



Bella Vista City Council Regular Meeting Agenda

Date/Time: June 22, 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. Certificate of Recognition for Master Gardeners Debbie Bodnar, Dory Hammeke, and Judy Stokes: Mayor Flynn
- B. Monthly Financial Report through April 30, 2026: 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

- C. Approval of Minutes:

May 26, 2026, City Council Regular Meeting

VIII. Unfinished Business

- D. **ORDINANCE:** AMENDING SECTION 16-43 ACTIVE PERMIT MAXIMUM OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO INCREASE THE MAXIMUM NUMBER OF SHORT-TERM RENTAL PERMITS FROM 600 TO 687, AND FOR OTHER PURPOSES *Second Reading*

IX. New Business

See meeting packet for complete ordinances and resolutions.

- E. **ORDINANCE:** APPROVING FINAL PLAT FPL-2026-64569 AND ACCEPTING PUBLIC RIGHTS-OF-WAY AND EASEMENT DEDICATIONS THEREIN (*staff requests 3rd and final reading*)
- F. **ORDINANCE:** REQUIRING ORIENTATION AND CONTINUING EDUCATION FOR ELECTED OFFICIALS OF THE CITY OF BELLA VISTA, ARKANSAS; ESTABLISHING MINIMUM TRAINING REQUIREMENTS; PROVIDING FOR REPORTING OF COMPLIANCE; AND FOR OTHER PURPOSES.
- G. **RESOLUTION:** AUTHORIZING THE CITY TO INITIATE LEGAL PROCEEDINGS AGAINST BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION, INC. TO FACILITATE CONDEMNATION AND POSSESSION OF REAL PROPERTY FOR PURPOSES OF COMPLETING THE PUBLIC SAFETY RADIO TOWER PROJECT, AND FURTHER AUTHORIZING SETTLEMENT IN THE TOTAL AMOUNT OF \$67,000.00
- H. **RESOLUTION:** AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR THE PURCHASE OF FIVE (5) DODGE DURANGO AWD PURSUIT VEHICLES WITH EQUIPMENT UPFITS AND TWO (2) 2026 CHEVROLET SILVERADO PICKUPS WITH EQUIPMENT UPFITS, IN A TOTAL AMOUNT NOT TO EXCEED \$394,601.21

FOR USE BY THE POLICE DEPARTMENT

- I. **RESOLUTION:** AMENDING THE 2026 CITY BUDGET TO APPROPRIATE \$120,000.00 IN DEVELOPMENT IMPACT FEE REVENUE RELATED TO PUBLIC SAFETY BUILDING ADDITIONS

X. Announcements

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

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.

CITY OF BELLA VISTA, ARKANSAS

CERTIFICATE OF RECOGNITION

Presented to:

Debbie Bodnar

In recognition of your work with the Benton County Master Gardeners on the revitalization of the Bella Vista Community Garden located at Mercy Bella Vista, resulting in not only a vibrant garden earning the state's Master Gardener Project of the Year, but a productive food source growing nearly 2,000 pounds of produce for the NWA region via the Mercy food pantry.

Presented this 22nd day of June, 2026



John D. Flynn
Mayor of Bella Vista



CITY OF BELLA VISTA, ARKANSAS

CERTIFICATE OF RECOGNITION

Presented to:

Dory Hammelke

In recognition of your work with the Benton County Master Gardeners on the revitalization of the Bella Vista Community Garden located at Mercy Bella Vista, resulting in not only a vibrant garden earning the state's Master Gardner Project of the Year, but a productive food source growing nearly 2,000 pounds of produce for the NWA region via the Mercy food pantry.

Presented this 22nd day of June, 2026



John D. Flynn

John D. Flynn
Mayor of Bella Vista



CITY OF BELLA VISTA, ARKANSAS

CERTIFICATE OF RECOGNITION

Presented to:

Judy Stokes

In recognition of your work with the Benton County Master Gardeners on the revitalization of the Bella Vista Community Garden located at Mercy Bella Vista, resulting in not only a vibrant garden earning the state's Master Gardner Project of the Year, but a productive food source growing nearly 2,000 pounds of produce for the NWA region via the Mercy food pantry.

Presented this 22nd day of June, 2026



John D. Flynn
Mayor of Bella Vista





Financial Reports for the four - month
period ending April 30, 2026



	General Fund		Street Fund	
	As of April 2026	As of April 2025	As of April 2026	As of April 2025
ASSETS				
Cash and Cash Equivalents				
General Fund Available	1,864,715			
Cash Reserve Requirement	6,861,125			
Cash Impact Fee Restricted	990,504			
Cash and Cash Equivalents	\$ 9,716,344	\$ 9,554,566	\$ 1,091,529	\$ 1,282,985
Accounts Receivable	3,983,427	3,653,885	367,818	
Other Assets	984,800	1,758,250		
Interfund Receivables				
TOTAL ASSETS	\$ 14,684,571	\$ 14,966,701	\$ 1,459,347	\$ 1,282,985
LIABILITIES AND FUND BALANCES				
Liabilities				
Accounts Payable	79,092	334,041	(1,029)	(1,215)
Other Payables	448,996	312,658		
Interfund Payables	(1,170)	(170,301)	62,944	308,752
TOTAL LIABILITIES	\$ 526,917	\$ 476,398	\$ 61,915	\$ 307,537
Fund Balances				
Restricted	\$ 514,113	\$ 863,698	\$ 1,397,432	\$ 975,448
Assigned	\$ 341,167	\$ 351,928		
Reserved	\$ 6,861,125			
Unassigned	\$ 6,441,249	\$ 13,274,678		
TOTAL FUND BALANCES	\$ 14,157,654	\$ 14,490,304	\$ 1,397,432	\$ 975,448
TOTAL LIABILITIES AND FUND BALANCES	\$ 14,684,571	\$ 14,966,702	\$ 1,459,347	\$ 1,282,985



