LICENSE TO EXEMPT SHORT-TERM RENTAL MANAGEMENT BUSINESSES FROM THE LICENSING REQUIREMENT, AND FOR OTHER PURPOSES *2nd reading*

AGENDA ITEM # VIII.M

ORDINANCE: AMENDING ORDINANCE NO. 2025-16 ESTABLISHING A BUSINESS LICENSE TO EXEMPT SHORT-TERM RENTAL MANAGEMENT BUSINESSES FROM THE LICENSING REQUIREMENT, AND FOR OTHER PURPOSES *2nd reading*

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- 1. Ordinance Exempting Property Mgmt-modified030226

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

AMENDING ORDINANCE NO. 2025-16 ESTABLISHING A BUSINESS LICENSE TO EXEMPT SHORT-TERM RENTAL MANAGEMENT BUSINESSES FROM THE LICENSING REQUIREMENT, AND FOR OTHER PURPOSES

WHEREAS, Ordinance No. 2025-16 established a business license in the City; and

WHEREAS, the Ordinance exempted short-term rentals, but maintained that property management businesses were not exempt, even if they managed short-term rentals as part of their operations; and

WHEREAS, the Council desires to remove the city business license requirement from all property management businesses;

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

SECTION 1: Subsection 4(f) of Ordinance No. 2025-16 is hereby amended so that, after amendment, the Subsection shall read as follows:

“(f) Short-term rentals as defined in the City short-term rental ordinance, and businesses exclusively managing short-term rentals.”

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

ATTEST:

WANDA KRUG
CITY CLERK

Requested by: Council Member Travis Harp



MEETING DATE PREPARED BY LEGISLATIVE TITLE

April 27, 2026 Wanda Krug, City Clerk **ORDINANCE:** REQUIRING THE BELLA VISTA ADVERTISING AND PROMOTION COMMISSION TO PUBLISH FINANCIAL STATEMENTS ON ITS OFFICIAL WEBSITE, AND FOR OTHER PURPOSES *2nd reading*

AGENDA ITEM # VIII.N

ORDINANCE: REQUIRING THE BELLA VISTA ADVERTISING AND PROMOTION COMMISSION TO PUBLISH FINANCIAL STATEMENTS ON ITS OFFICIAL WEBSITE, AND FOR OTHER PURPOSES *2nd reading*

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Ordinance A&P financials

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

REQUIRING THE BELLA VISTA ADVERTISING AND PROMOTION COMMISSION TO PUBLISH FINANCIAL STATEMENTS ON ITS OFFICIAL WEBSITE, AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Bella Vista, Arkansas, finds that transparency and public access to the actions and expenditures of the Bella Vista Advertising and Promotion Commission are best promoted by timely online publication of its financial statements; and

WHEREAS, the City Council desires to establish a defined period during which such financial statements must remain available on the Commission’s official website;

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

SECTION 1: Publication of Financial Statements and Definition

The Bella Vista Advertising and Promotion Commission (“Commission”) shall publish its financial statements on its official website. “Financial statements” means any written financial report, summary, or presentation concerning the Commission’s revenues, expenditures, assets, liabilities, fund balances, or budget status that is presented to the Commission at a regular or special meeting, including monthly financial reports, year-end financial statements, and audit reports; provided, however, that the term does not include underlying invoices, bank statements, or internal working papers.

SECTION 2: Timeframe for Publication

Financial statements shall be posted within thirty (30) days after receipt by the Commission, or as soon thereafter as practicable.

SECTION 3: Website Retention Period

Financial statements posted pursuant to this Ordinance shall remain publicly accessible on the Commission’s official website for a period of not less than two (2) years from the date of posting. Nothing herein shall prohibit the Commission from maintaining such financial statements online for a longer period.

SECTION 4: Applicability

In addition to financial statements received by the Commission after the effective date of this Ordinance, the Commission shall post on its official website all financial statements occurring during the twelve (12) months immediately preceding the effective date of this Ordinance, and

such financial statements shall remain posted for at least two (2) years from the date they are first published pursuant to this Section.

SECTION 5: Severability

If any section, clause, sentence, or provision of this Ordinance is found to be invalid or unconstitutional, such finding shall not affect the remaining provisions, which are declared to be severable.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

ATTEST:

WANDA KRUG
CITY CLERK

Requested by: Council Member Travis Harp



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026	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 \$131,000.00 FOR THE PURCHASE OF TWO (2) 2026 CHEVROLET TAHOE SSV VEHICLES WITH POLICE UPFIT FOR USE BY THE POLICE DEPARTMENT

AGENDA ITEM # IX.O

ORDINANCE: WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP IN A TOTAL AMOUNT NOT TO EXCEED \$131,000.00 FOR THE PURCHASE OF TWO (2) 2026 CHEVROLET TAHOE SSV VEHICLES WITH POLICE UPFIT FOR USE BY THE POLICE DEPARTMENT

BACKGROUND

The police department utilizes the Chevy Tahoe SSV (Admin Tahoe) as a command level vehicle. This vehicle is not on the Arkansas state bid and is the overall best platform for our needs. Additional justification has been provided in the attached document.

The request for a bid waiver is based on the immediate availability of the needed vehicles as well as the taxes we save by having the equipment up-fit included in the final pricing. In addition, proceeding through a formal bid process would likely delay the purchase and would result in the loss of the available units without a reasonable expectation that additional vendors would respond with competitive proposals.

For these reasons, staff believes a bid waiver is appropriate because competitive bidding is not feasible or practical in this instance.

RECOMMENDATION

The Chief of police recommends a bid waiver for the purchase of two 2026 Chevy Tahoe SSV (Admin Tahoe), with police up- fit from Superior Automotive Group of Siloam Springs for a total amount not to exceed \$131,000.

FISCAL IMPACT

This purchase was approved in the 2026 budget and will be funded in an amount not to exceed \$131,000 through the voter-approved 2026 police bond.

ATTACHMENTS

1. Bid Waiver Police Chevy Tahoes
2. 2026 Chevy Tahoe SSV (Admin)

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 \$131,000.00 FOR THE PURCHASE OF TWO (2) 2026 CHEVROLET TAHOE SSV VEHICLES WITH POLICE UPFIT FOR USE BY THE POLICE DEPARTMENT

WHEREAS, the Police Department utilizes the Chevy Tahoe SSV (Admin Tahoe) as a command level vehicle. This vehicle is not on the Arkansas state bid and is the overall best platform for our needs; and

WHEREAS, request for a bid waiver is based on the immediate availability of the needed vehicles as well as the taxes we save by having the equipment up-fit included in the final pricing; and

WHEREAS, proceeding through a formal bid process would likely delay the purchase and would result in the loss of the available units without a reasonable expectation that additional vendors would respond with competitive proposals;

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 Automotive Group in a total amount not to exceed \$131,000.00 for the purchase of two (2) Chevrolet Tahoe SSV vehicles with police upfit for use by the Police Department.

ADOPTED THIS ____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

ATTEST:

WANDA KRUG
CITY CLERK

Requested by: Mayor

2026 Chevy Tahoe SSV Admin Tahoe

- The Arkansas State bid does not include the 2026 Chevy Tahoe SSV (Admin Tahoe). The police department utilizes the administrative Tahoe for the upper-level command vehicle.
- The SSV Admin Tahoe was selected as the command vehicle because it provides a larger cargo area for transporting equipment and personnel and can be used as a command post during critical incidents.
- Superior Automotive Group in Siloam Springs currently has the vehicles we need in stock. They additionally do our police equipment upfit as part of the overall delivery package. By doing so we do not pay taxes that we would otherwise pay if we acquired the vehicle from a different location.
- The SSV Admin Tahoe is more of a civilian version that can blend in better with normal traffic. These Tahoe's are the vehicles that will be used later as travel vehicles for different city personnel including the mayor, city council members as well as department staff attending training in which travel, for multiple personnel, is required. Traveling in a vehicle that is not recognizable as a police vehicle is important in that police vehicles can and have been targets for criminal activity.
- The SSV Admin Tahoe has better off-road capabilities and a higher profile than smaller SUVs, which is ideal for the inclement weather associated with our area. It additionally has a greater towing capacity for the heavy trailers and equipment we are required to move throughout the year.
- The Bella Vista streets department does all the maintenance on our current fleet and has commented that the Tahoe is more durable and an overall better platform for the heavy workload we place on our vehicles. They additionally are already stocked with everything necessary to do all routine and continued maintenance on this vehicle.
- The SSV Admin Tahoe will also have a much higher resale value when the time comes to rotate them out of our fleet.



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026	Taylor Robertson, Planning and Development Director	ORDINANCE: AMENDING THE BELLA VISTA ZONING ORDINANCE AND MAP TO REZONE PROPERTY DESCRIBED IN REZONING PETITION NO. 2026-63851 (COUNTY PARCEL NO. 16-43201-000) FROM R-E, RESIDENTIAL ESTATE DISTRICT TO A-P, AGRICULTURAL PRESERVATION DISTRICT

AGENDA ITEM # IX.P

ORDINANCE: AMENDING THE BELLA VISTA ZONING ORDINANCE AND MAP TO REZONE PROPERTY DESCRIBED IN REZONING PETITION NO. 2026-63851 (COUNTY PARCEL NO. 16-43201-000) FROM R-E, RESIDENTIAL ESTATE DISTRICT TO A-P, AGRICULTURAL PRESERVATION DISTRICT

BACKGROUND

As required by state and local law, the Planning Commission held a public hearing on Monday, April 13, 2026 at 4:30 PM at the District Court on the proposed rezone at 8206 Spanker Ridge Drive in Bella Vista from Residential Estate to Agricultural Preservation. No members of the public spoke during this noticed public hearing. Following the closing, the Planning Commission voted unanimously to recommend approval to the City Council.

A technical staff report is included within this item.

RECOMMENDATION

Staff and Planning Commission recommend approval.

FISCAL IMPACT

None.

ATTACHMENTS

1. Ord RZN 63851
2. EXHIBIT A RZN 63851
3. Staff Report: RZN 63851

City of Bella Vista, Arkansas
City Hall

www.bellavistaar.gov W Town Center P.O.Box Bella Vista, AR 72714

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ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

AMENDING THE BELLA VISTA ZONING ORDINANCE AND MAP TO REZONE PROPERTY DESCRIBED IN REZONING PETITION NO. 2026-63851 (COUNTY PARCEL NO. 16-43201-000) FROM R-E, RESIDENTIAL ESTATE DISTRICT TO A-P, AGRICULTURAL PRESERVATION DISTRICT

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 voted 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 A-P, Agricultural Preservation District; and

WHEREAS, 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. 2026-63851 (County Parcel No. 16-43201-000) from R-E, Residential Estate District, to A-P, Agricultural Preservation 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 _____, 2026.

APPROVED:

Mayor John D. Flynn

ATTEST:

City Clerk Wanda Krug

Requested by Mayor; Planning Commission

EXHIBIT A

LOT 2, BLOCK 1 OF THE SPANKER CREEK ESTATES SUBDIVISION





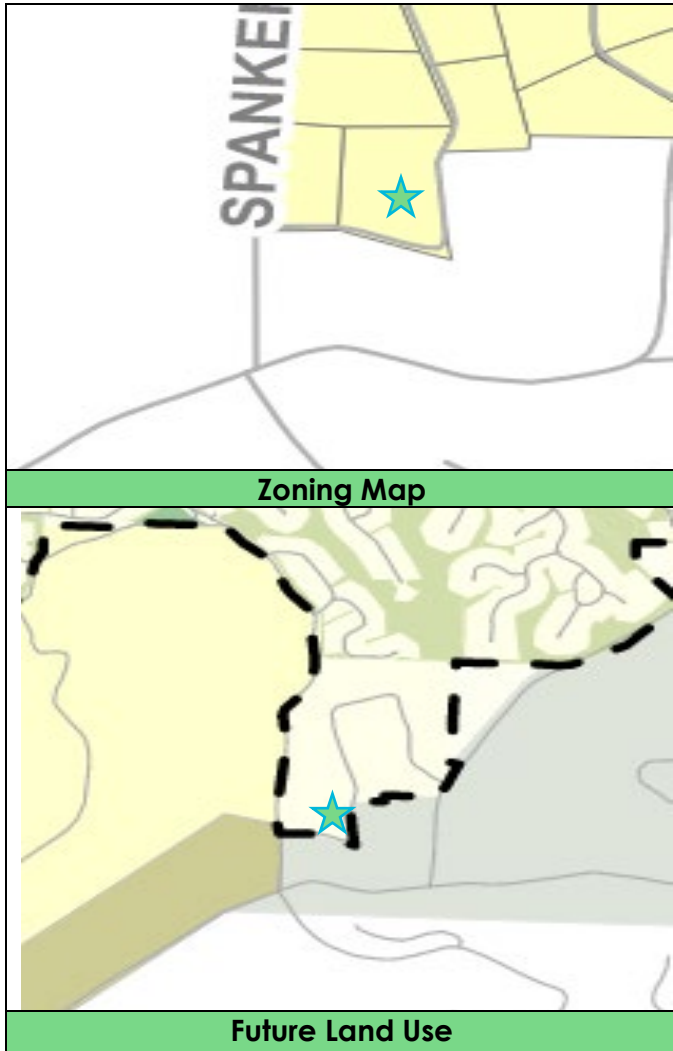
Meeting Information:

2483 Forest Hills Blvd
 April 13, 2026 at 4:30 pm

Reviewer:

Jessica Grady, CNU-A
 Planner

Project Number	RZN-2026-63851
Applicant	Mark & Christy Pierce
Address/Location	8206 Spanker Ridge Dr.
Current Zoning	R-E, Residential Estate
Site Area	3.4 acres
Nature of Request	Requesting to Rezone the parcel from R-E to AP



Property Description

This property is located in the southeast area of Bella Vista City Limits and is located on Parcel #16-43201-000. Lot 2, Block 1. Spanker Creek Estates Subdivision.

Request

Per Sec. 109-134, the applicant is requesting to rezone their property from R-E Residential Estate to Agricultural Preservation to better serve the existing land uses surrounding this parcel.

Background

Per the most recent adopted Zoning Map, the subject parcel is zoned Residential Estate and is currently surrounded by Residential Estate to the north and west with properties to the east and south falling outside the city limits and thus, city zoning regulations. However, surrounding uses include Residential Estates to the west, Residential Estates to the north, Residential to the east, and Residential to the south. The Future Land Use Map designates this area as future neighborhoods. The Master Street Plan classifies Spanker Ridge Drive as a non-classified.

In November 2025, the applicants submitted two variance requests for the property: one to allow placement of a movable chicken coop within the front yard due to topographical constraints, and another to permit a front-yard fence exceeding the 3' height limit. These requests were ultimately withdrawn by the applicant. Following discussion with the Planning Commission during the November 2025 meeting, as well as subsequent coordination with staff, the applicant elected to request a rezone to better align the property with surrounding land uses.

While the subject property does not fully meet the minimum five acres lot requirements for the requested Agricultural Preservation zoning district, staff finds that it generally meets the intent of the code, as the overall development pattern remains consistent with the surrounding area and maintains the character of low-density residential uses. Furthermore, the schedule of permitted uses within the requested zoning district supports the goals of the 2040 Comprehensive Plan, particularly as they relate to low-density residential development.

Public Comment

None at the time of this report.

Legal Notifications

The applicant sent the required certified mail on 3/02/26. Staff posted a public hearing notice in the Weekly Vista on 3/25/26. Staff posted a public hearing sign on site 3/27/25.

Recommendation

Based on the above analysis and the surrounding land uses, staff recommends Agricultural Preservation zoning at this time.

Article III Division 1 Sec. 109-026. Use Table 026.1

P = Use Allowed By-Right | C = Use Allowed by Conditional Use Permit | blank cell = Use Prohibited

Residential Uses	RE	AP
Manufactured Home		P
Mobile Home		P
Modular Home	P	P
Single-Family	P	P
Emergency/Rehabilitation Housing		P
Commercial	RE	AP
Outdoor, Mobile, or Temporary Vending		P
Day Care	P	
Bed and Breakfast	C	
Short-Term Rental	P	C
Hospital		P
Campground		P
Outdoor Entertainment and Amusement Venue		C
Sport Shooting Range		P
Animal Boarding		P
Commercial Stables		P
Veterinary Services		P
Civic	RE	AP
Cemetery	C	P
Public Assembly	C	P
Religious Land Use	P	P
Sporting Venue		C
Public Parks and Recreational Facilities	P	P
Detention Facilities		C
Government Services	P	P
Natural Resources Preservation Area	P	P
Safety Services	P	P
Business or Trade School		P
School	P	
Library	C	
Agricultural	RE	AP
Animal Production		P
Confined Animal Feeding Operation		C
Crop Production		P
Horticulture		P
Livestock Sales		C

Industrial	RE	AP
Artisan Industry		P
Resource Extraction		C
Miscellaneous	RE	AP
Alternative Energy Production		P
Communication Tower	C	C
Utility Facilities	P	P
Medical Marijuana Cultivation Facilities		P
Accessory Uses	RE	AP
Accessory Dwelling Unit	P	P
Carport	P	P
Dock or Pier	P	P
Home Occupation	P	P
Private Stable	P	P
Hobby Chickens	P	P
Livestock	P	P
Personal Recreational Facilities	P	P
Accessory Alternative Energy Production	P	P
Accessory Building	P	P
EV Charging Station	P	P
Outdoor Storage		P

Sec. 109-134. Rezoning (Non-PZD)

(a) Applicability. This Section applies to the change in the zoning classification of individual properties excluding rezonings to a Planned Zoning District (PZD).

(b) Initiation. A rezoning may be initiated by:

- (1) City Council;
- (2) The Planning Commission;
- (3) City Staff; or
- (4) Request by the owner or agent of the subject property.

(c) Completeness.

- (1) Generally, see Sec. 109-125. (b).
- (2) In addition to the requirements of Sec. 109-125. (b), the applicant shall provide the following information:
 - a. The location, including parcel number and address (if no address is available, a description which is clear to the average lay person will suffice);
 - b. Both the current and requested zoning classification for the property; and
 - c. A statement explaining why the proposed changes will not conflict with the surrounding land uses.

(d) Notice and Hearing(s) Notice and hearings shall be conducted in accordance with applicable Arkansas state law.

(e) Decision

- (1) Director Review. The Director shall review the rezoning and shall provide a recommendation to the Planning Commission to:
 - a. Approve the rezoning;
 - b. Deny the rezoning; or
 - c. Approve the rezoning with modifications.
- (2) Planning Commission Recommendation. The Planning Commission shall conduct a public hearing on the rezoning. The Planning Commission shall submit its recommendation to the City Council to:
 - a. Approve the rezoning;
 - b. Deny the rezoning; or
 - c. Approve the rezoning with modifications.
- (3) City Council Decision. The City Council shall take action on the rezoning application after a recommendation has been provided by the Planning Commission. The approval of a rezoning application shall be by passing of an ordinance by the City Council.