	GENERAL FUND				STREET FUND			
	Year-To-Date Actual Jan 2026-April 2026	Prior Year-To-Date Actual Jan 2025-April 2025	Year-To-Date Adopted Budget Jan 2026-April 2026	Budget Surplus (Deficit)	Year-To-Date Actual Jan 2026-April 2026	Prior Year-To-Date Actual Jan 2025-April 2025	Year-To-Date Adopted Budget Jan 2026-April 2026	Budget Surplus (Deficit)
REVENUES - Unrestricted/Unassigned								
State Aid	153,199	161,042	145,333	7,866				
Property Tax Revenue	2,419,695	2,182,027	2,136,240	283,455				
Franchise Fees	814,295	811,118	768,333	45,961				
City Sales Tax	1,665,846	1,520,934	1,583,332	82,514				
County Sales Tax - General	3,342,930	3,178,925	3,300,000	42,930				
Total Sales Tax Revenue	\$ 5,008,776	\$ 4,699,859	\$ 4,883,332	\$ 125,444				
Fines, forfeitures, and costs	63,958	53,539	65,000	(1,042)				
Interest Income	128,341	109,117	80,000	48,341				
Local permits and fees	587,894	483,627	409,420	178,475				
Solid Waste Pick Up Fees	80,704	101,747	98,000	(17,296)				
Ambulance Fees	477,980	463,711	466,669	11,311				
Other Income	28,136	44,932	16,000	12,136				
TOTAL REVENUES - OPERATING	\$ 9,762,978	\$ 9,110,720	\$ 9,068,327	\$ 694,650				
REVENUES - Restricted/Assigned								
County Turnback Revenues - Street					395,137	344,773	260,000	135,137
State Aid	43,704	33,845		43,704	792,713	827,014	833,333	(40,620)
Federal Aid (Grants, etc.)								
Impact Fees								
Fines, forfeitures, and costs	5,941	11,494		5,941				
Interest Income - Street Fund								
Other Income	8,087	15,510		8,087				
TOTAL REVENUES - RESTRICTED/ASSIGNED	\$ 57,732	\$ 60,849	\$ -	\$ 57,732	\$ 1,187,850	\$ 1,171,786	\$ 1,093,333	\$ 94,517
TOTAL REVENUES	\$ 9,820,710	\$ 9,171,569	\$ 9,068,327	\$ 752,383	\$ 1,187,850	\$ 1,171,786	\$ 1,093,333	\$ 94,517



	GENERAL FUND				STREET FUND			
	Year-To-Date Actual Jan 2026-April 2026	Prior Year-To-Date Actual Jan 2025-April 2025	Year-To-Date Adopted Budget Jan 2026-April 2026	Budget Surplus (Deficit)	Year-To-Date Actual Jan 2026-April 2026	Prior Year-To-Date Actual Jan 2025-April 2025	Year-To-Date Adopted Budget Jan 2026-April 2026	Budget Surplus (Deficit)
EXPENDITURES								
OPERATING AND CAPITAL								
General Government:								
Admin	341,368	343,393	371,924	30,556				
HR	142,085	133,588	162,648	20,563				
IT	405,746	386,671	351,810	(53,936)				
Admin (Admin, HR, and IT)	\$ 889,200	\$ 863,652	\$ 886,382	\$ (2,817)				
Legal	71,274	69,705	88,223	16,948				
Court	72,224	64,670	76,292	4,068				
Legal (Legal and Court)	\$ 143,498	\$ 134,375	164,515	\$ 21,016				
Planning & Development	394,500	337,056	504,349	109,848				
Total General Government	\$ 1,427,198	\$ 1,335,083	\$ 1,555,246	\$ 128,047				
Law Enforcement (Police)	2,383,914	2,000,885	2,730,597	346,683				
Streets					1,078,258	997,848	1,501,381	423,123
Public Safety (Fire and Ambulance)	3,012,528	2,836,843	3,399,011	386,483				
Recreation and Culture (Library)	255,309	264,222	337,402	82,093				
Total Other Government	\$ 5,651,751	\$ 5,101,950	\$ 6,467,011	\$ 815,259	\$ 1,078,258	\$ 997,848	\$ 1,501,381	\$ 423,123
TOTAL OPERATING Expenditures	\$ 7,078,950	\$ 6,437,033	\$ 8,022,256	\$ 943,308	\$ 1,078,258	\$ 997,848	\$ 1,501,381	\$ 423,123
REVENUES OVER/ (UNDER) OPERATING EXPENDITURES	\$ 2,741,761	\$ 2,734,536	\$ 1,046,071	\$ 1,695,691	\$ 109,592	\$ 173,938	\$ (408,047)	\$ 517,640
Capital Projects								
Impact Fees								
Capital Projects	1,151,037	1,020,805	1,667,136	516,099				
Total Capital Projects	\$ 1,151,037	\$ 1,020,805	\$ 1,667,136	\$ 516,099				
DEBT SERVICE:								
TOTAL DEBT SERVICE	\$ 187,318	\$ 371,687	\$ 141,000	\$ (46,318)				
TOTAL OPERATING, CAPITAL IMPROVEMENT, AND DEBT SERVICE EXPENDITURES	\$ 8,417,305	\$ 7,829,526	\$ 9,830,392	\$ 1,413,087	\$ 1,078,258	\$ 997,848	\$ 1,501,381	\$ 423,123
REVENUES OVER/ (UNDER) EXPENDITURES BEFORE OTHER FINANCING SOURCES (USES)	\$ 1,403,405	\$ 1,342,044	\$ (762,065)	\$ 2,165,470	\$ 109,592	\$ 173,938	\$ (408,047)	\$ 517,640
OTHER FINANCING SOURCES (USES)								
Transfers In (Out) to Street Fund	(485,000)	(220,312)	(408,332)	(76,668)	485,000	220,312	408,333	(76,667)
Other Transfers	1,517,920							
TOTAL OTHER FINANCING SOURCES (USES)	\$ 1,032,920	\$ (220,312)	\$ (408,332)	\$ (76,668)	\$ 485,000	\$ 220,312	\$ 408,333	\$ (76,667)
NET REVENUES (EXPENDITURES)	\$ 2,436,325	\$ 1,121,732	\$ (1,170,397)	\$ 2,088,802	\$ 594,592	\$ 394,250	\$ 286	\$ 440,973



Sales Tax Detail April 2026

City Sales Tax

FS Month	CY Actual	PY Actual	Increase (Decrease) from Prior Yr	Increase (Decrease) as % from prior yr	2026 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)
March	384,826	336,896	47,931	14%	395,833	(11,007)
Apr	458,865	416,371	\$ 42,494	10%	395,833	\$ 63,032
YTD	\$ 1,665,846	\$ 1,520,934	\$ 144,912	10%	\$ 4,750,000	\$ (3,084,154) -64.9%

County Sales Tax

	CY Actual	PY Actual	Increase (Decrease) from Prior Yr	Increase (Decrease) as % from prior yr	2026 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)
March	760,135	668,211	91,924	12%	825,000	(64,865)
Apr	900,260	686,870	\$ 213,390	24%	\$ 825,000	75,260
YTD	\$ 3,342,929	\$ 3,178,925	\$ 164,004	5%	\$ 9,900,000	\$ (6,557,071) -66.2%

Total	\$ 5,008,775	\$ 4,699,859	\$ 308,916	7%	\$ 14,650,000	\$ (9,641,225)
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Misc Additional Information

April 2026

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2026 Non-budgeted Requests

Estimated Unassigned Funds Available after Capital Requests -

Date Approved	Dept	Description	Type	Inflows	Expenses	Resolution
4.26	Capital	Equipment Repair	capital		37,386	R2026-36

Total Non-Budgeted	<u>\$ 37,386</u>
Net Non-Budgeted Requests	<u><u>\$ (37,386)</u></u>

Adjusted Estimated Unassigned Funds Available after Capital Requests (37,386.13)