(f) Standards. In its review of an application for rezoning, the City Council shall consider the following standards. No single factor is controlling. Instead, each is weighed in relation to the other standards.

(1) Consistency. The City Council does not redetermine the City's policy of comprehensive zoning. The City's zoning map shall not be altered for the special benefit of the landowner when the change will cause substantial detriment to the surrounding lands or serve no substantial public purpose.

(2) Adverse Impacts on Neighboring Lands. The City Council shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. Further, the City Council finds and determines that vast acreages of single-use zoning produce uniformity with adverse consequences such as traffic congestion, air pollution, and social alienation. Accordingly, rezonings that promote mixed uses subject to a high degree of design control are not necessarily deemed to be inconsistent with neighboring lands and shall be considered.

(3) Suitability as Presently Zoned. The City Council shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which the use for which land is zoned may be rezoned upon proof of a real public need or substantially changed conditions in the neighborhood.

(4) Health, Safety, and Welfare. The rezoning must bear a substantial relationship to the public health, safety, morals, or general welfare, or protect and preserve historic and cultural places and areas. The rezoning may be justified, however, if a substantial public need exists, and this is so even if the private owner of the tract will also benefit.

(5) Public Policy. A strong public policy in favor of rezoning may be considered. Examples include a need for affordable housing, economic development, recreational activity, or mixed-use development, which functionally relates to the surrounding neighborhoods.

(6) Size of Tract. The City Council shall consider the size, shape, and characteristics of the tract in relation to the affected neighboring lands. Proof that a small tract is unsuitable for use as zoned or that there have been substantial changes in the immediate area may justify a rezoning.

(7) Other Factors. The City Council may consider any other factors relevant to a rezoning application under state law.

(g) Subsequent Applications

(1) If the Planning Commission finds that a rezoning is inconsistent with the Comprehensive Plan, the application shall not be considered until a recommendation regarding a Comprehensive Plan amendment for the proposed rezoning is forwarded to the City Council, either prior to or concurrently with the proposed rezoning request. Additionally, the Planning Commission or City Council may prepare a work program and make studies, including the preparation of maps, to support its decisions regarding a rezoning request.

(2) The applicant shall not submit a rezoning application for the same zoning district request on the same property for at least one year. However, a rezoning application for the same property in a different zoning classification may be submitted without limitation.

(3) The above waiting period begins with the date of the City Council's denial of the prior application.

(h) Scope of Approval. The approval of a rezoning does not authorize the development of land. A rezoning allows the applicant to apply for a building permit or site plan, in the case of uses permitted as of right, or a conditional use permit, in the case of uses designated as special uses within the applicable zoning district.

(i) Recordation. The original record of the rezoning shall be kept and maintained in the City Clerk's Office. The applicant shall keep a copy of the rezoning decision.



March 2, 2026

Planning Commission and
City Council of the
City of Bella Vista, AR
101 Town Center
Bella Vista, AR 72714

RE: Rezoning Application for 8206 Spanker Ridge Dr by Mark and Christy Pierce

Dear Planning Commission and City Council:

1. Ownership and Intent

We, Mark and Christy Pierce, are the current owners of 8206 Spanker Ridge Dr, and this property is our residence. *See* attached Warranty Deed. We have no plans to sell our property. The purpose of this request is to align the property’s zoning with our intended use. We believe that our property’s location, acreage, our intended use, and the character of the surrounding properties weigh in favor of granting our application.

2. Need for Rezoning

Our property is 3.4 acres in area, currently zoned RE, and the restrictions imposed by the current residential estate designation leave the front acre of our property (the acre contiguous with Spanker Ridge Dr) largely unusable. We are requesting a rezoning from RE to AP to make fuller use of our property, including raising pasture-raised chickens for personal use and installing a new fence that matches neighboring properties. The location, length, and depiction of our intended fence is illustrated in the attached pictures and figures.

Rezoning for this purpose is needed because variances are not available. Ordinance § 109-077. Further, our proposed construction of the fence falls under Bella Vista Zoning and Development Ordinance Chapter 109, Article IV, Division 8 and no exemptions are applicable. *See* Ordinance § 109-076. Our proposed fence would be placed in the front yard and be four-foot (4’) tall, which exceeds the three-foot (3’) maximum height for RE zoned properties less than four (4) acres in area. Ordinance § 109-077(b)(1). A similar restriction does not exist for 4+ acre lots or nonresidential (i.e., agricultural) districts. Ordinance § 109-077(b)(2), (3).

We cannot increase the size of our lot or obtain a variance. Therefore, our only option is to rezone.

ROGERS, AR

3. Land Use Compatibility

We believe that granting our proposed rezoning to AP is consistent with the zoning code, the surrounding land use, and the comprehensive plan.

Regarding the zoning requirements, our property presently meets all the RE dimensional, parking, landscaping, and screening requirements. *See* attached Property Pictures. So rezoning our land to AP will satisfy many of the same requirements, with the exception that our property is 3.4 acres, not 5. However, we do not believe this is an insurmountable hurdle since our property is located outside the corporate limits, and about half of our boundary line touches county land. *See* Property Pictures.

Moreover, our intended fence complies with the fencing ordinances. It will not be placed in a right-of-way, will not conflict with intersection visibility triangle requirements, will not encroach on adjoining properties, will not attach to a neighbors fence, does not require a gate, will not exceed eight foot (8') in height, will not impede the flow of stormwater, will not cross drainage channel, is not located on a drainage easement, is not located on a public access easement, and is not located on a private emergency access easement. Further, the fence's posts and support beams are designed to be an integral part of the finished surface. And the fence is not razor wire, barbed wire, or electric. Furthermore, we do not believe that the screening provisions of Chapter IV Division 7 apply.

Further, our proposed rezoning is consistent with Bella Vista's comprehensive plan because our property is geographically insulated from the existing and desired major roads, community centers, activity areas, planned trails, city gateways, image streets, and planned parks/community spaces.

Finally, we believe our proposed rezoning is consistent with the surrounding land use. For example, our immediate neighbors keep horses, and adjacent properties to the south and east are in the county with fewer restrictions; therefore, our rezoning would have little to no impact to our county neighbors. Approximately half of our property is adjacent to property outside of the corporate limits. Our neighborhood's estate covenants permit agricultural use, so rezoning will not infringe upon established estate covenants. *See* attached Covenants. Although our property is under the minimum 5 acres (3.4 acres) there were several properties in Bella Vista that were zoned A-1 that are under 2 acres. In short, our intended use is consistent with the established character of the area and will not negatively impact any neighboring properties.

Thank you for your consideration.

Sincerely,

Mark and Christy Pierce

Rezoning Application

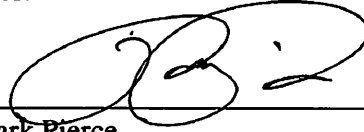
Mark and Christy Pierce – 8206 Spanker Ridge Dr. – Bella Vista, AR 72712

Legal Description:

Lot 2, Block 1, Spanker Creek Estates, a subdivision of part of the SE1/4 of Section 6, Township 20 North, Range 30 West, Benton County, Arkansas, as shown in Plat Record 6 at Page 19, and revised as shown in Plat Record 6 at Page 53.

OWNERS' CERTIFICATION

We, Mark and Christy Pierce, certify by our signatures below that the map attached hereto shows all the properties within two hundred (200) feet of the above-described property and that the list below is a complete list of the owners of those properties.

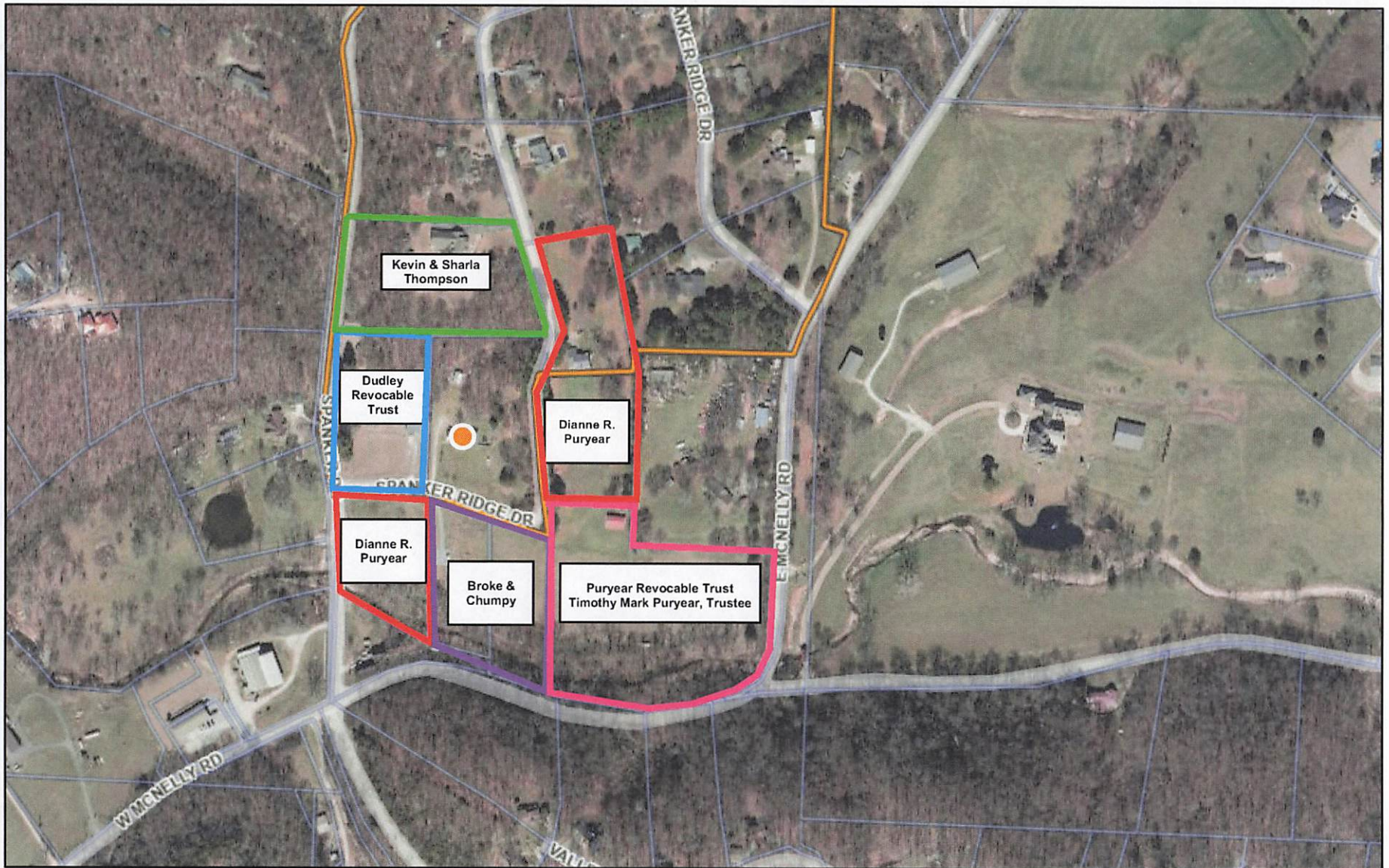


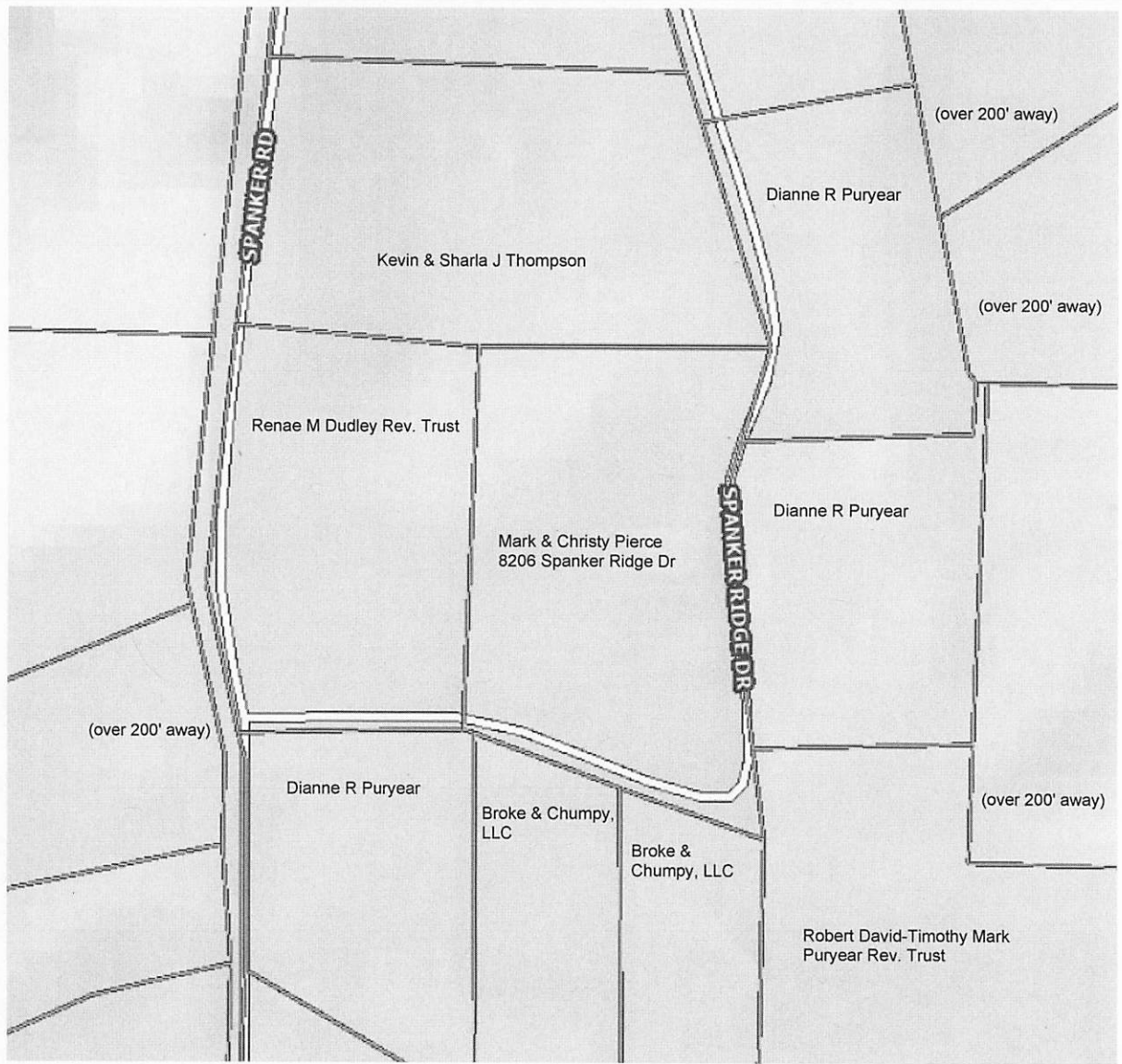
Mark Pierce,
Owner of 8206 Spanker Ridge Dr



Christy Pierce
Owner of 8206 Spanker Ridge Dr

8206 Spanker Ridge Road





List of Owners

Renae Dudley, Trustee
Dudley Revocable Trust
8280 Spanker Ridge Road
Bentonville, AR 72714

Dianne R. Puryear
8195 Spanker Ridge Road
Bentonville, AR 72714

Broke and Chumpy, LLC
c/o United States Corporation Agents, Inc.,
Registered Agent
600 S. 1st Street
Rogers, AR 72756

Cc: Broke and Chumpy, LLC
3500 NW Creekstone Cove
Bentonville, AR 72712

Timothy Mark Puryear, Trustee
Puryear Rvocable Trust
307 Razoback Drive
Bentonville, AR 72712
Collector's Mailing address (which appears
to be his business)
Cc: Timothy Mark Puryear, Trustee
Puryear Revocable Trust
904 SE 21st Street
Bentonville, AR 72712

Kevin & Sharla Thompson
8176 Spanker Ridge Road
Bentonville, AR 72712

Dear Property Owner:

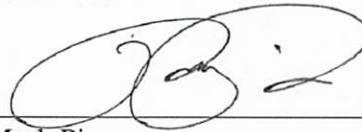
A public hearing will be held before the City of Bella Vista Planning Commission with a request for a rezoning of the property described as or located at **8206 Spanker Ridge Dr, Bentonville, AR 72172**, Parcel No.: **16-43201-000**, and legally described as:

Lot 2, Block 1, Spanker Creek Estates, a subdivision of part of the SE1/4 of Section 6, Township 20 North, Range 30 West, Benton County, Arkansas, as shown in Plat Record 6 at Page 19, and revised as shown in Plat Record 6 at Page 53.

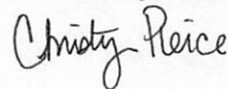
The request is an effort to rezone the above mentioned property from RE to AP under the City of Bella Vista's zoning ordinances. The public hearing will be held at the Bella Vista District Court at **2483 Forest Hills Blvd** on the **13 day of April 2026**, or as otherwise shown at bellavistaar.gov/publichearing.

You are being notified as a requirement of the City of Bella Vista's Municipal Code. This notification will allow you an opportunity to express your views or concerns regarding the above-described petition. If you have any questions or comments concerning this application, please forward your comments in writing to the Planning Division: PO Box 5655, Bella Vista, Arkansas 72714, or email planning@bellavistaar.gov.

Respectfully,

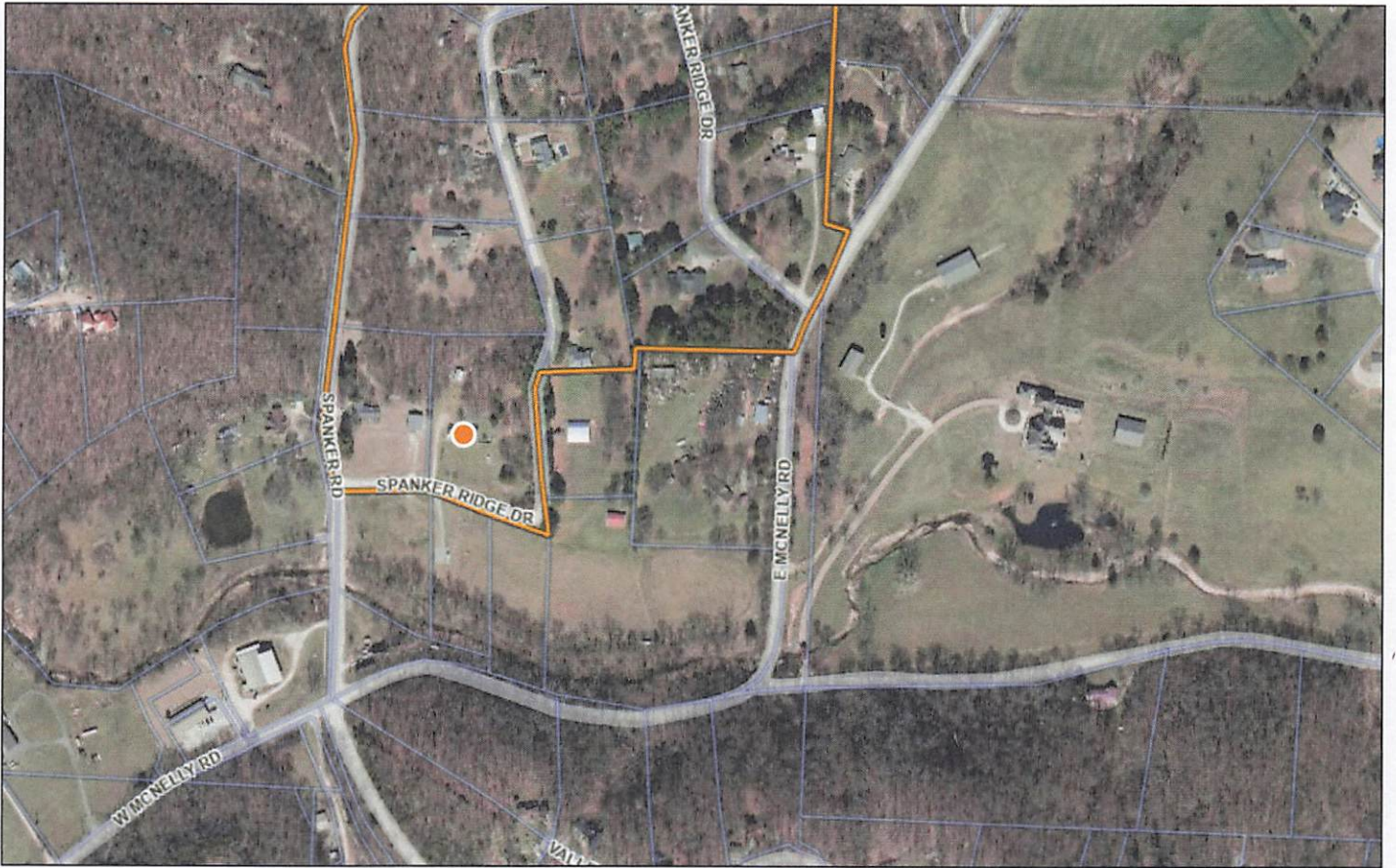


Mark Pierce,
Owner of 8206 Spanker Ridge Dr



Chrissy Pierce
Owner of 8206 Spanker Ridge Dr

8206 Spanker Ridge Road



WARRANTY DEED

KNOW ALL BY THESE PRESENTS:

704-01394

That we, Brian Clause, an unmarried person and Dana Clause, an unmarried person, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration to us in hand paid by Mark Pierce and Christy Pierce, husband and wife, herein referred to as GRANTEES, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the GRANTEES and unto their heirs and assigns forever the following described lands located in the County of Benton, State of Arkansas:

Lot 2, Block 1, Spanker Creek Estates, a subdivision of part of the SE1/4 of Section 6, Township 20 North, Range 30 West, Benton County, Arkansas, as shown in Plat Record 6 at Page 19, and revised as shown in Plat Record 6 at Page 53.

SUBJECT TO RIGHT OF WAY/EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY. SUBJECT ALSO TO ANY STATE OF FACTS WHICH AN ACCURATE SURVEY WOULD REVEAL. NO WARRANTY OR REPRESENTATION IS MADE HEREIN AS TO ANY MINERAL INTEREST ON THE AFOREMENTIONED PROPERTY.

To have and to hold unto the GRANTEES and unto their heirs and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And we hereby covenant with GRANTEES that we will forever warrant and defend the title to said lands against all lawful claims whatsoever.

704-BEN21-01394

WITNESS my hand this 19 day of Oct 2021.

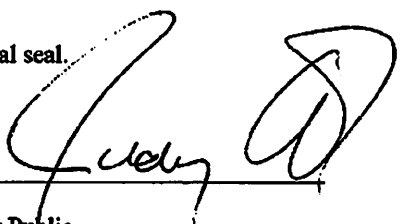
Brian Clause by Randall Wakefield, Attorney in Fact
Brian Clause by Randall Wakefield, Attorney in Fact

ACKNOWLEDGMENT

(Power of Attorney)

State of AR
County of Benton

On this the 19 day of Oct 2021, before me the undersigned officer, personally appeared Randall Wakefield, known to me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for Brian Clause and acknowledged that he executed the same as the act of his principal for the consideration and purposes therein contained and that his principal is alive and of sound mind.

In witness whereof I hereunto set my hand and official seal.


Notary Public

My commission expires: 4-20-24

JUDY ALLBRITTON
NOTARY PUBLIC
WASHINGTON COUNTY, ARKANSAS
COMM. EXP. 4/20/2024
COMMISSION NO. 12697489

JUDY ALLBRITTON
NOTARY PUBLIC
WASHINGTON COUNTY
COMM. EXP. 4/20/2024
COMMISSION NO. 12697489

WITNESS my hand and seal this 19 day of October 2021.

Dana Clause
Dana Clause

ACKNOWLEDGMENT

STATE OF AR
COUNTY OF Benton

BE IT REMEMBERED, that on this day 19 of October 2021, came before me, the undersigned, a Notary Public, within and for the county aforesaid, personally appeared Dana Clause known to me (satisfactorily proven) to be the GRANTOR in the foregoing Deed and stated that she had executed the same for the consideration and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public on the 19 day of October 2021.
Judy Britton
Notary Public

My commission expires: 4-20-24

JUDY ALLBRITTON
NOTARY PUBLIC
WASHINGTON COUNTY, ARKANSAS
COMM. EXP. 4/20/2028
COMMISSION NO. 12897489

JUDY ALLBRITTON
NOTARY PUBLIC
WASHINGTON COUNTY, ARKANSAS
COMM. EXP. 4/20/2028
COMMISSION NO. 12897489



STATE OF ARKANSAS
DEPARTMENT OF FINANCE AND ADMINISTRATION
MISCELLANEOUS TAX SECTION
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

Real Estate Transfer Tax Stamp
Proof of Tax Paid



File Number:
704-BEN21-01394

Grantee:
Mailing Address: MARK & CHRISTY PIERCE
8206 SPANKER RIDGE DR.
BENTONVILLE AR 727120000

Grantor:
Mailing Address: BRIAN CLAUSE & DANA CLAUSE
XX
BENTONVILLE AR 727120000

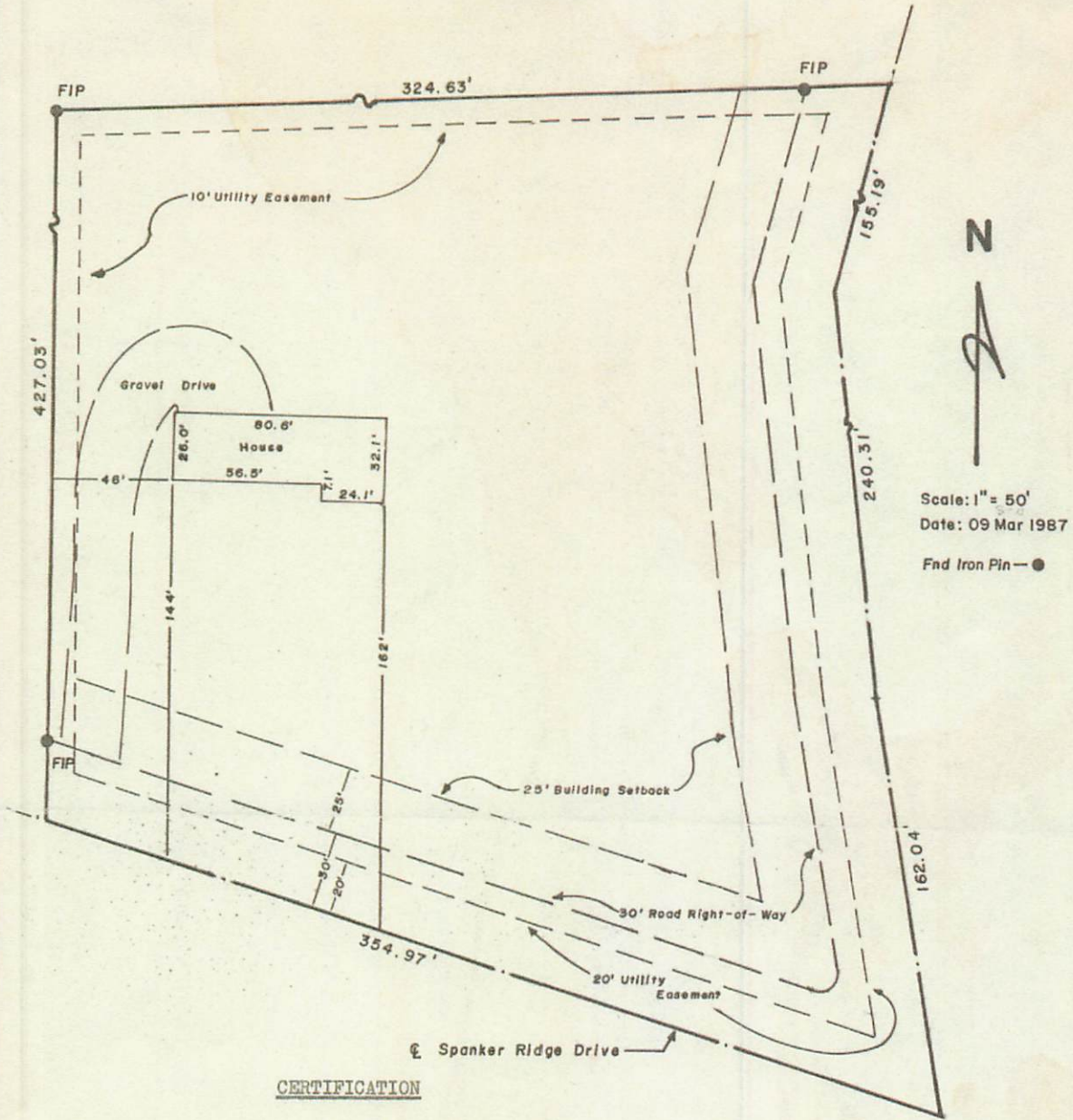
Property Purchase Price: \$290,000.00
Tax Amount: \$957.00
County: BENTON
Date Issued: 10/20/2021
Stamp ID: 105441280

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Teresa Champion
Grantee or Agent Name (signature): Teresa Champion Date: 10/20/21
Address: Prime Title
1280 East Stearns St.
City/State/Zip: Fayetteville, AR
72703-1106



CERTIFICATE OF RECORD
STATE OF ARKANSAS, COUNTY OF BENTON
I hereby certify that this instrument was
Filed and Recorded in the Official Records
in Doc Num L202179012
10/20/2021 04:17:30 PM
Brenda DeShields
BENTON COUNTY Circuit Clerk & Recorder



Scale: 1" = 50'
 Date: 09 Mar 1987
 Find Iron Pin—●

CERTIFICATION

I hereby certify that this survey of Lot 2, Block 1, Spanker Creek Estates, Benton County, Arkansas, was completed under my supervision on the 9th day of March, 1987 in accordance with a Plat filed in Plat Book 6, Page 53 in the office of Ex-officio Recorder and Circuit Clerk of Benton County, Arkansas.

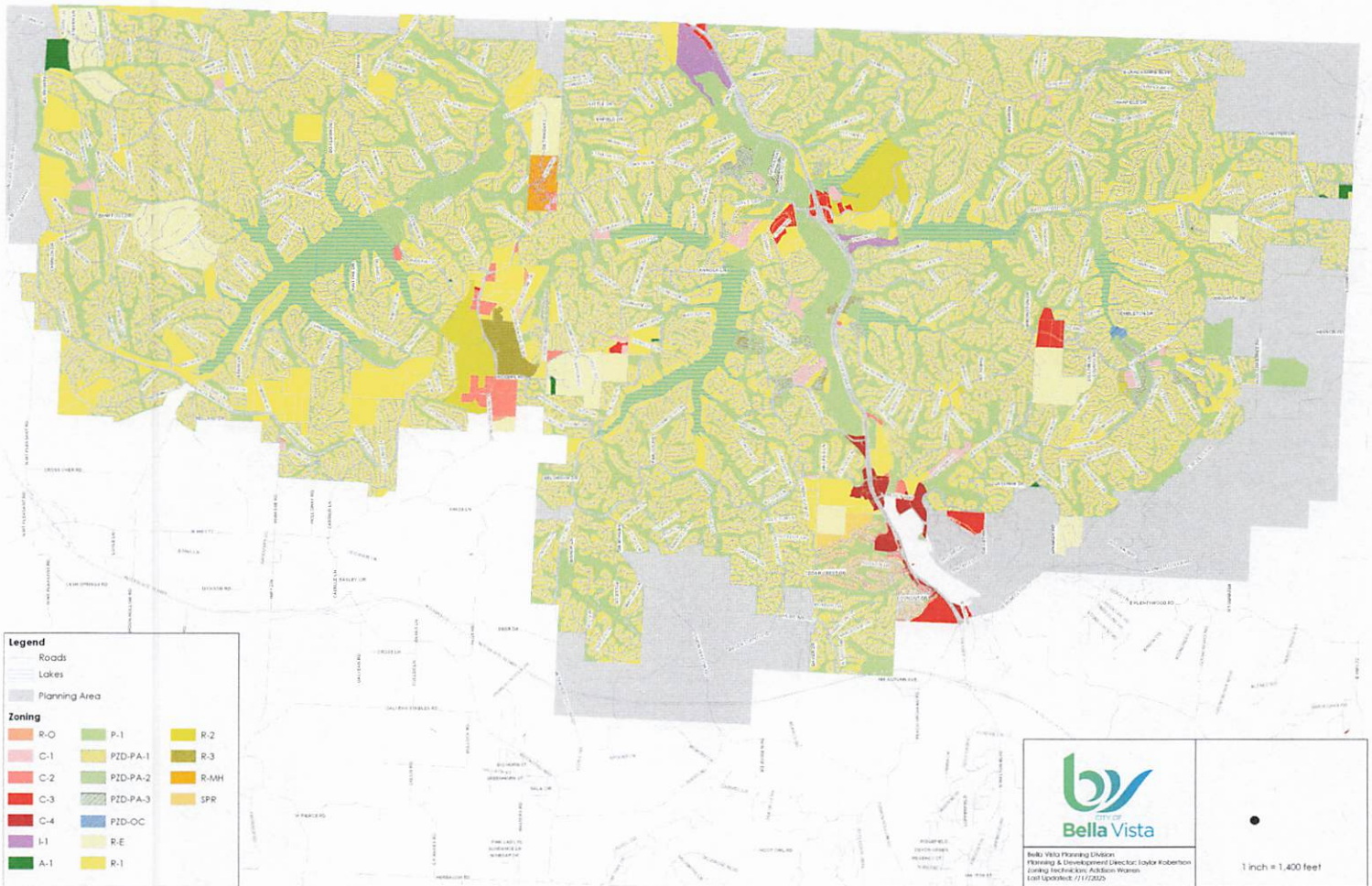
This survey and map is a true and accurate representation of the size and location of the property, its exterior boundaries, the location and dimension of visible structures thereon, boundary fences, apparent easements, roadways, and visible encroachments, if any at the time of this survey.

This survey and map is made for the exclusive use of the present owners of the property and also those who purchase, mortgage, or guarantee the title thereto within one year from the date hereof, and as to them I warrant the accuracy of said survey and map.

LOAN SURVEY FOR:
 Paul E. Carter

Lot 2, Block 1, Spanker
 Creek Estates

Bella Vista Zoning Map



AMENDMENT TO
BILL OF ASSURANCES AND PROTECTIVE COVENANTS

STATE OF ARKANSAS)
)ss
COUNTY OF BENTON)

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, being the owners of 100% of the below described lands known as Spanker Creek Estates, a subdivision of the below described lands situate in Benton County, Arkansas, and described as follows, to-wit:

All of Spanker Creek Estates, more particularly described as Part of the SE¼ of Section 6, Township 20 North, Range 30 West, further described as beginning at the NE corner of the said SE¼; thence S 00°49'56" W 1217.27 feet; thence S 26°41'28" W 83.40 feet; thence S 20°50'29" W 91.21 feet; thence S 10°27'53" W 20.21 feet; thence West 431.17 feet; thence South 34.65 feet; thence S 86°25'29" W 250.93 feet; thence S 15°08'32" W 58.67 feet; thence S 06°32'28" E 240.31 feet; thence S 09°22'35" E 162.04 feet; thence N 72°01'28" W 358.33 feet; thence S 86°42'32" W 248.54 feet; thence N 14°04' W 171.39 feet; thence N 04°29' E 795.78 feet; thence N 09°15' W 255.30 feet; thence N 12°29' E 74.69 feet; thence N 38°15' E 271.22 feet; thence N 25°20' E 82.0 feet; thence N 02°50' E 231.43 feet; thence N 39°50' E 1113.30 feet to the point of beginning containing 46.08 acres.

do hereby amend the original Bill of Assurances and Protective Covenants dated November 1, 1984 and filed November 15, 1984 in Deed Record 627, page 178, with regard to said lands, as follows, to-wit:

1. Paragraph 9 of said bill of assurances and protective covenants shall be amended to read as follows:

9. No residential dwelling structures shall be constructed or placed upon the above described lands containing less than 1000 square feet of heated floor space, exclusive of open porches and garages or carports. Manufactured homes may be placed on any tract provided that such manufactured homes contain at least 1000 square feet of heated floor space. All buildings will be permanently attached to a concrete block or concrete slab foundation. No residences or outbuildings shall be constructed on any tract with used materials exposed and such outbuildings shall be so constructed as will not detract from the general appearance of the neighborhood. No mobile homes shall be placed on any lot in the above described subdivision. Any septic tank installed on any lot shall contain a minimum of 1000 gallons.

FILED FOR RECORD

At 130 O'clock P.M.

JAN 21 1985

JOSEPHINE R. HEYLAND
Clerk and Recorder
BENTON COUNTY, ARK.

EXECUTED THIS 17th day of January, 1985.

OSAGE PROPERTIES, INC.

BY: George F. Merwin
George F. Merwin, Vice-President



Elinore B. Merwin, Secretary

Larry J. Crone

Barbara C. Crone

Denny J. Kester

Judy J. Kester

ALPH C. WILLIAMS
ATTORNEY AT LAW
P. O. BOX 487
STONVILLE ARKANSAS

FILED FOR RECORD

BILL OF ASSURANCES AND PROTECTIVE COVENANTS At 3:40 O'clock P.M.

STATE OF ARKANSAS)
)ss
COUNTY OF BENTON)

NOV 15 1984

JOSEPHINE R. HEYLAND
Clark and Recorder
BENTON COUNTY, ARK.