Impact Fee Revenue

Impact Fees	Current Year 44610 - SF Res	Prior Year 44610 - SF Res	Change	Other Impact Fees*
Interest				
PY Years		2,039,397		
1-Jan	65,151	71,485	(6,334)	
2-Feb	88,011	72,009	16,002	
3-Mar	67,437	73,152	(5,715)	7,139
4-Apr	110,797	96,012	14,785	
Total YTD	<u>\$ 331,396</u>	<u>\$ 312,658</u>	<u>\$ 18,738</u>	<u>\$ 7,139</u>
2025 Total Revenue		<u>880,793</u>		<u>65,830</u>
Total Impact fees		<u><u>3,251,586</u></u>		<u><u>72,969</u></u>

*commercial

Impact Fee Use

	Source	Police	Fire	Library	Total	Resolution #
Interest						
PY Years						
1-Jan	SFR	858,419	2,240,343	152,825	3,251,586	
2-Feb	Other	6,503	65,288	1,178	72,969	
3-Mar	Prior Expenditures	(276,400)	(1,953,689)	(36,176)	(2,266,265)	
4-Apr	2026 approvals					
Total YTD	Funds Available	<u>\$ 588,521</u>	<u>\$ 351,942</u>	<u>\$ 117,827</u>	<u>\$ 1,058,291</u>	

BELLA VISTA CITY COUNCIL REGULAR MEETING

May 26, 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 Hughes, Newport, Wilms, Isbell, Honchell, and Harp were present. Mayor Flynn was present.

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

Tom Guarino, Cora Circle. Tom came to speak as a representative of the Bella Vista Townhouse Association. He said the Association had been trying to find common ground with the City for the past year on the issue of the crumbling foundation walls they believe the City should repair. An unanswered question lingers over the property line between the City and the town houses on Cora Circle. It will cost \$16,000 to determine property lines, and that amount is not in the City budget this year, he reports. He believes City street funds are permitted to repair walls that support drainage, as these do. His concern lies in the eventual drain blockage of water coming off of Riordan and the erosion of Townhouse Association property that would occur. He brought pictures to show that the wall is cemented to City drainage. He pleaded with the Council to put them on the agenda for a meaningful discussion, with advance notice, so Townhouse members could attend.

Michael Thomas, 4 Hampstead Ln. Michael is the owner of 4 short-term rental properties in Bella Vista and came to speak about the transferability of Short-term Rentals (STRs). He understands and appreciates the City's goals regarding safety, nuisance prevention, occupancy standards, and tax compliance. A question came up at a recent sale of property regarding the ordinance's non-transferability provision. His concern is about continuity and unintended market friction. He thinks the ordinance overwhelmingly regulates the operation and compliance of the property, so there may be an opportunity to explore an improved continuity mechanism for being compliant with existing properties upon sale. He left several questions with the City Clerk for Council Members to review, which they would receive in the morning by email. Michael said he didn't think it was the intent of the ordinance to create uncertainty for a

compliant property operating within the rules.

Council Member Reply Council Member Craig Honchell reported to Tom Guarino that he spoke with Lacey Sauls from the Townhouse Association and scheduled a meeting with her for tomorrow. Council Member Newport thanked Michael for coming to speak and stated that she looks forward to seeing his questions in the morning. Her initial reaction was that, given the City has an STR cap and could theoretically begin to have a waitlist with new applicants going to the back of the line, she felt the non-transferability provision is fair and equitable. Not to do so could unintentionally create a monopoly. Council Member Wilms said the City treats STRs the same as any other business in the city. If a business changes ownership, then the new owner has to apply for and obtain a business license.

Reports

Monthly Financial Report: Mayor Flynn

Three-month period ending March 31, 2026

Mayor Flynn gave a brief summary of the financial statements ending March 31, 2026. The city's sales tax was up 9.3% compared to last year. The county sales tax was down a bit by several percent. The total operating revenues were up 5%, so the situation is good so far this year. On the operating expense side, the city was \$747,000 under budget. On the balance sheet, total fund balances were still healthy, just slightly less than they were a year ago. Mayor Flynn mentioned that a needed change to the budget going forward would be the property tax revenue, which Director Hall reported as even over the 12 months. This method shows our property tax being \$782,000 behind budget, even though it is more than it was at this time last year. He would like to see the property tax reported month-by-month differently, so the results would make more sense to everyone who reads it.

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

Consent Agenda Mayor Flynn introduced the items on the Consent Agenda. Council Member Harp made a motion to approve, seconded by Council Member Wilms. **Roll Call Vote: (Ayes: 6/Nays: 0) Passed: 6-0.**

Approval of Minutes:

April 27, 2026, City Council Regular Meeting

RESOLUTION: AMENDING THE 2026 CITY BUDGET IN THE AMOUNT OF \$72,400

TO REAPPROPRIATE FUNDING FOR DELAYED 2025 CAPITAL PROJECTS

RESOLUTION: AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A THREE-YEAR LEASE CONTRACT WITH STRONGHOLD DATA, LLC, IN AN AMOUNT NOT TO EXCEED \$62,045.13 (\$18,613.54 PER YEAR) PER A TIPS-USA COOPERATIVE PROCUREMENT AGREEMENT, FOR THE LEASE OF DELL COMPUTERS AND ASSOCIATED EQUIPMENT

Unfinished Business

ORDINANCE: PROHIBITING CAMPING AND VEHICLE HABITATION ON CERTAIN PUBLIC PROPERTY, PROVIDING DEFINITIONS, ESTABLISHING ENFORCEMENT PROCEDURES, PROVIDING EXEMPTIONS, PROVIDING PENALTIES, AND FOR OTHER PURPOSES *3rd reading Mayor Flynn read the ordinance for the third and final reading. Council Member Harp said this is a proactive ordinance, no one would be harmed by its passage, it costs nothing now, and we could be preventing a problem from happening in our city. Council Member Honchell asked if we have had any problems with parking on city property. Police Chief Graves came up to speak about the matter and said as yet, the city has had no problems. But again, not to take sides, more tools in the toolbox for the future may be beneficial. He spoke about probable increased activity in the city due to the Oz Bike Park and many scheduled races. Most of the land in the city is private property, and public land is very limited. Mayor Flynn mentioned, although the city doesn't own much property currently, we don't know what the future holds. Council Member Harp made a motion to approve, seconded by Council Member Isbell. Roll Call Vote: (Ayes: 1 Harp/Nays: 5) Failed: 1-5.*

ORDINANCE: REQUIRING THE BELLA VISTA ADVERTISING AND PROMOTION COMMISSION TO PUBLISH FINANCIAL STATEMENTS ON ITS OFFICIAL WEBSITE, AND FOR OTHER PURPOSES *3rd reading Mayor Flynn read the ordinance for the third and final reading. Council Member Harp reminded the Council that for him this is a transparency and accessibility issue. Council Member Isbell said if you looked on the website that day, the financials were posted. She and Council Member Hughes are on the A&P Commission Board, which met last week. She had asked to include the financials, and they voted on it as a Board. She finds the financials posted online very helpful and in layperson's terms. She doesn't see any reason for a City ordinance, because the financials are already being posted. Council Member Hughes mentioned that A&P Commission Meetings are public meetings and encouraged other Council Members to attend to see what is being discussed, the budgets, the information. Council Member Hughes made a motion to approve, seconded by Council Member Isbell. Roll Call Vote: (Ayes: 1 Harp/Nays: 5) Failed: 1-5.*

New Business

ORDINANCE: AMENDING SECTION 16-43 ACTIVE PERMIT MAXIMUM OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO INCREASE THE MAXIMUM NUMBER OF SHORT-TERM RENTAL PERMITS FROM 600 TO 687, AND FOR OTHER PURPOSES Mayor Flynn read the ordinance for the first reading. Council Member Newport said she would like this to go to all three readings and allow plenty of time for public input. Council Member Wilms referenced several municipal planning conferences he attended recently where he gained insight into property values and STRs in relation to residential properties. He said he would want to share the information he learned with the Council before he could support this ordinance. Council members discussed a variety of related thoughts and opinions. Motion to Table made by Council Member Wilms, seconded by Council Member Hughes. **Roll Call Vote: (Ayes: 1 Wilms/Nays: 5) Failed: 1-5.** Council Members continued to discuss additional aspects of the matter. Mayor Flynn noted that state legislation may be passed on STRs next year and there are many complexities to this issue. The ordinance moved to second reading next month.

RESOLUTION: APPROVING THE MAYOR'S APPOINTMENT OF NATHAN FORST TO PLANNING COMMISSION POSITION 3 FOR AN UNEXPIRED TERM ENDING MARCH 1, 2029, CREATED BY THE RESIGNATION OF JACK WAGNON Mayor Flynn read the resolution. Council Member Hughes made a motion to approve, seconded by Council Member Wilms. **Roll Call Vote: (Ayes: 6/Nays: 0) Passed: 6-0.**

Announcements

- Next City Council Work Session: 6:00 pm Monday, June 15, at Bella Vista District Court
- Next City Council Regular Meeting: 6:00 pm Monday, June 22, at Bella Vista District Court
- Planning Commission Work Session: 4:30 pm Thursday, May 28, at Bella Vista District Court
- Planning Commission Regular Meeting: 4:30 pm, or immediately following BZA, Monday, June 8 at Bella Vista District Court
- Board of Construction Appeals: 3:00 pm Tuesday, June 9, if necessary, at Fire Station #1 Conference Rm, 103 Town Center.

Adjournment by Mayor Flynn at 7:21 pm.

Draft



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
June 22, 2026	Wanda Krug, City Clerk	ORDINANCE: AMENDING SECTION 16-43 ACTIVE PERMIT MAXIMUM OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO INCREASE THE MAXIMUM NUMBER OF SHORT-TERM RENTAL PERMITS FROM 600 TO 687, AND FOR OTHER PURPOSES <i>Second Reading</i>

AGENDA ITEM # VIII.D

ORDINANCE: AMENDING SECTION 16-43 ACTIVE PERMIT MAXIMUM OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO INCREASE THE MAXIMUM NUMBER OF SHORT-TERM RENTAL PERMITS FROM 600 TO 687, AND FOR OTHER PURPOSES *Second Reading*

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. RE-REVISED Ordinance STR Cap Increase
2. New STR_Total Estimate; 2026.04.14

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

AMENDING SECTION 16-43 *ACTIVE PERMIT MAXIMUM* OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO INCREASE THE MAXIMUM NUMBER OF SHORT-TERM RENTAL PERMITS FROM 600 TO 687, AND FOR OTHER PURPOSES

WHEREAS, the City Council adopted a permit cap on short-term rentals in the amount of 600 when approximately 15,000 total residential units existed in the City; and

WHEREAS, the total number of residential units now existing or being built in the City is approximately 17,192 based on the best available data; and

WHEREAS, to allow for the same ratio of short-term rentals to total residential units today requires increase in the maximum number of permits to 687;

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

SECTION 1: Section 16-43 *Active permit maximum*, of the Code of Ordinances of the City of Bella Vista is hereby amended so that, after amendment, the Section shall read as follows:

“Sec. 16-43. - Active permit maximum.

(a) The maximum number of active short-term rental permits shall not exceed 687. Said maximum number shall not include short-term rental permits for owner-occupied units, which shall not be subject to a maximum number of permits issued.

(b) Any application received pursuant to the provisions of this article after the city has issued 687 active short-term rental permits (not including owner-occupied short-term rental units) shall be denied. At such point as active permits expire, or are revoked, a number of permits equal to the number of permits which have expired or been revoked may be issued. At no point shall more than 687 short-term rental permits be active in the city (not including owner-occupied short-term rental units).

(c) The order in which short-term rental permits are granted shall be based on the order in which complete applications are submitted.”

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

ATTEST:

WANDA KRUG
CITY CLERK

Requested by: Mayor

Total Residences:

POA Water	17,082
Centerton Residential	40
Wells or other (est.)	70

Total 17,192

17,192 x .04 = 687



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
June 22, 2026	Taylor Robertson, Planning and Development Director	ORDINANCE: APPROVING FINAL PLAT FPL-2026-64569 AND ACCEPTING PUBLIC RIGHTS-OF-WAY AND EASEMENT DEDICATIONS THEREIN <i>(staff requests 3rd and final reading)</i>

AGENDA ITEM # IX.E

ORDINANCE: APPROVING FINAL PLAT FPL-2026-64569 AND ACCEPTING PUBLIC RIGHTS-OF-WAY AND EASEMENT DEDICATIONS THEREIN *(staff requests 3rd and final reading)*

BACKGROUND

Per local ordinance, this final plat has achieved a recommendation from Staff and the Planning Commission. The Planning Commission voted unanimously to recommend approval for acceptance at their June 8th Regular Meeting. It now comes to the City Council for final approval. Once approved and the City Clerk attests the Mayor's signature, this plat may be filed at the County as required.

A technical report is attached herein.

RECOMMENDATION

Staff recommends approval.

FISCAL IMPACT

None.