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, being the owner of the below described lands known as Spanker Creek Estates, situate in Benton County, Arkansas, do hereby enter the following covenants and restrictions with regard to said lands, as follows, to-wit:

Part of the SE¼ of Section 6, Township 20 North, Range 30 West, further described as beginning at the NE corner of the said SE¼; thence S 00°49'56" W 1217.27 feet; thence S 26°41'28" W 83.40 feet; thence S 20°50'29" W 91.21 feet; thence S 10°27'53" W 20.21 feet; thence West 431.17 feet; thence South 34.65 feet; thence S 86°25'29" W 250.93 feet; thence S 15°08'32" W 58.67 feet; thence S 06°32'28" E 240.31 feet; thence S 09°22'35" E 162.04 feet; thence N 72°01'28" W 358.33 feet; thence S 86°42'32" W 248.54 feet; thence N 14°04' W 171.39 feet; thence N 04°29' E 795.78 feet; thence N 09°15' W 255.30 feet; thence N 12°29' E 74.69 feet; thence N 38°15' E 271.22 feet; thence N 25°20' E 82.0 feet; thence N 02°50' E 231.43 feet; thence N 89°50' E 1113.30 feet to the point of beginning containing 46.08 acres.

1. All tracts in Spanker Creek Estates shall be used for residential purposes only.
2. No obnoxious or offensive activity shall be carried on upon any tract nor shall anything be done upon any tract or tracts which may be or may become a nuisance to the neighborhood
3. No inoperative, wrecked, abandoned or junk motor vehicles shall be permitted to remain upon any tract or on the common roadways of said subdivision.
4. All dwellings and structures constructed on said tracts shall be constructed in conformity with the building requirements established by Benton County, Arkansas.
5. No commercial poultry, hog production, dairy barns nor cattle feed lot operations shall be carried on at any time on any part of the above described lands. No hogs will be allowed under any circumstances. Livestock or poultry may be kept on said tracts for personal use only. Dogs, cats or other pets may be kept provided they are not kept, bred or maintained for commercial purposes and provided that same are not deemed a nuisance to the neighborhood. Dogs shall not be allowed to run loose.
6. Trash, garbage and other waste shall not be kept upon any tract except in sanitary containers. No tract shall be used or maintained for a dumping ground or storage area for rubbish, junk or trash.
7. Tracts shall not be subdivided nor shall more than one (1) residence be placed on any single tract.
8. No buildings shall be located on any tract within twenty-five (25) feet of the property lines.
9. No residential dwelling structures shall be constructed or placed upon the above described lands containing less than 1000 square feet of heated floor space, exclusive of open porches and garages or carports. Manufactured homes may be placed on any tract provided that such manufactured homes contain at least 1000 square feet of heated floor space. All buildings will be permanently attached to a concrete block or concrete slab foundation. No residences or out-buildings shall be constructed on any tract with used materials exposed and such outbuildings shall be so constructed as will not detract from the general appearance of the neighborhood.
10. These covenants and restrictions are to run with the land and apply to this subdivision and shall be binding upon all the parties, their heirs and

NOTARY PUBLIC
 STATE OF ARKANSAS
 My Commission Expires: 12/31/88
 IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 1st day of November, 1984.

Before me, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named Gene L. Thrasher and Elmore B. Merwin, to me personally well known, who stated that they were the President and Secretary of Osage Properties, Inc., an Arkansas corporation, and was duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

STATE OF ARKANSAS }
 COUNTY OF BENTON } ss

ACKNOWLEDGMENT

Elmore B. Merwin, Secretary
 Gene L. Thrasher, President
 BY: *Gene L. Thrasher*
 OSAGE PROPERTIES, INC.

EXECUTED THIS 1st day of November, 1984.

11. It is further provided that these covenants may be amended at any time by approval of such amendments by a majority vote of property owners of the total real estate by volume and remain in effect for an additional term unless revoked or amended by a majority vote of property owners of the total real estate by volume.

12. If the parties herein or any of them or their heirs or assigns or any other person shall violate or attempt to violate any of the covenants or restrictions herein while said covenants and restrictions are still in force, it shall be lawful for any person or persons owning an interest in any part of the above described lands to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate such covenants or restrictions and to either prevent him/her or them from such violations or to recover damages or other penalties for such violations.

13. Invalidation of any one of these covenants by judgment of any Court shall in no wise affect any of the other provisions contained herein.

assigns, for a period of ten (10) years from the date hereof and shall be renewed for a like period unless revoked or amended by a majority of the property owners of total real estate by volume as indicated by the official records of the Benton County Circuit Clerk and Ex-Officio Recorder of Benton County, Arkansas. At any time within six (6) months from the expiration period, a majority of the property owners of the total real estate by volume may express their intention in writing drafted so as to be recorded with the Registrar of deeds that they no longer care for these covenants to be effective, and the same shall then be terminated. In the event that no such action is taken, these covenants shall continue for periods of ten (10) years, and after any such ten (10) year period, said covenants may be terminated in accordance with the terms for the original termination. It is further provided that these protective covenants may be amended after the expiration time period as set forth in this paragraph, either by adding to or taking from said protective covenants in their present form, provided that said amendment or amendments shall be incorporated in a written instrument executed by not less than a majority of the property owners of the total real estate by volume and which instrument shall be capable of being recorded as above referred under the same terms and conditions thereof.



WARRANTY DEED

With Relinquishment of Dower and Curtesy

ALL MEN BY THESE PRESENTS

Gene L. Thrasher and George F. Merwin
/a Osage Properties

GRANTOR S for and in consideration of the sum of
Dollar & 00/100----- DOLLARS
Other Valuable Consideration in hand

Robert D. Puryear and Dianne Puryear,
and wife the receipt

is hereby acknowledged, do hereby grant, bargain, sell and convey unto
Robert D. Puryear and Dianne Puryear, husband and
hereinafter called

GRANTEES and unto their heirs and assigns forever the following lands
Benton County, Arkansas, to-wit:

Part of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 6, Township 20 North, Range 30 West,
further described as beginning 744.41 feet West and 1853.24 feet South
of the NE corner of the said E $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence S 88°57'14"E 226.32
feet; thence South 100.0 feet; thence N 89°28'30"E 417.0 feet to the
centerline of Benton County Road #40; thence with said centerline S 00°25'33"W
215.26 feet; thence S 09°24'53"W 102.70 feet; thence S 27°22'23"W 72.29
feet; thence S 54°42'34"W 63.35 feet; thence S 69°53'27"W 85.07 feet; thence
S 78°57'W 258.95 feet; thence N 74°32'W 195.0 feet; thence from said centerline
N 01°20'10"W 507.50 feet; thence N 09°22'28"W 37.71 feet to the point of
beginning containing 6.94 acres.

To have and to hold the same unto the said GRANTEE S and unto their heirs and assigns forever, with all appurtenances thereunto
belonging.

And WE hereby covenant with said GRANTEE S that WE will forever warrant and defend the title to the said lands against all
claims whatever.

And we, Robert D. Puryear and Dianne Puryear husband and
wife, do hereby acknowledge that we have read the foregoing Deed and that we have executed the same for the purposes therein expressed.

Witness my hand and seal as such Grantors this 27th day of July, 19 82

(L.S.) George F. Merwin (L.S.)
(L.S.) Gene L. Thrasher (L.S.)
(L.S.) _____ (L.S.)

STATE OF ARKANSAS)
COUNTY OF BENTON)

ACKNOWLEDGMENT

BE IT REMEMBERED, That on this day came before the undersigned, a Notary Public
within and for the County aforesaid, duly commissioned and

acting Gene L. Thrasher and George F. Merwin d/b/a Osage Properties to me well known
as the Grantor S in the foregoing Deed, and stated that they had executed the same for the
consideration and purposes therein mentioned and set forth

Witness my hand and seal as such Notary Public this 27th day of July, 19 82

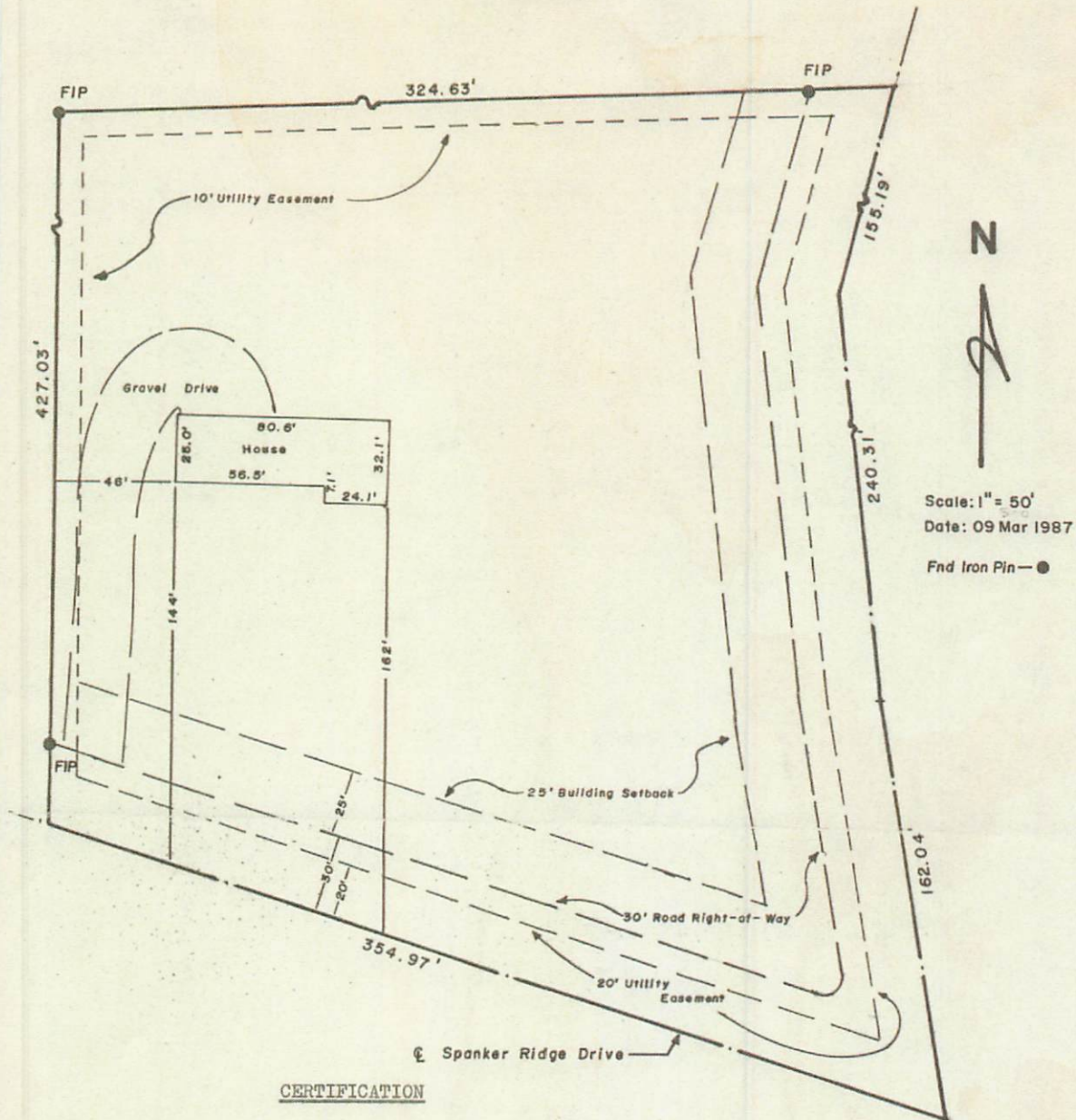
My Commission expires

February 13, 1985
Prepared by

Karen Pruitt
Notary Public

8206 Spanker Ridge Dr
Proposed Chicken Coop Location





CERTIFICATION

I hereby certify that this survey of Lot 2, Block 1, Spanker Creek Estates, Benton County, Arkansas, was completed under my supervision on the 9th day of March, 1987 in accordance with a Plat filed in Plat Book 6, Page 53 in the office of Ex-officio Recorder and Circuit Clerk of Benton County, Arkansas.

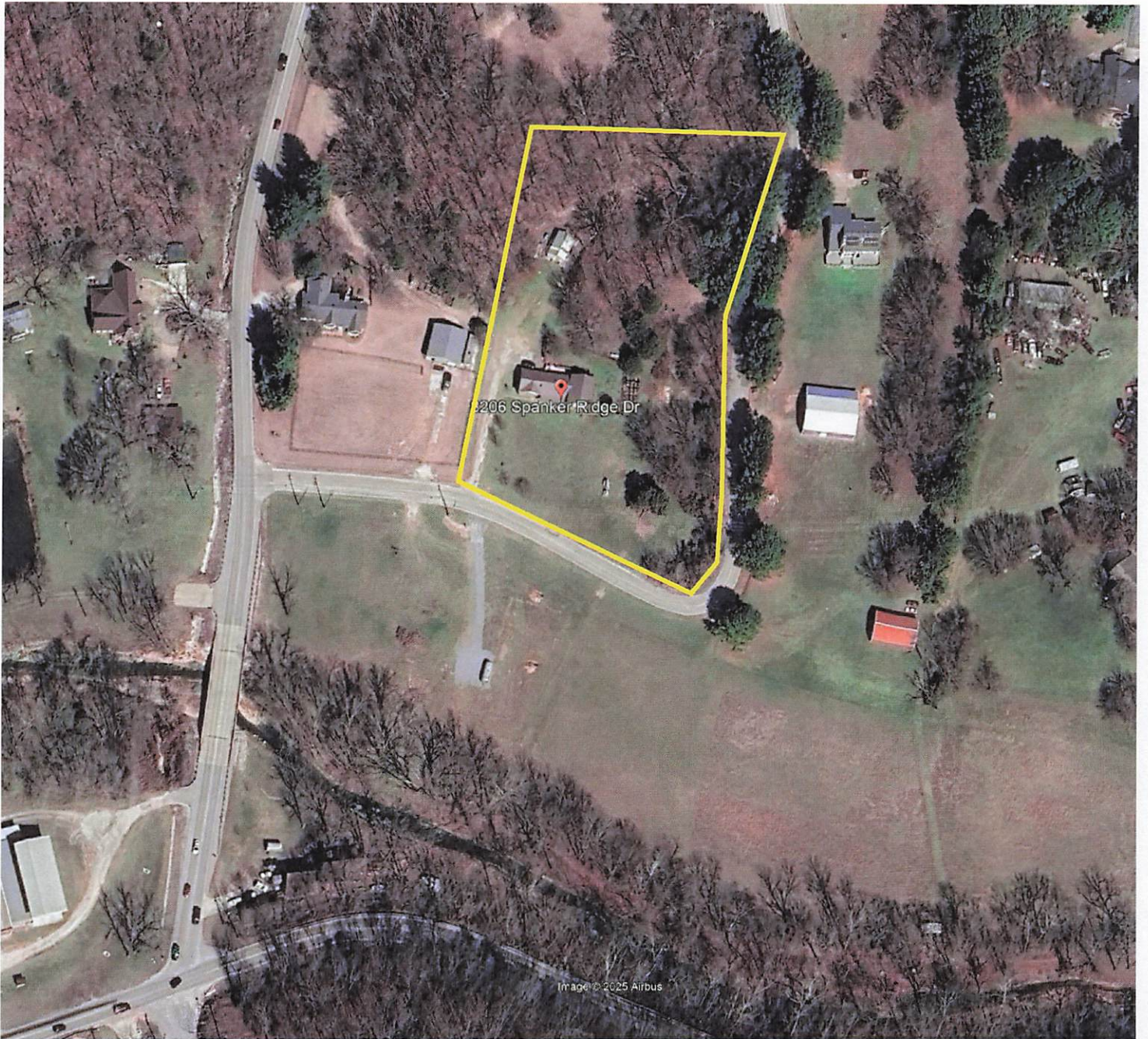
This survey and map is a true and accurate representation of the size and location of the property, its exterior boundaries, the location and dimension of visible structures thereon, boundary fences, apparent easements, roadways, and visible encroachments, if any at the time of this survey.

This survey and map is made for the exclusive use of the present owners of the property and also those who purchase, mortgage, or guarantee the title thereto within one year from the date hereof, and as to them I warrant the accuracy of said survey and map.

LOAN SURVEY FOR:
 Paul E. Carter

Lot 2, Block 1, Spanker
 Creek Estates

8206 Spanker Ridge Dr



Looking North from Spanker Ridge Drive



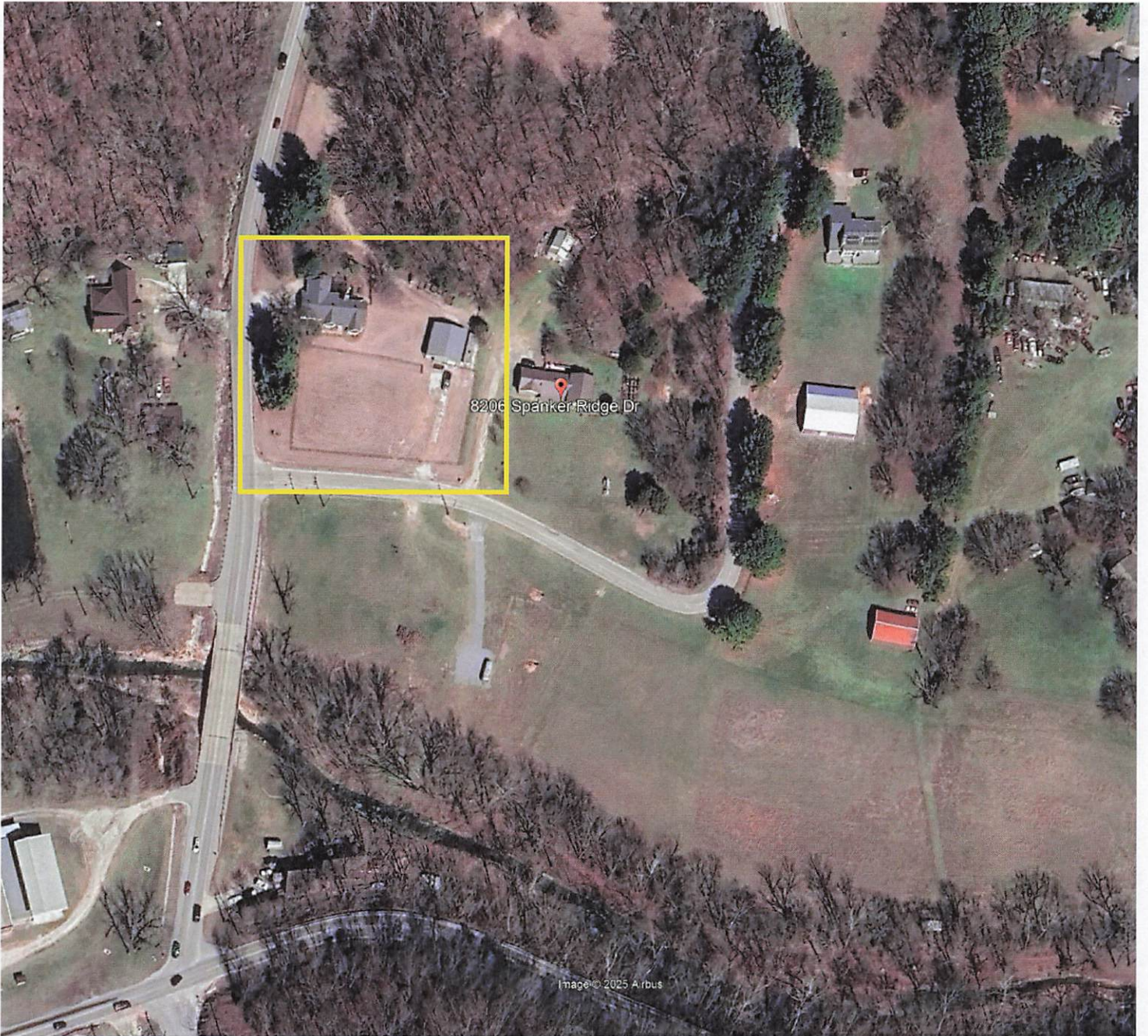
Proposed Fence to match neighborhood aesthetics