ATTACHMENTS

1. Ordinance Final Plat Approval
2. Staff Report FPL-2026-64569

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

APPROVING FINAL PLAT FPL-2026-64569 AND ACCEPTING PUBLIC RIGHTS-OF-WAY AND EASEMENT DEDICATIONS THEREIN

WHEREAS, following application the Planning Commission approved the final plat of FPL-2026-64569 finding it complied with all subdivision regulations of the city and the approved preliminary plat; and

WHEREAS, approval of the City Council is necessary for the final plat and for acceptance of any rights-of-way and easements dedicated therein, if any;

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

SECTION 1: Pursuant to Section 107-040(f) of the City Code of Bella Vista, Final Plat FPL-2026-64569 is hereby approved. Public rights-of-way and easement dedications therein, if any, are hereby accepted.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

ATTEST:

City Clerk Wanda Krug



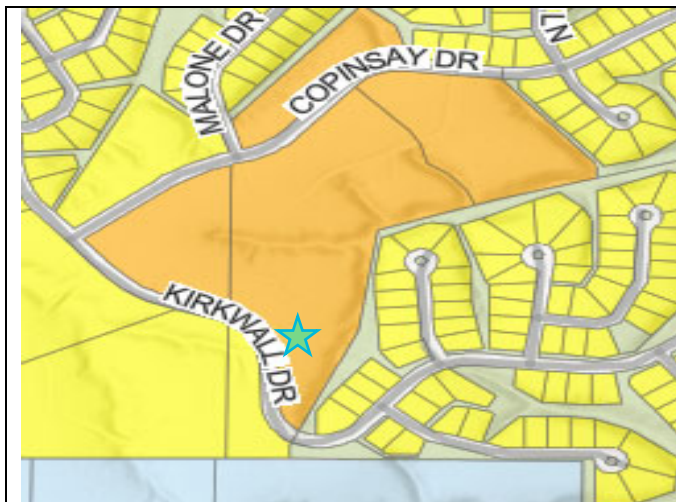
Meeting Information:

2483 Forest Hills Blvd
June 8, 2026

Reviewer:

Christopher Hyatt
Senior Planner

Project Number	WVR-64917& FPL-64569
Applicant	CEI, Inc.
Address/Location	Kirkwall Drive
Current Zoning	R-2 Moderate Density Residential
Site Area	+/- 6.94 acres
Nature of Request	Requesting a final plat to split an existing tract.



Zoning Map



Future Land Use

Property Description

This property is located in the southwest area of Bella Vista City Limits and is located on Parcel #16-72577-012, Lendalfoot Subdivision.

Regulation

Chapter 107, Article II provides for subdivision design standards. Sec. 107-040 provides for review criteria of the final plat process.

Request

The applicant is requesting a waiver of Chapter 107, Article II alongside the proposed final plat within the former Lendalfoot Subdivision.

Background

The subject site was formerly the platted Lendalfoot Subdivision that was consolidated back into one large tract in the 90s. A minor subdivision was brought to the Planning Commission by the original owner on August 28, 2025 to split the area back up into 4 tracts. An additional lot split was then brought forward by the previous owner, to make a split of the newly created Tract 2 on March 9, 2026. The subject site, Tract 3, has subsequently been purchased by a new owner who is requesting to create two smaller tracts in order to build two single family homes. Due to the number of splits that have previously occurred, the subdivision plat process is required. Due to the circumstances of the tract sale and intentions with the split, the applicant has requested a waiver from all subdivision design standards called out in Chapter 107 Article II. This article's purpose is to provide for the basic and minimum requirements for lots, blocks, streets, and other physical elements in new subdivisions.

The parcel is dissected by an existing Section line, as illustrated on the plot map. Tract 7 would enclose +/- 2.28 acres, maintaining 361.70' of road frontage. Tract 8 would enclose +/- 4.66 acres with 143.42' of frontage.

The proposed tracts are dedicated with the required minimum 20' front setback, 15' rear setback, and 7.5' side utility easements per this plat. Per the Master Street Plan, Kirkwall Drive is classified as residential street and maintain 60' of right-of-way, exceeding the required minimum. No new streets are proposed, nor are any vacated. Both tracts have access to a public street and no increase in city public services is expected. No substandard lots are created.

Public Comment

None at the time of this report.

Outstanding Technical Comments

None at the time of this report.

Recommendation

Due to the analysis above, staff recommends approval of the final plat request if the Commission approves the waiver request.

Sec. 107-046 Waiver Review Requirements

When, by the strict interpretation of Chapter 107, an applicant incurs undue restrictions on the physical property to be subdivided or developed, a waiver for such requirements may be granted by the planning commission. **Under no circumstance** should a waiver be granted because of a personal hardship or for personal or emotional reasons. Waivers shall not be granted based strictly on financial hardship. A waiver is determined by the strict interpretation and enforcement of the rules and regulations upon a given piece of property to be subdivided or developed. No waiver shall be granted unless the planning commission finds all of the following:

- The waiver is not contrary to the public interest, and the purpose of these regulations may be served to a greater extent by the proposed alternative;
- The conditions upon which the request for waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property;
- Due to the unusual size, shape or character of a tract, a literal enforcement of the Subdivision Ordinance would result in unnecessary hardship or would deprive the applicant of the reasonable use of this land;
- That the granting of the waiver will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of these regulations.
- The spirit of the waived provision is observed, and substantial justice is done;
- The granting of the waiver will not be detrimental to the public safety, health or welfare, or injurious to other property in the area where the waiver is located;
- That the waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant;
- Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result (as distinguished from a mere inconvenience), if the strict letter of these regulations is carried out; and
- The waiver will not in any manner conflict with or vary from, the provisions of Chapter 109 of this Code of Ordinances or the Comprehensive Plan. Four affirmative votes of the planning commission's authorized membership shall be necessary for the passage of any waiver.

Sec. 107-046 Waiver Review Procedures

- The Planning Commission shall review the waiver to the effect of the proposed waiver upon the character of the neighborhood, traffic congestion, public utilities, and other matters pertaining to the general health, safety, and welfare of the public. The Planning Commission shall, in whole or in part:
 - 1. Approve the waiver, or
 - 2. Deny the waiver.
- A concurring vote of seventy-five percent (75%) of the members of the Planning Commission is necessary to authorize a waiver. The findings of the planning commission, together with the specific facts upon which findings are based, shall be incorporated into the official minutes of the planning commission meetings at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of these regulations.

Sec. 107-040 Final Plat Review and Approval

(f) Decision

(1) Director Review and Recommendation

a. The Director shall review the proposed final plat for completeness and conformance with these regulations, send the application to other City departments and officials for their review (i.e., Engineering, Fire Department, Arkansas Department of Health), place the application on the next Planning Commission meeting, and provide a recommendation to the Planning Commission based on the approval criteria (Article IV. Division 2. Sec. 107-040(g)). The recommendation may be to:

1. Approve the final plat, or
2. Disapprove of the final plat.

b. Substantial Compliance Required

1. A final plat shall be in substantial compliance with the approved preliminary plat to be considered by the Planning Commission and City Council. A revised preliminary plat will be required to be applied for if the Director determines that the changes to the final plat are substantial. Substantial changes may include:

- a) Change in lot dimensions;
- b) Increase in the number of lots;
- c) Increased density;
- d) Change in the circulation network; and
- e) Change in drainage patterns.

(2) Planning Commission Recommendation

a. Generally

1. The Planning Commission shall conduct a review and consider each final plat application submitted pursuant to the Subdivision Regulations, and take one of the following actions pursuant to the City's development calendar (Article IV).