MATCHES NEIGHBORHOOD AESTHETICS

Neighboring homes in Spanker Creek Estates- Fence will match the existing aesthetic of the neighborhood

8280 Spanker Ridge Dr. - Neighbor west of property



West Neighbor - Looking North from Spanker Ridge Drive



8170 Spanker Ridge Dr. - Neighbor north of property



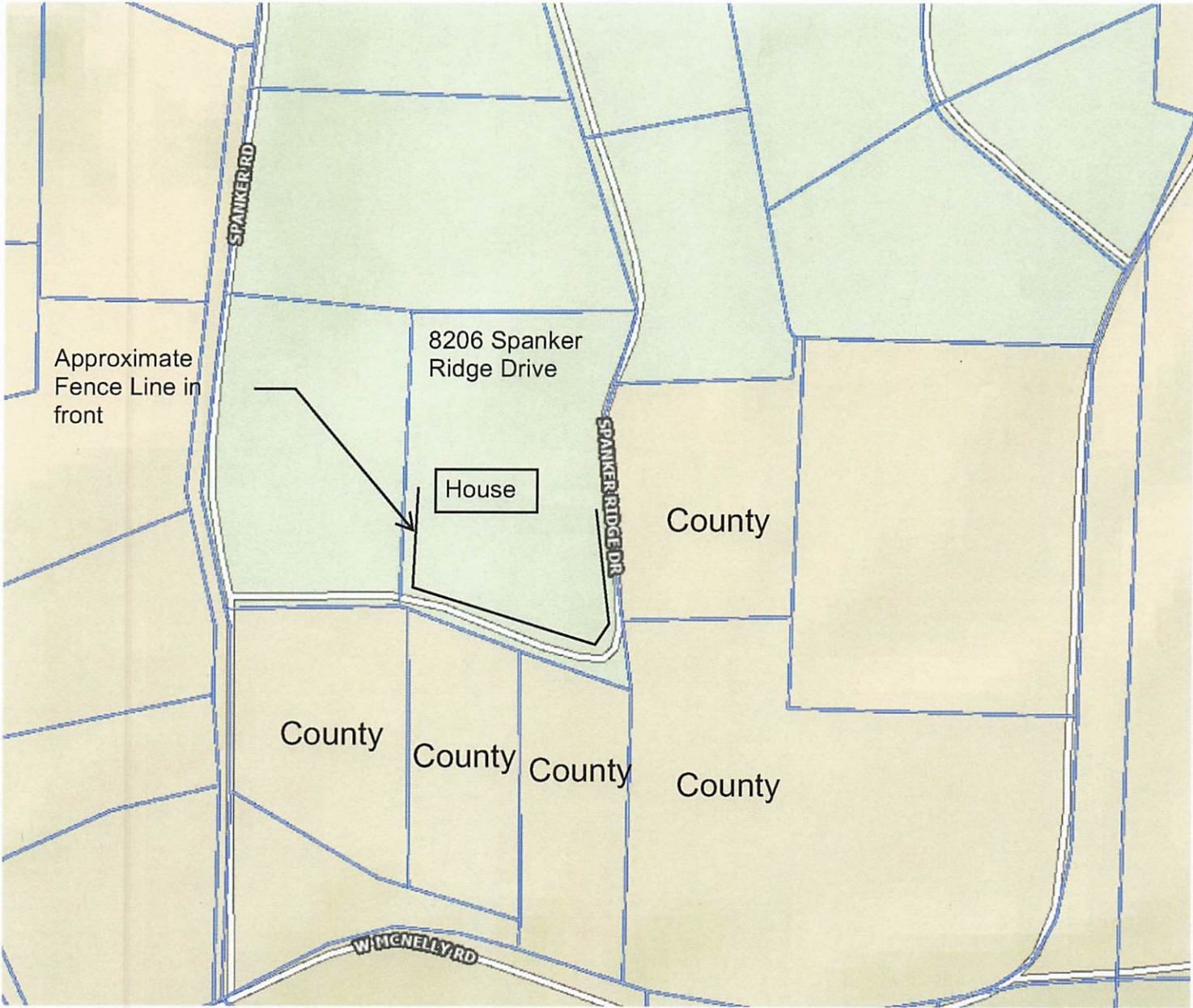
Looking west - Front of house



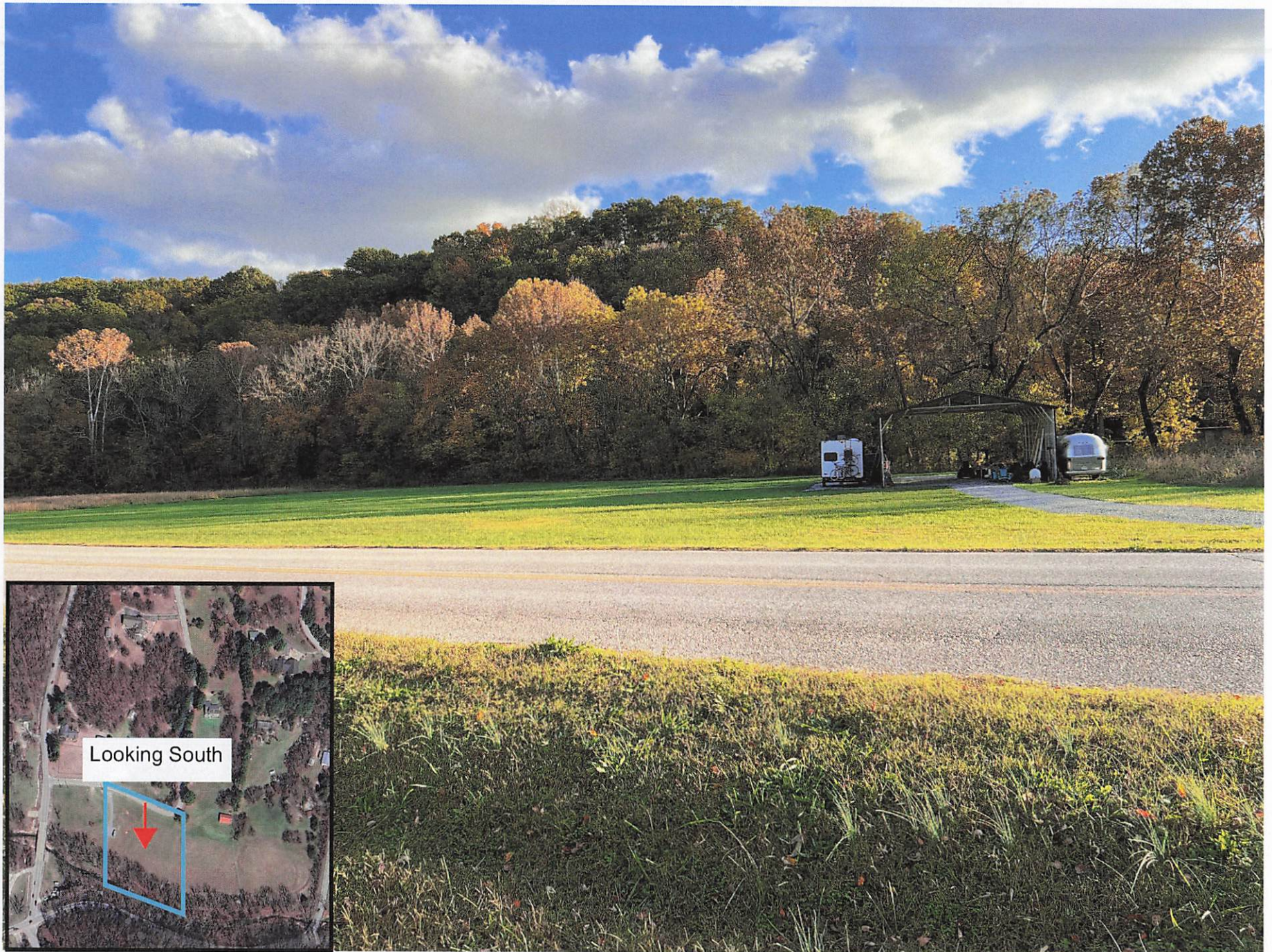
Properties in front of home and east of home are out side of city limits



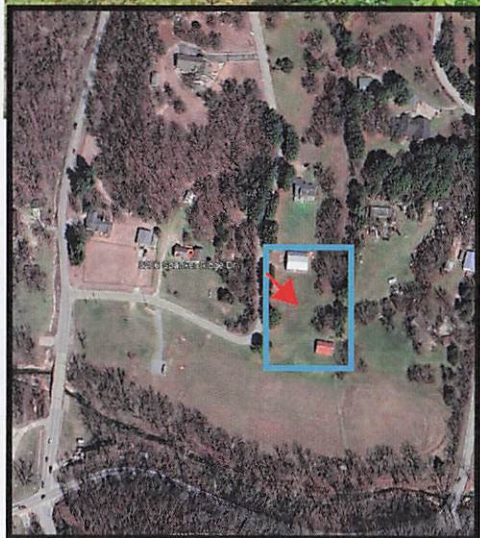
ARC GIS County Map

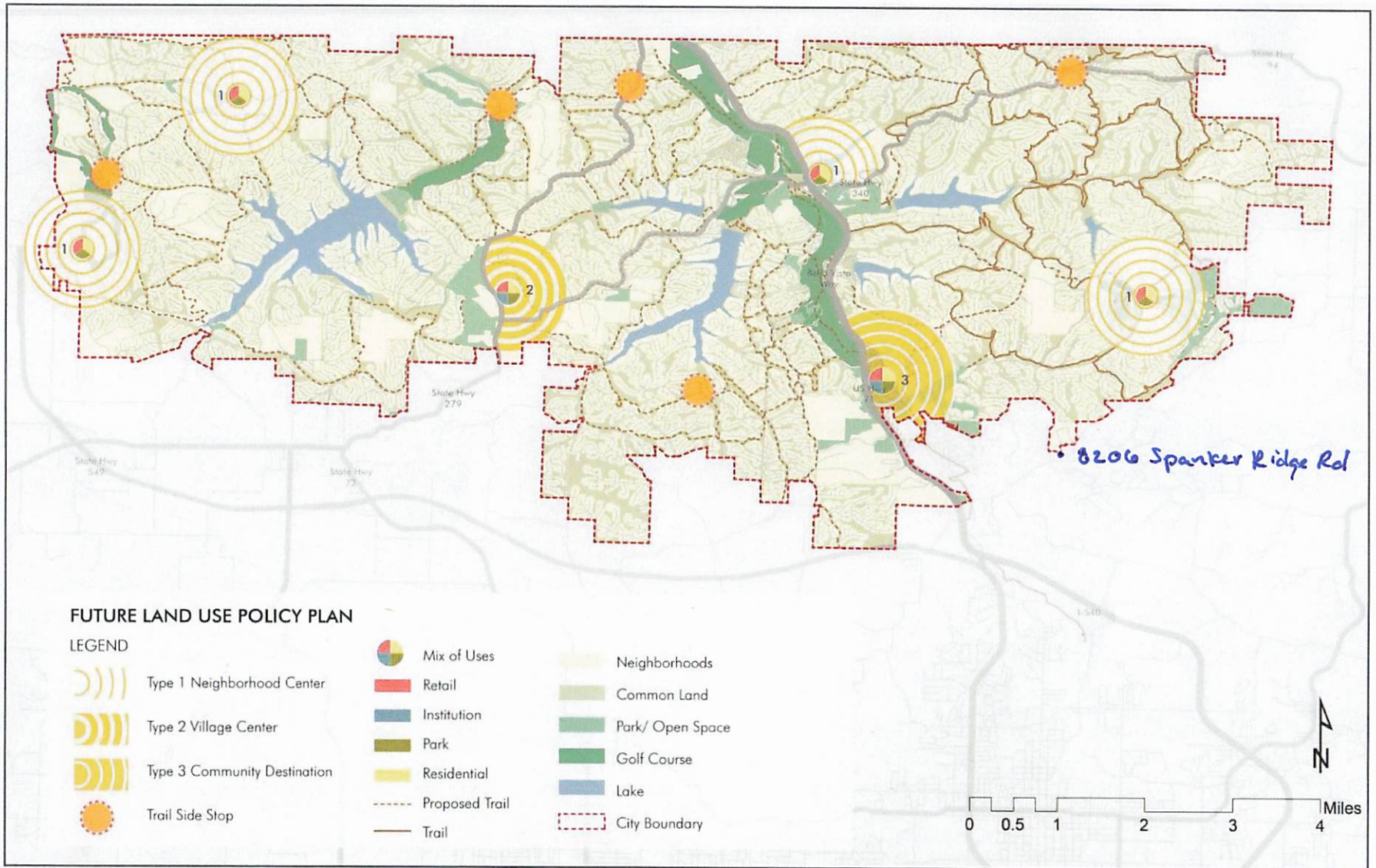


Looking south from Spanker Ridge Drive .



Looking east from Spanker Ridge Drive .





FUTURE LAND USE PLAN



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026		ORDINANCE: AMENDING ORDINANCE NO. 2025-16 ESTABLISHING A BUSINESS LICENSE TO REPEAL SUBSECTION 4(f) TO MAKE CLEAR THAT LAWFUL HOME-BASED BUSINESSES, INCLUDING HOME-BASED PROPERTY MANAGEMENT BUSINESSES AND HOME-BASED SHORT-TERM RENTAL MANAGEMENT BUSINESSES, ARE EXEMPT FROM THE BUSINESS LICENSE REQUIREMENT, WHILE STILL PROVIDING THAT SUCH BUSINESSES CONDUCTED OUTSIDE THE HOME ARE NOT EXEMPT, AND FOR OTHER PURPOSES

AGENDA ITEM # IX.Q

ORDINANCE: AMENDING ORDINANCE NO. 2025-16 ESTABLISHING A BUSINESS LICENSE TO REPEAL SUBSECTION 4(f) TO MAKE CLEAR THAT LAWFUL HOME-BASED BUSINESSES, INCLUDING HOME-BASED PROPERTY MANAGEMENT BUSINESSES AND HOME-BASED SHORT-TERM RENTAL MANAGEMENT BUSINESSES, ARE EXEMPT FROM THE BUSINESS LICENSE REQUIREMENT, WHILE STILL PROVIDING THAT SUCH BUSINESSES CONDUCTED OUTSIDE THE HOME ARE NOT EXEMPT, AND FOR OTHER PURPOSES

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Ordinance Repealing 4f of Business License Ordinance 2

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

AMENDING ORDINANCE NO. 2025-16 ESTABLISHING A BUSINESS LICENSE TO REPEAL SUBSECTION 4(f) TO MAKE CLEAR THAT LAWFUL HOME-BASED BUSINESSES, INCLUDING HOME-BASED PROPERTY MANAGEMENT BUSINESSES AND HOME-BASED SHORT-TERM RENTAL MANAGEMENT BUSINESSES, ARE EXEMPT FROM THE BUSINESS LICENSE REQUIREMENT, WHILE STILL PROVIDING THAT SUCH BUSINESSES CONDUCTED OUTSIDE THE HOME ARE NOT EXEMPT, AND FOR OTHER PURPOSES

WHEREAS, Ordinance No. 2025-16 established a business license in the City; and

WHEREAS, the Ordinance exempted short-term rentals and all lawful home-based businesses, but clarified that property management businesses are not exempt solely because they manage short-term rentals; and

WHEREAS, the City Council desires to clarify that all lawful home-based businesses—including home-based property management and home-based short-term rental management businesses—are exempt from the business license requirement, while such businesses are not exempt if operated outside the home;

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

SECTION 1: Subsection 4(f) of Ordinance No. 2025-16 is hereby repealed.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

ATTEST:

WANDA KRUG
CITY CLERK

Requested by: Council Member Wendy Hughes



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026	Taylor Robertson, Planning and Development Director	RESOLUTION: APPROVING THE MAYOR'S REAPPOINTMENT OF ELIZABETH DUNCAN TO THE TREE ADVISORY BOARD (POSITION 5) FOR A THREE (3) YEAR TERM ENDING MAY 1, 2029

AGENDA ITEM # IX.R

RESOLUTION: APPROVING THE MAYOR'S REAPPOINTMENT OF ELIZABETH DUNCAN TO THE TREE ADVISORY BOARD (POSITION 5) FOR A THREE (3) YEAR TERM ENDING MAY 1, 2029

BACKGROUND

Section 5-51 created the Tree Advisory Board, set its membership at 7 positions, and dictates that the members serve staggered three-year positions which expire on May 1st of each year. Position 5 has a term set to expire on May 1st of this year. As such, the following candidate is recommended by Staff and reappointed by the Mayor:

Ms. Elizabeth Duncan has agreed to volunteer for Position 5 with a term expiring on May 1, 2029.

RECOMMENDATION

Staff recommends approval.

FISCAL IMPACT

None.

ATTACHMENTS

1. Resolution Duncan Tree Advisory
2. Elizabeth Duncan

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

APPROVING THE MAYOR’S REAPPOINTMENT OF ELIZABETH DUNCAN TO THE TREE ADVISORY BOARD (POSITION 5) FOR A THREE (3) YEAR TERM ENDING MAY 1, 2029

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

SECTION 1: The Mayor’s reappointment of Elizabeth Duncan to the Tree Advisory Board (Position 5) for a three (3) year term ending May 1, 2029, is hereby approved.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

Attest:

City Clerk Wanda Krug

Requested by Mayor

Taylor Robertson

From: noreply@revize.com
Sent: Thursday, March 30, 2023 9:50 AM
To: Taylor Robertson
Subject: Board Application Form
Attachments: resume.edited1022.pdf.txt

[WARNING: External Email] Do not click links or open attachments unless you trust the sender.

Name = Elizabeth Duncan

Address = 14752 , Ridge Road

City-State-Zip = 72715

Phone = 3108838397

Email = lizzieqd@icloud.com

Occupation = Landscape Designer

Place-of-employment = Self

Years-lived-in-BV = 1

Board-interested-in[] = Tree Advisory Board

Qualifications = Degree in Sustainability and 25 years experience as landscape designer.

Interest = I am a newer resident to the Bella Vista neighborhood. However, I have moved to Bentonville in 2019. I moved to Bella Vista for its beauty and its proximity to wildlife. I believe the preservation of native trees is vital to a community both aesthetically and ecologically. Aesthetically, regardless of native vs non native, trees improved property values, providing a sense of an "established neighborhood" and general beauty. Ecologically, the list is endless. Between the climate cooling and insulating properties there is also the benefit of preventing soil erosion and offering wildlife habitat. I believe I could contribute a valuable perspective and passion to any landscape/tree decisions.

Willingness-to-serve[] = By checking this box, I indicate my willingness to serve on the commission or board checked in the box above. I also indicate my understanding of the time commitment involved in such service. I further authorize the City of Bella Vista to consider my provided application information in considering an appointment to a city commission or board. option-1

Client IP = 172.59.79.28

Personal Statement

I moved to Bentonville, Arkansas in 2019. I spent most of my life in Southern California; as a child, student, young worker, business woman, a landscape and jewelry designer, and finally a business builder and problem solver. I am now a single mother of two grown children. I am a grandmother. All live in Bentonville.

I am an environmentalist and sustainability advocate. I believe in respecting our land and while providing nutrition and good health locally. Growing food and native plant landscaping exercise and utilize my talents and passions.

Highlights and Accomplishments

- My move to Bentonville and work at Red Barn represents a dual life and professional accomplishment. Change is always hard, and navigation is a constant challenge. I had a concept regarding the work I wanted to do and where I wanted to live. The Red Barn job gave me the unique opportunity to help build a farm to neighborhood business with an emphasis on nutrition and health. I assisted in building a successful enterprise, while being involved as both a manager and worker in each component: strategy; planning; planting the crops; nurturing the produce; harvesting; selling; distributing; hiring and training the team; accounting for the expenses and revenues; and promoting Red Barn in Bentonville. Farming is a very hard profession, however, my personal value and ability to build on a model of farm to people and local businesses has soared. And, all this while reuniting in the same town with my family.
- I live to create beauty, both in environments and in objects. Landscape Design is a constant passion of mine. I have an amazing spacial awareness and perspective as well as an ability to understand how nature, objects and structures can best work together in aesthetic harmony. For 30 plus years, I have created harmonious and beautiful outdoor living spaces.
- I am also very good at making things. I am mechanical as well as a designer. And, I am good at taking the discrete components and putting pieces together to make timeless and unique jewelry. I enjoy being conceptual and the art of creating.
- My jobs in retail nurtured communication skills; taught me to listen; gave me the opportunity to become a very good active listener; helped me be comfortable with the customer, figure out needs and wants, and how to make a sale. Additionally, I learned to purchase seasonal collections based on current and future trends, budget and allocate funds available, manage a staff and a physical space. Everything that I experienced in this job remains relevant to me every work day.
- While it is not resume typical, certainly the most important part of my life has been that of a Mother. Over half my life was spent with children at home and my being the Mom. It is the highlight of highlights in my life, what I believe to be the most important work I have done (and continue to do), and is my paramount highlight.

Personal Interests and Activities

My greatest joys in life come from time with both my children and twin grand babies. I try to spend as many moments with them as possible.

I am an avid yoga practitioner. I have studied for 30+ years. I am a hiker and lover of nature. Though my knees won't stand for it anymore, competitive, long distance running combined my love of nature with my love of physical challenge. I also have a fascination with Traditional Chinese Medicine. I studied TCM at the Emperor's College of Oriental Medicine in Santa Monica, CA. The systems of Acupuncture and herbal medicine examines and honors the body and its repair mechanisms, not unlike yoga, exercise, and healthful eating. Another focus in my life is environmental sustainability. Educating myself in Global Sustainability at UCLA allowed me to link yet another love of the natural world with our overall health as a planet.

Though seemingly diverse, there is a common thread to my personal interests and activities which led me directly to where I am today; near both my children and grand children and farming in Bentonville, AR. My passions are physically challenging, engaged in nature, and healing to body, soul and planet.

References - Personal

Mr. John Davis; Cambridge Family Enterprise Group, 617.871.2740

The Honorable Lisa Sepe-Weisenfeld; Los Angeles Superior Court Judge, lisaswlaw@gmail.com

Mr. John Hewitt; H Trading, johngewitt@gmail.com

References - Professional

Adam and Melissa Millsap 417.827.7046

Teresa Kamer, Interior Designer 310.890.9932

Tana Jamieson, Client 310.487.3951

Natasha Page, Interior Designer 310.435.4516

Employment

Landscape Designer, Self-Employed; Pacific Palisades, CA — 1990-Present

Responsibilities included, but not limited to; Consulting, advising, researching and designing based on client's desires and their micro-climate needs; Hiring and managing crews and sub-contractors, managing teams, overseeing installations, advising in best systems maintenance; Budgets, billing, advertising, and social media.

Farm Manager, Red Barn Farm; Bentonville, AR — 2019-2021

Responsibilities included, but were not limited to; Managing day to day field activities and crew hiring and scheduling, field and greenhouse planting, crop harvesting, pest and disease control, irrigation system functions, livestock health and welfare, oversee and budget farm purchases, collaborating on the construction of the mobile seasonal extension High-Tunnels, hoop houses, and mobile chicken tractor. In addition, I managed the Quickbook for the farm (as per the managing development company), invoicing, retail and wholesale sales, back-end development and managing of AirTable program to build and launch a home delivery program for the residents of Red Barn Apartments and Bentonville at large. Marketing and promotion of the sales to both retail and Food and Beverage sector also fell within my scope of responsibilities. I worked with contractors on larger scale farm projects (such as drainage, construction, etc.). Finally, I oversaw the Certified Naturally Grown principles in all our growing and raising processes.

Art Buyer, Teresa Kamer Interior Design; Sherman Oaks, CA — 1996-2019

Researching, collecting and purchasing art for Interior Designer Service Company

Landscape Designer, Teresa Kamer Interior Design; Sherman Oaks, CA — 1996-2019

Consulting, advising, researching and designing based on designer's desires and client's micro-climate needs; Hiring and managing crews and sub-contractors, managing teams, overseeing installations, advising in best systems maintenance; Budgeting, purchasing, billing, payments.

Art Buyer, Natasha Page Interior Designs; Pacific Palisades, CA — 2001-2019

Researching, collecting and purchasing art for Interior Designer Service Company

Landscape Designer, Natasha Page Interior Designs; Pacific Palisades, CA — 2001-2019

Consulting, advising, researching and designing based on designer's desires and client's micro-climate needs. Hiring and managing crews and sub-contractors, managing teams, overseeing installations, advising in best systems maintenance. Budgeting, purchasing, billing, payments.

Owner and Designer, Lizzie Q Designs Jewelry; Santa Monica, CA — 2001-Present

Design and create cohesive collections of handmade jewelry using recycled metals and ethically sourced stones and materials; Manage sales, shipping, social media and custom orders.

Retail Store Manager, Magpi; Studio City, Ca — 2013-2018

Responsibilities included, but not limited to; Conceptualize and launch, design physical build-out, and purchase for Women's Wear and Home Goods Shop; Overseeing and managing day-to-day operations, employees, purchase orders, social media, buyer and seller of clothing, shoes, art and vintage housewares; Customer relations.

Personal Assistant, Roberta and Carl Deutsch, Malibu, CA — 1997-2001

Responsibilities included, but not limited to; Organize and manage the Estate and staff. Overseeing and managing home renovations, relocations, landscaping and family farm crops. Allocate personal donations made through the Roberta and Carl Deutsch Foundation.

Gallery Director, Neimeroff-Deutsch Fine Art; Santa Monica, CA — 1992-1997

Responsibilities included, but not limited to; Artist relations, organize and oversee gallery exhibits, studio tours, sales, consignment, advertising, create storage systems, generate purchase orders, sales orders; Assist in the consulting on contemporary art for collections for public and private clients, artists' liaison for privately commissioned work.

Education

UCLA Certificate Of Global Sustainability in Design, 2012

Santa Monica College - AA Degree in Art History, 1988

Skills

I solve problems. In addition I am a; Manager, team worker, designer, systems creator, sustainability consultant, researcher, salesperson, artist and organizer. I work very well with my hands.

I can design systems of organization. Computer and social media skills are current. Word, Excel, AirTable, Pages, Numbers, Powerpoint, Keynote, Windows, Adobe Creative Suite, MS Office Suite, PC, Mac. Instagram, Twitter, Facebook, LinkedIn.



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026	Taylor Robertson, Planning and Development Director	RESOLUTION: APPROVING THE MAYOR'S APPOINTMENT OF BENJAMIN SASINE TO THE TREE ADVISORY BOARD (POSITION 4) FOR A THREE (3) YEAR TERM ENDING MAY 1, 2029

AGENDA ITEM # IX.S

RESOLUTION: APPROVING THE MAYOR'S APPOINTMENT OF BENJAMIN SASINE TO THE TREE ADVISORY BOARD (POSITION 4) FOR A THREE (3) YEAR TERM ENDING MAY 1, 2029

BACKGROUND

Section 5-51 created the Tree Advisory Board, set its membership at 7 positions, and dictates that the members serve staggered three-year positions which expire on May 1st of each year. Position 4 has a term set to expire on May 1st of this year. As such, the following candidate is recommended by Staff and appointed by the Mayor:

Mr. Benjamin Sasine has agreed to volunteer for Position 4 with a term expiring on May 1, 2029.

RECOMMENDATION

Staff recommends approval.

FISCAL IMPACT

None.

ATTACHMENTS

1. Resolution Sasine Tree Advisory
2. Benjamin Sasine
3. Benjamin Sasine Resume

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

APPROVING THE MAYOR'S APPOINTMENT OF BENJAMIN SASINE TO THE TREE ADVISORY BOARD (POSITION 4) FOR A THREE (3) YEAR TERM ENDING MAY 1, 2029

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

SECTION 1: The Mayor's appointment of Benjamin Sasine to the Tree Advisory Board (Position 4) for a three (3) year term ending May 1, 2029, is hereby approved.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

Attest:

City Clerk Wanda Krug

Requested by Mayor

FW: Board Application Form

From Cassi Lapp <clapp@bellavistaar.gov>
Date Tue 4/7/2026 9:01 AM
To Christopher Hyatt <chyatt@bellavistaar.gov>

Cassi Lapp

Communications Director



From: noreply@revize.com <noreply@revize.com>
Date: Friday, April 3, 2026 at 7:58 AM
To: Cassi Lapp <clapp@bellavistaar.gov>
Subject: Board Application Form

[WARNING: External Email] Do not click links or open attachments unless you trust the sender.

Name = Benjamin Sasine
Address = 47 Little Drive Entry
City-State-Zip = 72715
Phone = 9143348540
Email = ben.sasine@gmail.com
Occupation = Certified Arborist
Place-of-employment = Raines Tree Care
Years-lived-in-BV = 2009-2016, 2022-Present
Board-interested-in[] = Active Transportation Advisory Board
Board-interested-in[] = Tree Advisory Board
Qualifications = I am a Certified Arborist and Certified Treecare Safety Professional with 6 years of experience and a passion for quality tree stewardship and community-driven decision making. I have leadership experience from a young age, earning my Eagle Scout, participating in clubs and student government management and am currently involved with Pedal it Forward, Arkansas Master Naturalists, and the Symphony of Northwest Arkansas. I grew up in Bella Vista from the age of 11, and have a deep connection with the creeks, hills, lakes and woods. I spend my days tending the trees on private and POA land here in Bella Vista, keeping our area beautiful, safe and a haven for wildlife.
Interest = I am interested in learning more about what the Tree Advisory Board does and potentially adding a perspective of a tree professional to our city. I would like to learn from people who have served for years in city government more about what it takes to manage a municipality and give back

to your community. I am always looking for new ways to talk to people about trees and contribute my experience to help others and support the place I call home.

Willingness-to-serve[] = By checking this box, I indicate my willingness to serve on the commission or board checked in the box above. I also indicate my understanding of the time commitment involved in such service. I further authorize the City of Bella Vista to consider my provided application information in considering an appointment to a city commission or board. option-1

Client IP = 146.75.164.35

BENJAMIN SASINE

ISA CERTIFIED ARBORIST, CTSP, ARKANSAS MASTER NATURALIST

CONTACT

914-334-8540

ben.sasine@gmail.com

[LinkedIn](#)

PROFILE

- ISA Certified Arborist and CTSP with 6 years of experience in residential and community tree care. Skilled in pruning standards, crew leadership, and project management, with a strong focus on safety and long-term canopy health
- Passionate about urban arboriculture, native ecology, and contributing to thoughtful, community-based forest stewardship

CERTIFICATIONS

ISA Certified Arborist (2024)

Certified Treecare Safety Professional (2026)

Arkansas Master Naturalist (exp. 2026)

EXPERIENCE

Certified Arborist & Production Lead – Raines Tree Care 2022 - Present

- Lead production crews delivering high-quality tree care using climbing systems and heavy equipment
- Educate community members on tree management and long-term care plans
- Mentor crew members in safe work practices, pruning skills, and continuing education

Apprentice – Rivendell Tree Experts, Reliable Tree Care 2020 - 2022

- Tree care operations in the Salt Lake City metro area adhering to industry safety standards and providing exceptional service

EDUCATION

Brigham Young University
B.S. Biology – 2020

COMMUNITY INVOLVEMENT

Arkansas Master Naturalist

- Volunteer time to remove invasive plants, plant trees, and restore native habitat for ecological diversity and community enjoyment

Pedal It Forward

- Volunteer time refurbishing bikes to donate to community members in need, enabling active transportation without a price tag



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026	Karen Hunt, Street Superintendent	RESOLUTION: AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH GARRETT EXCAVATING, INC. AT THE AMOUNT OF \$99.31 PER TON FOR ASPHALT STREET RESURFACING (HOT MIX OVERLAY) AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH VANCE BROTHERS, LLC IN THE AMOUNT OF \$3.13 PER SQUARE YARD FOR SLURRY SEAL STREETS.

AGENDA ITEM # IX.T

RESOLUTION: AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH GARRETT EXCAVATING, INC. AT THE AMOUNT OF \$99.31 PER TON FOR ASPHALT STREET RESURFACING (HOT MIX OVERLAY) AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH VANCE BROTHERS, LLC IN THE AMOUNT OF \$3.13 PER SQUARE YARD FOR SLURRY SEAL STREETS.

BACKGROUND

A Request for Bids publicly advertised the week(s) of March 22, 2026, and March 29, 2026, and the bid packet was sent to eight (8) vendors for the purpose of resurfacing City streets. Two methods of street resurfacing were specified: Hot Mix Asphalt of approximately 15.1 miles and Slurry Seal Application of approximately 29 miles. We received bids from four (4) vendors. Three (3) vendors submitted bids for Hot Mix Asphalt. Garrett Excavating, Inc. was the low bidder for Hot Mix Asphalt with a unit price of \$99.31 per ton. One (1) vendor, Vance Brothers, LLC., submitted a bid for the Slurry Seal application in the amount of \$3.13 per square yard. This has been the typical history of bidding for street resurfacing.

RECOMMENDATION

Bella Vista Street Department recommends the City Council award bid to Garrett Excavating, Inc. for Hot Mix Asphalt at a per ton price and related applications at a per-unit price, not to exceed the approved budget for resurfacing city streets. Bella Vista Street Department recommends the City Council award bid to Vance Brothers, LLC. for the Slurry Seal Application at a per Sq. Yd price, not to exceed the approved budget for resurfacing city streets.

City of Bella Vista, Arkansas
City Hall

FISCAL IMPACT

The funding for the Hot Mix Asphalt has been approved by the Voters in the 2026 Sales Tax Bond.

The funding for the Slurry Seal Application has been approved by City Council in the 2026 Operating budget, Dept 50, account 57500 in the amount of \$900,000.

ATTACHMENTS

1. Resolution Street Overlay Slurry contracts
2. Affidavit of Bid Publication
3. 2026 Street Resurfacing Bid Specs
4. 2026 Bid Tab

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH GARRETT EXCAVATING, INC. IN THE AMOUNT OF \$99.31 PER TON FOR ASPHALT STREET RESURFACING (HOT MIX OVERLAY) AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH VANCE BROTHERS INC. IN THE AMOUNT OF \$3.13 PER SQUARE YARD FOR SLURRY STREET RESURFACING

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

SECTION 1: The City Council of the City of Bella Vista, Arkansas hereby authorizes the Mayor and City Clerk to enter into a contract with Garrett Excavating, Inc. in the amount of \$99.31 per ton for asphalt street resurfacing (hot mix overlay) and further authorizes the Mayor and City Clerk to enter into a contract with Vance Brothers Inc. in the amount of \$3.13 per square yard for slurry street resurfacing.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

Attest:

City Clerk Wanda Krug

Requested by Mayor



Account #: NWC5378955

Company: CITY OF BELLA VISTA-LEGALS
PO BOX 5655
BELLA VISTA, AR 72714-0655

Ad number #: 584351

PO #:

Matter of: 2026 Resurfacing Bid Invitation

AFFIDAVIT • STATE OF ARKANSAS

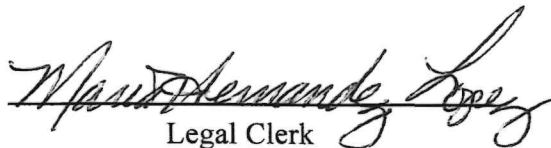
I, Maria Hernandez-Lopez, do solemnly swear that I am the Legal Clerk of the **NWA Democrat Gazette**, a daily newspaper printed and published in WASHINGTON/BENTON county, State of ARKANSAS; that I was so related to this publication at and during the publication of the annexed legal advertisement in the matter of :

2026 Resurfacing Bid Invitation

Pending in the court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County, that said newspaper had been regularly printed and published in said county, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

And that there is due or has been paid the **NWA Democrat Gazette** for publication the sum of \$176.32.
(Includes \$0.00 Affidavit Charge).

NWA Democrat Gazette 03/22/26, 03/29/26; NWA nwaonline.com 03/22/26, 03/29/26


Legal Clerk

State of ARKANSAS, County of Sebastian,
Subscribed and sworn to before me on this 30th day of March, 2026


NOTARY PUBLIC



City of Bella Vista
STATE OF ARKANSAS
INVITATION TO BID

The City of Bella Vista, Arkansas will accept sealed bids on Street Resurfacing and related applications as follows :
Hot Mix Overlay at a per ton price, Slurry Seal at a per Sq. Yd. price, and related applications per unit price.

Bidders may bid on any or all resurfacing applications.

Specifications may be obtained at the Bella Vista Street Department, located at 2471 Forest Hills Blvd, Bella Vista, AR 72715 or call 479-876-1204 and a copy will be sent to you. Sealed bids must be submitted to the Bella Vista Street Department, c/o Karen Hunt, at 2471 Forest Hills Blvd, Bella Vista AR, 72715 prior to the bid opening at 1:00 PM CST Tuesday, April 7th 2026. Envelope must be marked as follows: "2026 Street Resurfacing Bid".