- a) If the final plat complies with all provisions of these Subdivision Regulations and the approved preliminary plat, the Planning Commission shall approve the final plat, or
- b) If the final plat fails to comply with all provisions of these Subdivision Regulations or the approved preliminary plat, the Planning Commission shall disapprove the final plat.

b. Planning Commission's Approval. The Planning Commission's approval of the final plat application shall not constitute the acceptance by the public of the dedication of any streets, other public ways, grounds or infrastructure.

c. Planning Commission's Disapproval

1. If the final plat is disapproved, the reason(s) for that action shall be stated in writing and transmitted to the applicant.
2. Reasons for being disapproved shall refer specifically to those parts of the Comprehensive Plan or specific regulations or design standards with which the plat does not conform.

(3) City Council Decision

a. Generally

1. Following the decision of the Planning Commission, the City Council shall review the final plat application, pursuant to the Subdivision Regulations.

- a) If the final plat complies with all provisions of these Subdivision Regulations and the approved preliminary plat, the City Council shall approve the final plat and provide for the acceptance of public rights-of-way and easement dedication, or
- b) If the final plat fails to comply with these Subdivision Regulations or the approved preliminary plat, the City Council shall disapprove it and not accept the public rights-of-way and easements.

2. Approval of the Final Plat. Approval of the final plat shall provide for the acceptance of the public right-of-way and easement dedications.

3. Disapproval of the Final Plat.

- a) If the final plat is disapproved and the rights-of-way and easements are not accepted, the reasons for the action shall be stated in writing and transmitted to the applicant.
- b) Reasons for disapproval shall refer specifically to those parts of the Comprehensive Plan or specific standards and regulations with which the plat does not conform.

(g) Approval Criteria

- (1) Final plats shall comply with the conditions of the approved preliminary plat, if any, and the following requirements.

a. No person shall subdivide any tract of land except in conformity with these Subdivision Regulations. The City Council shall approve a final plat only if it conforms to:

1. The preliminary plat approval substantially;
2. The Comprehensive Plan and its current and future streets, alleys, parks, playgrounds, and public utility facilities;
3. The rules and regulations of the Subdivision Regulations.



Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management

2600 NE 11th Street, 3rd Floor
Bentonville, AR 72712
Office: 479.273.9472
Toll-free: 1.800.433.4173
ceieng.com

**City of Bella Vista
Planning Department**
101 Town Center
Bella Vista, AR 72714

**Re: Request for Waiver from Chapter 107, Article II
Project: 64569 – Dancing Zebra, LLC Lot Split**

Dear Planning Department,

On behalf of Dancing Zebra, LLC, CEI Engineering Associates, Inc. respectfully submits this request for a waiver from the requirements of Code **Chapter 107, Article II** related to the Final Plat process for the above-referenced property.

Following preliminary review comments regarding the number of prior lot splits associated with this parcel, we understand that the proposed action would typically require compliance with the Final Plat process. In response, the applicant is requesting consideration of a waiver based on the limited scope and characteristics of this request.

The subject property consists of approximately 6.94 acres and is proposed to be divided into two parcels of approximately 2.28 acres and 4.66 acres. The intent is to construct one single-family residence on each resulting lot. This request represents a minor division of land and does not involve subdivision-scale development or the creation of multiple lots requiring coordinated infrastructure planning.

The property has direct frontage on Kirkwall Drive, an existing paved public street, and is served by existing utilities. No new streets, extensions of utilities, or public infrastructure improvements are required to support the proposed lots. As such, the infrastructure and design considerations typically addressed through the Final Plat process are not applicable in this case.

The surrounding area is characterized by low-density single-family residential development, generally without sidewalks or similar improvements. Requiring full Final Plat compliance, including installation of sidewalks, would introduce improvements that are not consistent with the existing character of the area and would represent a disproportionate burden relative to the scale and impact of this request.

The Final Plat process is intended to address coordinated development involving multiple lots, public infrastructure, and subdivision design. In this case, those considerations are not present, as the proposal involves only two residential lots with existing access and utilities, and therefore strict application of this requirement does not further the underlying intent of the regulation.

We also note that the City approved a similar lot split within the same subdivision in February 2026 (Tract 2 of Parcel 16-72577-012, creating Tracts 5 and 6) without requiring the Final Plat process. The current request is consistent in nature and scale with that prior action.

The proposed lots will remain larger than many existing residential parcels within Bella Vista and will maintain substantial natural buffers, including existing forested areas along the side and rear property lines. This ensures compatibility with surrounding properties and minimizes any potential impacts. This request represents a single, limited division of land and is not part of a larger phased development or series of lot splits.

This request satisfies the criteria for waiver consideration in that:

- (1) it will not adversely affect public health, safety, or welfare;
- (2) the request is limited in scope and does not constitute subdivision-scale development; and
- (3) strict application of the Final Plat requirement does not further the intent of the regulation given the absence of infrastructure improvements or public impacts.

Granting this waiver will not create additional burden on City infrastructure or services. The proposed development will remain subject to all applicable review and permitting processes, including GEC Plot Plan approval prior to construction. The applicant is amenable to reasonable conditions of approval, if deemed necessary by the City, to ensure continued compliance with applicable development standards.

Based on these considerations, we respectfully request approval of this waiver to allow the proposed lot split to proceed without the Chapter 107, Article II Design Improvements as required under a Final Plat.

We appreciate your time and consideration and are available to provide any additional information as needed.

Sincerely,

Brittany Gillen

Project Coordinator : 479-578-8599

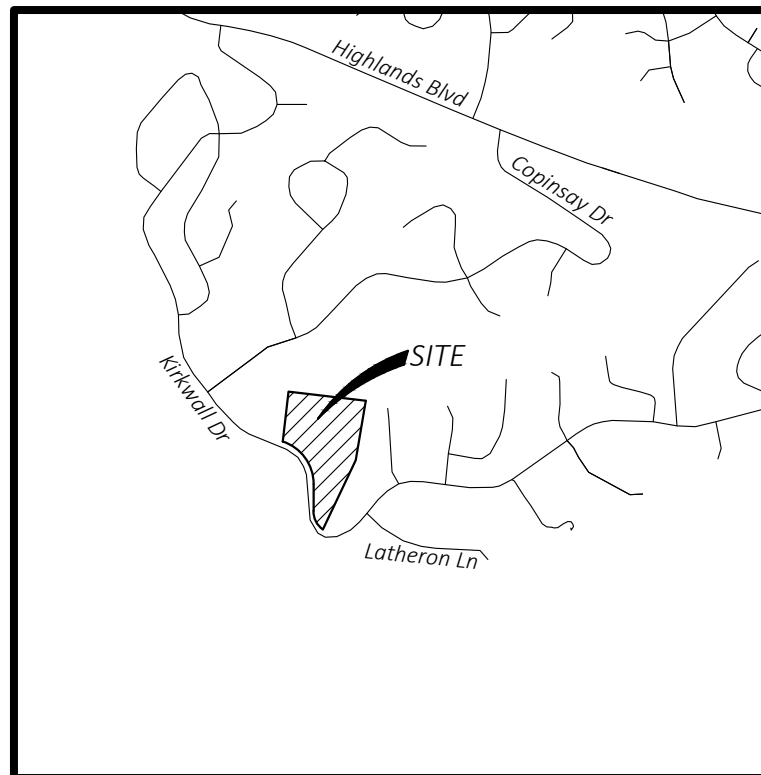
CEI Engineering Associates, Inc

Final Plat of Evergreen Estates Dancing Zebra, LLC

Kirkwall Drive
Bella Vista, Benton County, Arkansas

GENERAL NOTES:

- Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other than those specifically shown on this plat; building setback lines, restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- This plat represents a Final Plat of Tract 3 of Parcel #16-72577-012 per Plat Instrument #L202550854 in the public records of Benton County, Arkansas.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.
- A title search was not conducted by a certified title company. No abstract of title, nor title commitment, nor results of title searches were furnished to the surveyor. All documents were provided by the client/clients and/or researched by CEI Engineering Associates, Inc., and may be subject to record/unrecorded, easements, rights of way, covenants, building setback lines, subdivision restrictions, zoning, land regulations or other facts which an accurate and current title search may reveal. There may exist other documents of record which would affect this parcel.
- Declaration is made to the original purchaser of the survey and those listed in the certification for the use of this transaction only and is not transferable to any additional or subsequent owners.
- Basis of Bearings: All bearing and distances shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, US Survey Feet, North Zone, as established by a Static observation processed through Trimble RTX.
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets the current Arkansas Standards of Practice for Property Boundary Surveys and Plats.
- Subsurface and environmental conditions were not examined nor considered a part of this survey.
- No attempt has been made as a part of this boundary survey to obtain or shown data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.
- The locations of underground utilities as shown hereon are based on above ground structures as were visible at the time of survey, and/or from record drawings provided to the surveyor. The location of underground utilities/structures may vary from locations shown hereon. No excavations were made during the progress of this survey to locate underground utilities/structures.
- The contractor is advised to contract the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a severe penalty for not making this call. Not all utility companies are members of the One-Call Systems. Therefore the contractor is advised to contract all non-members as well as the One-Call System.
- The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.
- By scaled map location and graphical plotting only. This property is located unshaded Zone "X" which are areas determined to be outside the 0.2% annual chance floodplain determined by the National Flood Insurance Program, Flood Insurance Rate Map for Benton County, Arkansas.
Map Number: 05007C00551
Map Revised: September 28, 2007
- No attempt was made to show the zoned building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approved.
- No current zoning report or letter regarding zoning classification was provided to the Surveyor, the following information was obtained from the Bella Vista GIS map. This property is zoned R-2 (Residential).
Building setbacks for zone R-2 are as follows:
 - Minimum front setback from all property lines shall be 20 feet, unless otherwise stated on the subdivision plat.
 - A minimum side setback of 15 feet shall be established parallel to all street right-of-way lines.
 - A minimum side setback of seven and one-half feet shall be established parallel to side property lines, unless otherwise stated on the subdivision plat.
 - A minimum rear setback of 15 feet shall be established parallel to rear property lines, unless otherwise stated on the subdivision plat.
 - Along bodies of water. Lots or parcels with access to bodies of water shall have at least 25 foot setback from the water's edge in which no primary or accessory structures may be built, except as provided in section 109-185.



VICINITY MAP

NOT TO SCALE
Latitude: 36°27'0"N
Longitude: 94°21'46"W

Owner / Owners
Parcel Number #16-72577-012 Dancing Zebra, LLC 3606 Copper Ridge Road Rogers, Arkansas, 72756

Surveyors:
CEI Engineering Associates, Inc. 2600 NE 11th St, Suite 300 Bentonville, AR 72712 Phone: (479) 273-9472 Fax: (479) 271-0536 Surveyor: Dustin G. Riley, Arkansas



Certificate of Approval

Pursuant to the City of Bella Vista Subdivision Regulations and all other conditions and approvals having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of the said rules and regulations.

Signed _____ Date of Execution: _____

Planning Commission Chairman

Certificate of Ownership:

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, and easements as shown on said plat.

Signed: _____ Date of Execution: _____

Name & Address: _____ Source of Title: Special Warranty Deed Instrument #L202618380
ACKNOWLEDGMENT

State of Arkansas)
County of _____)

On this day before the undersigned, a Notary Public duly qualified and acting in and for the county and state aforesaid, personally appeared _____, satisfactorily proven to be the person(s) whose name(s) appear(s) in the foregoing instrument, and stated that he/she/they has/have executed the same for the consideration, uses and purposes therein stated.

In witness whereof, I hereunto set my hand and on this _____ day of _____, 20____.

Notary Public _____ My commission expires: _____

Non-Buildability:

Approval of this plan does not in any way indicate that any of the tracts on this plan are buildable according to the planning regulations of Benton County, Arkansas nor an endorsement by the Planning board of said buildability of said tracts.

Non-assurance from Department of Health:

Approval of this plat does not carry any assurances that the tract or tracts will qualify for a septic system permit from the Arkansas Health Department.

CERTIFICATE OF SURVEYING ACCURACY:

I, Dustin Riley, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.

Signed: _____ Date of Execution: _____
Registered Land Surveyor
State of Arkansas Registration No. 1618

State Survey Code: 500-21N-32W-0-35-300-04-1618



CEI ENGINEERING ASSOCIATES, INC.
2600 NE 11TH ST, SUITE 300
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 920
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732

Final Plat of Evergreen Estates
Dancing Zebra, LLC
Kirkwall Drive
Bella Vista, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

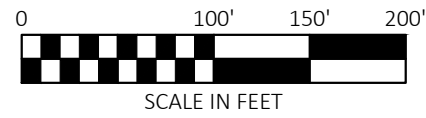
PROFESSIONAL OF RECORD	DGR
DESIGNER	CEH
FIELD WORK	KGM
CEI PROJECT NUMBER	35099
DATE	4/6/2026
REVISION	REV-0

COVER

SHEET TITLE

SHEET NUMBER

1 OF 2



Legend

- Boundary Line
- Adjoining Boundary Line
- Overhead Electric Line
- Lot Line to be added per this plat
- Setback Line
- Easement/Setback Line
- Section Line
- Storm Drainage Pipe
- Found Monument (1/2-Inch Rebar Unless Otherwise Noted)
- Set Rebar Cap LS #1618
- Telephone Riser
- Guy Wire / Anchor
- Utility Pole
- Fire Hydrant
- Water Valve
- Warning Fiber Optic Line Sign
- Mail Box
- Utility Easement (UE) & Setback dedicated per this plat