Bella Vista reserves the right to reject any or all bids or any part thereof and to accept the bid that is in the best interest of the City.

Bid price must include all cost, freight and any applicable taxes.

Karen Hunt

Street Superintendent

THIS PUBLICATION WAS PAID FOR BY THE CITY OF BELLA VISTA, OFFICE OF THE STREET DEPARTMENT. THE AMOUNT PAID FOR THE PUBLICATION WAS \$176.32.

March 22, 2026 & March 29, 2026 584351

City of Bella Vista

STATE OF ARKANSAS

REQUEST FOR BID

The City of Bella Vista is now accepting bids for Hot Mix Overlay for streets at a per ton price, Slurry Seal at a per Sq. Yd. price and related items. Bidders may bid on all resurfacing applications or a portion thereof.

REQUEST FOR BID - SECTION LIST

- 1. INTRODUCTION**
- 2. BIDDING INSTRUCTIONS TO CONTRACTORS**
- 3. GENERAL CONDITIONS**
- 4. STANDARD TERMS AND CONDITIONS**
- 5. BID ORGANIZATION**
- 6. GENERAL REQUIREMENTS AND SPECIFICATIONS**
- 7. BID FORM**
- 8. AUTHORIZATION FORM**

1. INTRODUCTION

This is a Request for Bid (RFB). The format of this document must be followed throughout. Where the term "City" is used in the Request for Bid, (RFB), it shall refer to the City of Bella Vista, Arkansas. Where the term "Contractor" is used in the Request for Bid, (RFB), it shall refer to the successful bidder. The laws of Arkansas shall apply and control any contract that is awarded.

1.1 PURPOSE AND SCOPE OF THIS BID

The City of Bella Vista is now accepting bids for Hot Mix Overlay at a per ton price, Slurry Seal at a per Sq. Yd. price and other related items, for the 2026 calendar year.

The City of Bella Vista follows the provisions as set forth in Title VI of the Civil Rights Act of 1964 and does not discriminate against any person in the United States on the basis of race, color, or national origin.

2. BIDDING INSTRUCTIONS TO CONTRACTORS

2.1 BIDS

The contractor's response to the Request for Bid should include one set of "copy ready" original documents plus one (1) additional copy.

ALL BIDS MUST BE SENT IN A SEALED ENVELOPE IN ACCORDANCE WITH INSTRUCTIONS PROVIDED HEREIN.

All bids should be irrevocable for sixty (60) days after the time of bid opening. All responses must follow the exact numerical sequence of the RFB and be referenced by the paragraph number.

Each bid shall be accompanied by a certified check from a responsible bank and payable to the order of the Owner, or a Bid Bond acceptable to the Owner in the amount of five percent of the total amount bid. These items shall serve as a guarantee that the bidder, upon notice of the award, shall promptly execute the contract.

Attention to the bidder is called that the Contractor and any subcontractors shall each carry public liability insurance, property damage insurance and worker's compensation insurance. The minimum amounts allowable for these insurance coverages shall be \$2,000,000 for public liability, \$2,000,000 property damage insurance. Workers' compensation insurance shall be as required by the State of Arkansas.

2.2 SIGNATURE ON BIDS

Each bid must be signed in ink and include the full business address and telephone number of the contractor. Bids signed by partnerships must be signed in the partnership name by one or more of the general partners. Bids by a corporation must be signed by an officer of the corporation or other person authorized to bind the corporation to the bid. The names and titles of all persons signing shall be typed or printed below their signatures.

2.3 BID SUBMITTAL AND OPENING

All bids shall be sealed and clearly marked on the outside with "2026 Street Resurfacing Bid" addressed to:

City of Bella Vista
Karen Hunt, Street Superintendent
2471 Forest Hills Blvd.
Bella Vista, Arkansas 72715

All bids, whether mailed or hand delivered, must be received by the Bella Vista Street Department office at the above address no later than 1:00 PM, Tuesday April 7, 2026. This shall be the official bid closing date and time. Method of delivery is at the sole discretion and risk of the vendor. Contractors mailing their bids should allow sufficient time to ensure receipt of their bids by the time specified. The contractor's response should include one set of "copy ready" original documents plus one (1) additional copy.

Bids will be opened at the Bella Vista Street Department office located at 2471 Forest Hills Blvd, Bella Vista, Arkansas 72715, 1:00 PM, Tuesday, April 7, 2026.

2.4 ERRORS IN BIDS

Each contractor must carefully examine bid prior to submission. Failure to do so is at the contractor's risk. Contractor is responsible for any errors therein. Claim of oversight is not a basis for allowing withdrawal of a bid after opening. There shall be no erasures in any bid. Any changes must be made by striking the portion to be changed with the change noted above the deleted portion, followed by the contractor's authorized agent's initials and date.

2.5 WITHDRAWAL OF BID

Bids may be withdrawn any time prior to the time for the opening of bids by written request of the Contractor.

2.6 CONTRACTOR CONTACTS AND BID COSTS

The contractor shall supply the City with the name, address, and phone number of individual(s) to whom questions and inquiries regarding the bid are to be directed. The City is not liable for any costs incurred by the contractor in the preparation of bids.

2.7 RESPONSE MATERIAL OWNERSHIP

All materials submitted in response to this Request for Bid becomes the sole property of the City.

2.8 EVALUATION OF BIDS

The City will evaluate each bid to determine which is the lowest responsible qualified bid taking into consideration all relevant facts including, without limitation, time of performance, probability of performance and location. Final selection may be made with the approval of the City.

Bids will be evaluated according to the following criteria:

2.8.1 Overall completeness, clarity, and quality of the bid with regard to the information required by the RFB, as well as compliance with the terms, conditions and other provisions within the RFB.

2.8.2 Overall ability of the contractor's proposed equipment to completely satisfy the City requirements and capabilities as set forth in the RFB.

2.8.3 All pricing information submitted in response to this RFB.

2.8.4 Contractor's previous background and experience relevant to the scope of this RFB.

2.9 ACCEPTANCE OR REJECTION OF BIDS

The City reserves the right to waive informalities and to accept or reject any bids submitted.

Each contractor must comply with the requirements contained in the Request for Bid. Deviation from the requirements may result in rejection of a bid.

2.10 NEGOTIATION OF BIDS

The contractor is advised that under the terms of this RFB, the City reserves the right to conduct negotiations with the contractor that presents the one bid determined lowest and most responsible by the City after initial review of the responses received to this RFB. If such negotiations are conducted, the following conditions shall apply.

2.10.1 Only the terms, conditions, and offers in the contractor's original bid shall be subject to negotiations. The requirements of the RFB shall remain the same.

2.10.2 If the City is unable to negotiate to an acceptable conclusion, the City reserves the right to negotiate with the contractor determined by the City to have presented the second lowest and responsible bid.

2.10.3 If multiple bids are determined to be too close to justify negotiations with only one contractor, concurrent negotiations with more than one contractor may be held at the City's discretion.

Contractors are cautioned that the City is under no obligation whatsoever to conduct negotiations with any or all contractors and reserves the right to award a contract based upon the technically lowest and most responsible bid received without modifications or clarifications.

2.11 CONTRACT REQUIREMENTS

The City reserves the right to award a contract in whole or in part on any bid. Contracts will be awarded to those contractors whose bids are determined to be the most advantageous to the City. Award of contract may be made without discussion after bids are received. The contents of the bids of the successful contractor will become contractual obligations in any ensuing contract.

The form of the contract and the terms thereof must be acceptable to the City and conform to and be governed by the laws of the State of Arkansas.

3. GENERAL CONDITIONS

3.1 PERFORMANCE GUARANTEE

In the event the items do not conform in compliance with the specifications stated in the contractor's bid, the contractor agrees to, in a timely and expeditious manner, to supply the additional items necessary to meet the specifications and requirements stated herein at no additional cost to the City.

3.2 CONTRACTOR RESPONSIBILITY AS PRIME CONTRACTOR

If a contractor's bid includes items marketed by other contractors and the "Contractor" proposes to supply those items to the City, then the proposing "Contractor" shall:

3.2.1 Act as prime contractor for procurement and maintenance of those items.

3.2.2 Be the sole point of contact with regard to contractual agreements, including payment of any and all charges resulting from the acquisition of those items.

3.2.3 Be responsible for ensuring that all items included in the bid (whether supplied by said contractor or obtained in part or whole from other manufacturers and/or vendors) satisfies the specifications and requirements as set forth in said contractor's response to this bid.

3.3 TAXES

The City is not exempt from state and local taxes.

3.4 SUBCONTRACTORS

"Contractor" declares that all interested principals are named herein; no other person or firm has any interest in the bid or contract to be entered into; that this bid is made without collusion with any other person, company, or party, submitting a bid.

4. STANDARD TERMS AND CONDITIONS

Listed below are the City **Standard Purchase Terms and Conditions** which will be included as part of any contract as a result of the purchase. Any conditions duplicating or contrary to the terms stated in this section shall supersede and take precedence over said terms.

4.1 ACCEPTANCE

Acceptance of the contract, whether by written acknowledgment or by performance by the "contractor", shall be upon the terms and conditions hereof; no other terms or conditions shall be binding on the City unless written approval thereof specifically referring to such other terms and conditions shall have been given to the "Contractor".

4.2 INVOICES

Each invoice shall be itemized and include load tickets showing exact tonnage that is being billed if Hot Mix Overlay or Square Yardage if Slurry Seal or other.

4.3 DELIVERY

Unless otherwise expressly provided, the "Contractor" shall be obligated to make delivery to the City free of all freight, transportation, drayage, boxing, and similar charges.

4.4 CANCELLATION

The City has the right to cancel all or any part of the undelivered portion of the contract order if "Contractor" does not make deliveries specified, time being of the essence of this contract.

4.5 DECLINE IN PRICES

The City shall be protected in the event of declining prices on the undelivered portion of the purchase order. If prices decline for items ordered, "Contractor" may elect to meet price reductions of other vendors or its own lower prices to other purchasers.

4.6 FORCE MAJEURE

"Contractor" shall not be liable for any delay or failure to deliver any or all of the goods covered by this bid in the event of delay or failure caused by governmental regulations, labor disputes, strikes, war, riots, insurrection, civil commotion, mobilization, explosion, fire, flood, accident, storm, or any act of God, failure of crops or supplies, delays of common carriers, embargoes. Where either the City or the "Contractor" claims an excuse for nonperformance under this paragraph, it must give notice in writing to the other party.

4.7 GUARANTEE

"Contractor" warrants that all articles and services covered by this bid will conform to said contract agreement.

4.8 ASSIGNMENT

Neither party shall assign or transfer this bid without the written consent of the other.

4.9 INDEMNITY

"Contractor" warrants that goods furnished under this bid do not infringe on any patent, trademark, or trade name, or copyright and agrees to indemnify and hold harmless the City from any and all claims, suits, liabilities, damages, losses, or expenses incurred.

4.10 INSOLVENCY

If "Contractor" shall become insolvent, files a petition in bankruptcy, or shall make an assignment for the benefit of creditors, or if a receiver or trustee shall be appointed of or for any property or business of the "Contractor", the purchase order may be canceled at the option of the City without liability.

4.11 TAXES

“Contractor” agrees to cooperate with the City in opposing the imposition of any tax on any article covered by the bid, the legality of which is questioned by the City and in securing any abatement or any refund thereof sought by the City.

4.12 CONTRACT

The contract shall be governed by the laws of the State of Arkansas.

4.13 TERM OF BID PROPOSAL

The bidder in compliance with your invitation for bids for the resurfacing of the specified city streets, and other related items within Bella Vista, and the adjustment of water valves, having examined the plans and specifications with related documents and the site of the proposed work, and being familiar with all the conditions surrounding the work, including the availability of materials and labor, hereby proposes to furnish all labor, material, and supplies required to be furnished, and to construct the project in accordance with the contract documents, and the prices stated below. These prices are to cover all expenses incurred in performing the work required under the contract documents, of which this proposal is a part.

Bidder hereby agrees to commence work under a contract on a date to be specified in a “Notice to Proceed” from the Street Manager within 14 calendar days and to fully complete each project as follows: Hot Mix Overlay of City Streets, 90 calendar days; Slurry Seal, 90 calendar days.

***An additional 10 days will be added to any contract for any additional quantities added by the City for Hot Mix Overlay and Slurry Seal.

Any contract shall not be extended beyond September 15, 2026, unless circumstances beyond the City’s or the contractor’s control warrant an extension date to be determined, **all work shall be completed on or before September 15, 2026.**

The City also reserves the right to omit areas/quantities from this bid list due to lack of available funds as well as add quantities if additional funding is available based on the per ton price or per square yard price or other as given by a contractor.

5. BID ORGANIZATION

Only those sections referenced below should be submitted. Respond to all questions and requested information within the RFB. Responses to those articles which require further explanation must reference the corresponding section and item number.

- **General Requirements & Specifications**
- **Bid Form**
- **Contractor Authorization Sheet**

Each contractor's bid should include one (1) copy ready original along with one (1) additional copy marked as follows: "2026 Street Resurfacing Bid"

Bids should be prepared simply and economically. There is no intent to limit the content of any bid, therefore, any additional information deemed necessary to present a better understanding of the items bid will be accepted.

Alternates will be considered provided each "Contractor" clearly states what they propose to furnish on an "EXCEPTIONS ADDENDUM" attached to the bid proposal form and forwards necessary descriptive materials which will clearly indicate the character of the article covered by their bid. All bids are subject to analysis by the City.

ALL BIDS MUST BE SENT IN A SEALED ENVELOPE IN ACCORDANCE WITH INSTRUCTIONS PROVIDED HEREIN.

The BID NAME MUST BE STATED on the face of the sealed envelope. If it is not, the envelope will be opened to be identified and the bid enclosed therein will **NOT** be considered or counted in the tabulation.

All bids must be received prior to: 1:00 PM on Tuesday April 7, 2026

Bids will be opened at 1:00 PM on Tuesday April 7, 2026

6. REQUIREMENTS & SPECIFICATIONS

It is the intent of these specifications to describe the work in sufficient detail to secure bids on comparable items. Any items not conforming to these specifications will be rejected and it will be the responsibility of the "Contractor" to conform to the requirements unless deviations have been specifically cited by the bidder and an acceptance made on the basis of the exception. All bids must meet or exceed the State of Arkansas specifications and standards.

ASPHALT PAVING DETAILED SPECIFICATIONS

General: The work shall consist of providing all labor, equipment, tools, supplies and incidentals necessary for placement of ACHMSC leveling course and overlay on the specified streets of varying widths and other specified areas belonging to the City of Bella Vista.

All new construction type-based streets shall receive a primer coat. These streets will be identified on the "Contractor's Bidding Street List" with (prime) beside them.

Water valve stack adjustments or Item 1B on BID FORM are an "estimate only" Actual adjustments will be determined in the field. Water valve stack adjustments are to be completed prior to or concurrently with the asphalt application to ensure secure seating of the valve stack riser.

"Milled Butt Joints or Item 1C on BID FORM is an estimate only and may or may not be determined to be necessary in the field on a case-by-case basis. Quantity of seven (16) each milled butt joints totaling approx. 790 linear feet. All Milled Butt Joints will be at a Width of Six (6) feet."

The linear FT of Street Striping or Item 1D on BID FORM is an "estimate only". The quantity of required line breaks will reduce the estimated linear FT. to be striped by contractor. Street Stripings for the City of Bella Vista are 4 inch in width painted stripes.

Street Striping or Item 1D on BID FORM must be completed within 48 hours of asphalt overlay or awarded contractor is required to apply a "temporary centerline stripe"

Materials: The ACHM surface course shall be type 2 as set forth under Section 407 of the Standard Specifications for Highway Construction, 1996 edition or latest edition; published by the Arkansas State Highway Commission (Sandstone can be disregarded). A mix design will be required and must be submitted to the City Street Superintendent for approval, prior to a preconstruction conference. Mix design utilizing recycled Asphalt or Asphalt shingles will be considered providing these products do not exceed 14 % for RAP and 7% of Asphalt shingles in mix design. The City reserves the right to reject mix that falls below 250 degrees.

A level-up course shall be applied to all street sections at a minimum of 55 pounds per square yard. The depth of leveling will vary depending on the existing street

section. This level up course will be a portion of the total depth of mix required for a given street section. There may be sections that the City Street Superintendent's office will not require a level-up course on. All asphalt placements shall be in accordance with section 410 of the Standard Specification for Highway Construction, 1996 edition or latest edition, published by the Arkansas State Highway Commission.

Basis of Payment: Payment to be based on load tickets presented to "City" or "City's representative" at time of placement. Tickets presented must designate which job and street they are for. Payments will only be made on tickets designated properly. Water Valve adjustment will be paid for by actual quantity adjusted in the field.

WATER VALVE BOX TREATMENT FOR OVERLAY DETAILED SPECIFICATIONS

Water Valve Box Adjustment & Protection: For Hot Mix Pavement Overlay Work applications, CONTRACTOR shall adjust all water valve boxes to the desired finish surface grade before the Overlay has been placed. In cases where the valve box has been repaired or adjusted by the Water Utility, and a cold-mix patch has been placed to temporarily restore the pavement around the box, the CONTRACTOR shall remove cold-mix temporary pavement repair (if present) and adjust existing water valve boxes by turning the upper box section to the desired finish surface grade or utilize a riser from a manufacturer that is approved by the POA, before placement of the Overlay Pavement lift.

In the case of Slurry Seal, the **contractor shall protect the valve from the product and remove the protection once the street is complete.**

In the case that an existing valve box cannot be adjusted to the required finish pavement height due to physical limits of the top and bottom box sections having been reached, immediately notify Charlie Holt at the Water Utility Office at (479) 855-5060 or 855-5083 and explain the problem. The Water Utility will supply the intermediate or longer top box sections for installation by the CONTRACTOR.

Should the top or bottom section(s) of the valve box or the lid be damaged during the adjustment procedure, the CONTRACTOR shall replace the damaged section(s) at his sole cost and expense.

Payment for each valve box adjustment for Pavement Overlay areas shall be at the Unit Price Bid and be for actual adjustments made in the field. The number of adjustments estimated in the contract is just an estimate.

Should a manhole riser be required, the riser shall be provided by the City.

SLURRY SEAL DETAILED SPECIFICATIONS

Refer to attachment "Recommended Performance Guideline for Emulsified Asphalt Slurry Seal A105 (Revised September 2023) ISSA Preserving Pavement.

7. BID FORM

All costs of the RFB should be included in this section. Optional features may be offered but the City cannot consider any options/prices not submitted with "Contractor" bid, except as may be modified by the Exceptions Addendum.

Item No.	Estimated Quantity Hot Mix Overlay Streets	Item and Unit Price Bid	Total Amount
1A	18,878 Tons	Tons, Asphaltic concrete hot mix surface course, complete in-place _____ Dollars per ton \$ _____ per ton	\$ _____
1B	59 Each (Estimation Only)	Water valve stack adjustment complete in place _____ Dollars each \$ _____ each	\$ _____

Item No.	Estimated Quantity Milled Butt Joints	Item and Unit Price Bid	Total Amount
1C	16 Each (Estimation Only)	Milled Butt Joint _____ Dollars each \$ _____ each	\$ _____

1D	147,920 Linear Ft (Estimation Only)	Street Striping Linear Ft _____ Dollars per Ft \$_____ per Ft	\$_____
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Item No.	Estimated Quantity Slurry Seal	Item and Unit Price Bid	Total Amount
1E.	303,746 Square Yds	Square Yards, complete in-place _____ Dollars per Sq. Yd. \$_____ per Sq. Yd.	\$_____

8. AUTHORIZATION FORM

The undersigned proposes to furnish at their sole risk, cost and expense all labor, tools, equipment, materials, supplies, facilities, transportation and other means necessary to perform the work as set out in the Request for Bid.

The vendor's name, signature, and title of an authorized agent of the vendor duly empowered to enter into and make binding agreements on vendor's behalf are executed below.

Firm Name: _____

Firm Address: _____

Firm Telephone Number: _____

Signature: _____

Printed Name: _____

Title: _____

CITY OF BELLA VISTA
2026 Street Resurfacing Bid
Bid Opening Tuesday April 7, 2026 @ 1:00 p.m.

Item No.	Estimated Quantity	APAC Central, Inc		Emery Sapp & Sons		GarrettX		Vance Brothers, Inc	
		Bid Bond Incl. Unit Price Bid	Yes/No Total Bid	Bid Bond Incl. Unit Price Bid	Yes/No Total Bid	Bid Bond Incl. Unit Price Bid	Yes/No Total Bid	Bid Bond Incl. Unit Price Bid	Yes/No Total Bid
1A Hot Mix Overlay	18,878 Tons	\$ 102.50	\$ 1,934,995.00	\$ 99.70	\$ 1,882,136.60	\$ 99.31	\$ 1,874,774.18	NO BID	NO BID
1B Water Valves	59 Each	\$ 50.00	\$ 2,950.00	\$ 0.01	\$ 0.59	\$ 39.74	\$ 2,344.66	NO BID	NO BID
1C Milled butt joints	16 Each	\$ 1,450.00	\$ 23,200.00	\$ 400.00	\$ 6,400.00	\$ 909.19	\$ 14,547.04	NO BID	NO BID
1D Street Striping	147,920 Linear Ft	\$ 0.32	\$ 47,334.40	\$ 0.34	\$ 50,292.80 **Error in math extension	\$ 0.30	\$ 44,376.00	NO BID	NO BID
1E Slurry Seal	303,746 Square Yards	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	\$ 3.13	\$ 950,724.98
TOTAL		\$2,008,479.40		TOTAL \$ 1,938,829.99		TOTAL \$1,936,041.88		TOTAL \$ 950,724.98	

**Under standard bidding regulations, if there is an inconsistency between the unit price and the extended total, the unit price prevails.



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
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April 27, 2026	Wanda Krug, City Clerk	RESOLUTION: AMENDING THE RULES OF ORDER AND PROCEDURE OF THE BELLA VISTA CITY COUNCIL REGARDING PROVISIONS FOR COUNCIL RESPONSE TO PUBLIC COMMENT
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AGENDA ITEM # IX.U

RESOLUTION: AMENDING THE RULES OF ORDER AND PROCEDURE OF THE BELLA VISTA CITY COUNCIL REGARDING PROVISIONS FOR COUNCIL RESPONSE TO PUBLIC COMMENT

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Resolution Council Responses Pub Cmt
2. Exhibit A Rule 7 Changes
3. Memo Public Comment Replies

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

**AMENDING THE RULES OF ORDER AND PROCEDURE OF THE
BELLA VISTA CITY COUNCIL REGARDING PROVISIONS FOR
COUNCIL RESPONSE TO PUBLIC COMMENT**

WHEREAS, the City Council values and encourages public participation and recognizes public comment as an important opportunity for residents to share information, concerns, and perspectives with the Council; and

WHEREAS, the purpose of the public comment portion of the agenda is to allow members of the public to be heard, rather than to facilitate immediate dialogue or deliberation by the Council; and

WHEREAS, responses by Council members during or immediately following public comment may create confusion regarding whether the Council is engaging in deliberation on matters not formally noticed on the agenda; and

WHEREAS, providing individual responses to selected speakers may result in inconsistency or the appearance that certain comments receive greater consideration than others; and

WHEREAS, Council discussion and response to public concerns are more appropriately addressed through properly noticed agenda items, referral to staff, or follow-up at subsequent meetings; and

WHEREAS, clarifying the structure of Council meetings will promote fairness, transparency, and orderly conduct of business while preserving meaningful opportunities for public input;

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

SECTION 1: Subsections (c) and (e) of Rule 7 of the Rules of Order and Procedure of the Bella Vista City Council are hereby amended so that, after amendment, the subsections shall read as provided in the attached Exhibit “A” which is hereby incorporated into this Resolution as is set out word-for-word.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

Attest:

CITY CLERK WANDA KRUG

Requested by Council Member Larry Wilms

Exhibit A

“(c) Order of business. The normal order of business at regular meetings of the City Council shall be:

- (1) Call to order
- (2) Invocation
- (3) Pledge of Allegiance to the flag
- (4) Roll call
- (5) Public comments (30 minutes)
- (6) Reports: a. Financials. b. Mayor. c. Boards and standing committees. d. Special committees
- (7) Consent agenda
- (8) Unfinished business
- (9) New business.
- (10) Announcements
- (11) Adjournment. “

“(e) Public participation. At regular Council meetings members of the audience will be offered an opportunity to speak to the City Council during a specified time in the agenda. Thirty minutes will be allotted for the public participation time and each member will be timed and limited to three minutes. If the 30 minutes is up and everyone desiring to address the Council has not had time to do so, it will be up to the discretion of the Council to extend the time or not.

(1) Anyone wishing to address the City Council must sign up to do so, prior to the meeting beginning, on a sign-up sheet that will be provided at the entrance to the meeting location. The sign-up sheet will require name, address and telephone number in case the City Council wants further contact with the speaker. The presiding officer shall call upon the members desiring to address the Council in the order of sign-up.

(2) Upon speaking to the City Council, the member shall first state his name followed by a concise statement addressing the subject of concern. Repetitive comments shall be avoided; this applies to comments made at a previous meeting. All remarks shall be addressed to the City Council as a whole and not to any particular member of the City Council.

(3) At the conclusion of public participation as provided herein, the presiding officer may thank those offering public comments, refer comments to staff for follow-up, or provide for further deliberation on a matter at a future council meeting.”



MEMORANDUM

To: Mayor, City Council and City Clerk
From: Jason B. Kelley, City Staff Attorney & City Prosecutor
Re: Public Comment Reply Period
Date: February 24, 2026

A handwritten signature in black ink, appearing to be 'JBK', written over the 'From' line of the memorandum.

I want to discuss the “Response to Public Comments” portion of the agenda that appears in Rule 7(c) of the Council’s Rules of Order and Procedure. Under the current Rules, after the thirty-minute public comment period, Council Members may be recognized to provide “any comment they desire” in response to what was said. See Rule 7(e)(3), Rules of Order and Procedure.

That structure has worked at times, but it is increasingly creating more risk than benefit.

First, there is no legal requirement that the Council respond to public comments. The public has the right to address you during the designated comment period. However, neither the Arkansas Freedom of Information Act nor state municipal law requires contemporaneous replies by members of the governing body. The comment period can stand on its own without a formal response segment.

Second, the reply period puts members in a difficult position. When citizens raise serious concerns—especially about police conduct, personnel matters, or threatened litigation—there is a natural instinct to say something. Silence can feel uncomfortable. But, speaking off the cuff in those moments can create real legal problems for the City.

We recently saw an example of that when a Council Member offered an apology-like comment on behalf of the City regarding alleged police conduct that has not yet been adjudicated. While well-intended, statements of that nature may later be characterized as admissions in litigation, may complicate pending investigations, and may affect the City’s legal posture and insurance considerations.

That risk is heightened by the Council’s own Code of Conduct, which expressly provides that individual Council Members have no legal authority outside meetings of the Council and cautions members not to make promises on behalf of the City Council or city staff. See Bella Vista City Council Code of Conduct. When statements are made from the dais during a formal meeting, the public reasonably hears them as official—even if they are not backed by a vote of the Council.

There is also a procedural concern. Rule 7(b)(1) provides that business at regular meetings is limited to matters listed on the agenda unless the rules are suspended by a two-thirds vote. When substantive discussion occurs in response to public comments on matters not otherwise on the agenda, the Council risks drifting into consideration of issues that have not been properly noticed. Eliminating the reply period would better align meeting practice with the structure already set out in the Rules.

I do not believe that attempting to place formal limits on the scope of replies would solve the problem. Drawing lines about what can or cannot be discussed in the moment would be difficult to administer and would still leave members making judgment calls under pressure. It would likely be unworkable in practice.

For these reasons, I recommend that the Council amend Rule 7(c) to remove “Response to Public Comments” from the normal order of business and delete Rule 7(e)(3), which authorizes member replies. Public comment under Rule 7(e) would remain unchanged. At the conclusion of that period, the Mayor could simply thank speakers and, where appropriate, note that matters may be referred to staff or placed on a future agenda.

If the Council later determines that an issue raised during public comment warrants discussion, it can be properly placed on the agenda for a future meeting consistent with Rule 7(b). That approach ensures transparency, preparation, and compliance with your existing procedural framework.

Bella Vista is a small city, and many of you have long-standing relationships with the people who come to speak. The desire to respond is understandable. However, the safest and cleanest course—for the City and for each of you individually—is to let public comment be just that: public comment.

Removing the reply period would reduce legal exposure, avoid unintended admissions, reinforce the principle that official City positions are taken by vote, and help keep meetings focused and orderly. I believe that change is both prudent and consistent with your adopted Rules and Code of Conduct.



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
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April 27, 2026	Wanda Krug, City Clerk	RESOLUTION: TO PROVIDE FOR A STUDY OF CITY PARTICIPATION IN THE ARKANSAS PUBLIC EMPLOYEE RETIREMENT SYSTEM (APERS) FOR NON-UNIFORMED CITY EMPLOYEES
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AGENDA ITEM # IX.V

RESOLUTION: TO PROVIDE FOR A STUDY OF CITY PARTICIPATION IN THE ARKANSAS PUBLIC EMPLOYEE RETIREMENT SYSTEM (APERS) FOR NON-UNIFORMED CITY EMPLOYEES

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Resolution APERS study
2. APERS - Non-Uniformed Cost comparison & program notes

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

TO PROVIDE FOR A STUDY OF CITY PARTICIPATION IN THE ARKANSAS PUBLIC EMPLOYEE RETIREMENT SYSTEM (APERS) FOR NON-UNIFORMED CITY EMPLOYEES

WHEREAS, the City does not currently participate in the Arkansas Public Employee Retirement System (APERS) for non-uniformed City employees, but rather provides a 401a/457 employee contribution and employer match program; and

WHEREAS, a study of costs and feasibility of City participation in APERS should be conducted in the interest of determining the best method of providing a competitive retirement benefit for such employees;

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

SECTION 1: The City shall undertake a study to determine whether the City of Bella Vista should participate in the Arkansas Public Employee Retirement System (APERS) for non-uniformed City employees.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

Attest:

CITY CLERK WANDA KRUG

Requested by Council Member Travis Harp

Retirement Non-Uniformed 457/401a vs APERS

Data based on 4.3.26 actual gross payroll	Employer Cost Per Pay Period	Employee Cost Per Pay Period						
		401a Er Current Contrib.	401a Er Max. Contrib.	APERS Er Required Contrib.	457 Ee Current Contrib.	APERS Ee Required Contrib.		
Department	Gross Pay							
Administration	\$ 17,147.32	\$ 1,711.74	\$ 1,714.73	\$ 2,626.97	\$ 3,201.00	\$ 1,071.71		
APERS only - Add'l ER contrib Mayor-2%	\$ 5,206.00			\$ 104.12				
HR	\$ 9,134.92	\$ 913.49	\$ 913.49	\$ 1,399.47	\$ 822.47	\$ 570.93		
Legal	\$ 7,495.40	\$ 749.54	\$ 749.54	\$ 1,148.30	\$ 374.77	\$ 468.46		
IT	\$ 13,630.69	\$ 1,354.17	\$ 1,363.07	\$ 2,088.22	\$ 1,917.43	\$ 851.92		
Plan/Dev	\$ 31,420.86	\$ 1,819.50	\$ 3,142.09	\$ 4,813.68	\$ 1,290.50	\$ 1,963.80		
Court	\$ 6,242.73	\$ 519.70	\$ 624.27	\$ 956.39	\$ 589.85	\$ 390.17		
PD Admin	\$ 47,147.47	\$ 2,534.69	\$ 4,714.75	\$ 7,222.99	\$ 1,833.86	\$ 2,946.72		
FD Admin	\$ 24,786.85	\$ 1,146.86	\$ 2,478.69	\$ 3,797.35	\$ 2,275.29	\$ 1,549.18		
Street	\$ 63,090.46	\$ 4,358.23	\$ 6,309.05	\$ 9,665.46	\$ 2,990.64	\$ 3,943.15		
Library	\$ 23,127.06	\$ 1,194.67	\$ 2,312.71	\$ 3,543.07	\$ 1,688.71	\$ 1,445.44		
Totals	\$ 248,429.76	\$ 16,302.59	\$ 24,322.38	\$ 37,366.00	\$ 16,984.52	\$ 15,201.49		
Pay Periods Yr	26	26	26	26	26	26		
Annual Total	\$ 6,459,173.76	\$ 423,867.34	\$ 632,381.78	\$ 971,516.00	\$ 441,597.52	\$ 395,238.61		
APERS vs Er Current Expense	Additional Annual City Spend			\$ (423,867.34)				
				\$ 547,648.66				
				\$ 971,516.00				
				\$ (632,381.78)				
APERS vs Er Max. Expense	Additional Annual City Spend			\$ 339,134.22				

APERS

City last considered APERS in 2012

- 1) Voted down due to cost
- 2) 457/401a plan employer match enhanced to \$2 city contribution for every 1\$ employee contributed.

APERS is available to all NON-uniformed employees

APERS is not optional once service starts - cannot choose to stop sometime in the future.

- 1) Employer is required to contribute 15.32% of total gross pay for employees who work 80 hours or more monthly (960 annually).
- 2) Employer required to contribute 17.32% of total gross pay for Mayor.
- 3) Employee is required to contribute 6.25% of their gross pay.
- 4) Employee receives 1 month of credited service for each month worked.
- 5) Mayor receives 2 months of credited service for each month worked.
- 6) Employee's service from another municipality is credited to their account.
- 7) Years of service from LOPFI are accepted by APERS & vice versa.
- 8) Employee is partially vested after 5 years.
- 9) Employee can receive only their contributions, plus interest, if they leave prior to 5 years of service.
- 10) No loans are available to employees.

Starting APERS – 2 Options

- 1) City chooses to begin tracking years of employee service *the date APERS begins*.
 - a. **Employer** does not pay large initial payment for employees' prior years of service.
 - b. **Employee** does not pay large initial payment for prior years of service.

OR

- 2) City chooses to track years of service from original hire date with the city.
 - a. Employee would not receive years of service from POA (POA is private entity).
 - b. **Employer** would be required to pay large initial payment for employees' prior years of service.
 - c. **Employee** would also be required to pay large initial payment for prior years of service
OR **Employer** could pay initial payment on behalf of employees for prior years of service.

APERS representative's comments regarding choosing option #2

- 1) Audit of hire dates and years of service would be performed.
- 2) Amount owed by the city would include the total contributions that the city would have paid in prior years PLUS interest that would have accumulated.

- 3) Amount owed by the employees would include the total contributions that they would have paid in prior years PLUS interest that would have accumulated.
- 4) The amount owed is always a very large number which cannot be determined until the city chooses to move to APERS.
- 5) Smaller cities do not choose option #2 due to the very large initial payment that is due for prior years of service.

Eligibility for Benefits

A member can voluntarily retire when the member meets certain age and service requirements.

Retirement Types

Normal Retirement

A member is eligible to receive normal (unreduced) retirement at:

1. Age 65 with five years of actual service.
2. Age 55 with 35 years of credited service. (members with enhanced service credit)
3. Any age with 28 years of actual service.

If you decide to work beyond 28 years, there will be an additional calculation for each additional month of service credit beyond 28 years, using a multiplier of 0.5%. This will be a permanent addition to your benefits.

Early Retirement

A member is eligible to receive early (reduced) retirement at:

1. Age 55 with five years of actual service.
2. Any age with at least 25 years of actual service.
3. Within 10 years of normal retirement. (members with enhanced service credit)

The reduction for early retirement is taken from either age 65 or 28 years of service—whichever reduction is less. If 28 years is used, the reduction is 1% for each month away from 28 years of service. If age 65 is used, the reduction is 0.5% for each month away from age 65.

Disability Retirement



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
April 27, 2026	Wanda Krug, City Clerk	RESOLUTION: REFERRING TO THE PLANNING COMMISSION FOR PUBLIC HEARING AND RECOMMENDATION A ZONING CODE CHANGE TO PERMIT NEWLY CONSTRUCTED ELECTRICAL METERS IN THE FRONT OF A RESIDENCE IF THE RESIDENCE IS MORE THAN FIFTY (50) FEET FROM THE STREET RIGHT-OF-WAY

AGENDA ITEM # IX.W

RESOLUTION: REFERRING TO THE PLANNING COMMISSION FOR PUBLIC HEARING AND RECOMMENDATION A ZONING CODE CHANGE TO PERMIT NEWLY CONSTRUCTED ELECTRICAL METERS IN THE FRONT OF A RESIDENCE IF THE RESIDENCE IS MORE THAN FIFTY (50) FEET FROM THE STREET RIGHT-OF-WAY

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Resolution Front Electric Meter PC referral

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

REFERRING TO THE PLANNING COMMISSION FOR PUBLIC HEARING AND RECOMMENDATION A ZONING CODE CHANGE TO PERMIT NEWLY CONSTRUCTED ELECTRICAL METERS IN THE FRONT OF A RESIDENCE IF THE RESIDENCE IS MORE THAN FIFTY (50) FEET FROM THE STREET RIGHT-OF-WAY

WHEREAS, the City Council has the authority to initiate a zoning code change by requesting the Planning Commission conduct a public hearing and make a recommendation to the Council; and

WHEREAS, the City Council desires to have a potential change to the zoning code referred to the Planning Commission for public hearing and recommendation regarding placement of new electric meters in front of a residence if the residence is more than fifty (50) feet from the street right-of-way;

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

SECTION 1: The City hereby refers to the Planning Commission for public hearing and recommendation a zoning code change to permit electrical meters in the front of a residence if the residence is more than fifty (50) feet from the street right-of-way.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

Attest:

CITY CLERK WANDA KRUG

Requested by Council Member Travis Harp