Tract 7 Description

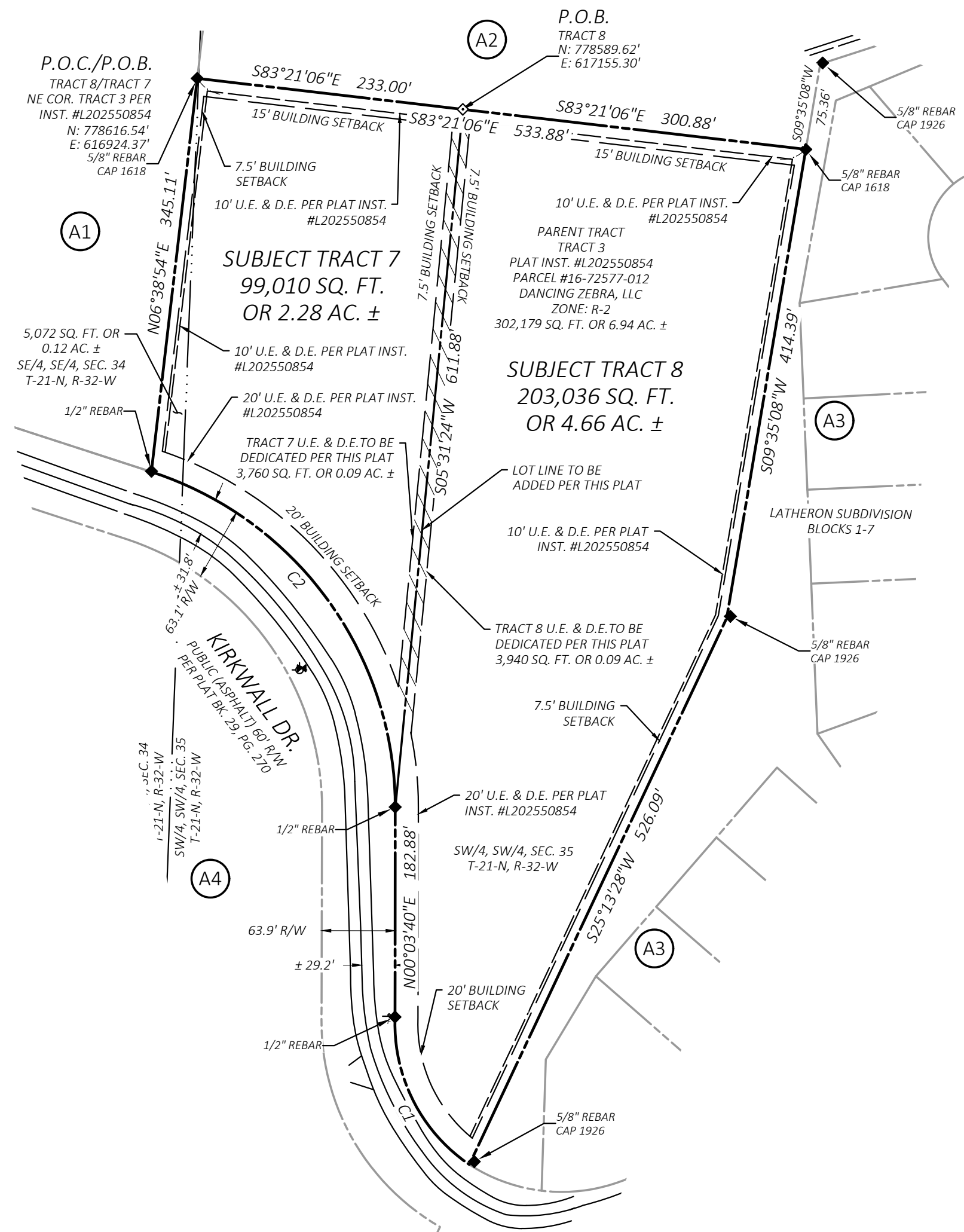
A tract of land located in part of the Northwest Quarter (NW/4) of the Southwest Quarter (SW/4) and part of the (SW/4) of the (SW/4) of Section 35, Township 21 North, Range 32 West, also being a part of the land described in Plat Instrument L202550854 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

BEGINNING at a found 5/8-inch rebar with cap LS #1618; and being a point at the Northeast corner of Tract 3 of Cooper Communities Copinsay Subdivision Lot Split per Plat Instrument L202550854;
 THENCE South 83°21'06" East, a distance of 233.00 feet to a set rebar with cap LS #1618;
 THENCE South 05°31'24" West, a distance of 611.88 feet to a found 1/2-inch rebar on the East Right-of-Way line of Kirkwall Drive per Plat Book 29, Page 270;
 THENCE continuing along said Right-of-Way, Northwesterly along a curve to the right, 386.70 feet, having a radius of 307.39 feet, through a central angle of 72°04'43", having a chord bearing and distance of North 35°58'41" West, 361.70 feet to a found 1/2-inch rebar;
 THENCE departing said Right-of-Way, North 06°38'54" East, a distance of 345.11 feet to the POINT OF BEGINNING, containing 99,010 square feet or 2.28 acres, more or less.

Tract 8 Description

A tract of land located in part of the Northwest Quarter (NW/4) of the Southwest Quarter (SW/4) and part of the (SW/4) of the (SW/4) of Section 35, Township 21 North, Range 32 West, also being a part of the land described in Plat Instrument L202550854 in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

COMMENCING at a found 5/8-inch rebar with cap LS #1618; and being a point on the Northeast corner of Tract 3 of Cooper Communities Copinsay Subdivision Lot Split per Plat Instrument L202550854;
 THENCE South 83°21'06" East, a distance of 233.00 feet to a set 5/8-inch rebar with cap LS #1618, and being the POINT OF BEGINNING;
 THENCE South 83°21'06" East, 300.88 feet to a 5/8-inch rebar with cap LS #1618 on the West line of Latheron Subdivision Blocks 1-7 per Plat by James Gore, Arkansas PLS #93 dated April 1st, 1986;
 THENCE along said west line, South 09°35'08" West, a distance of 414.39 feet to a 5/8-inch rebar with cap LS #1926;
 THENCE South 25°13'28" West, a distance of 526.09 feet to a found 5/8-inch rebar with cap LS #1926; and being a point on the East Right-of-Way line of Kirkwall Drive per Plat Book 29, Page 270;
 THENCE along said Right-of-Way, Northwesterly along a curve to the right, 149.69 feet, having a radius of 148.39 feet, through a central angle of 57°47'46", having a chord bearing and distance of North 26°50'13" West, 143.42 feet to a found 1/2-inch rebar;
 THENCE continuing along said Right-of-Way, North 00°03'40" East, a distance of 182.88 feet to a found 1/2-inch rebar;
 THENCE departing said Right-of-Way, North 05°31'24" East, a distance of 611.88 feet to the POINT OF BEGINNING, containing 203,036 square feet or 4.66 acres, more or less.



Curve #	Radius	Length	Delta	Chord Bearing	Chord Distance
C1	148.39'	149.69'	57°47'46"	N26°50'13"W	143.42'
C2	307.39'	386.70'	72°04'43"	N35°58'41"W	361.70'

Property ID	Property Description
A1	TRACT 4 PLAT INST. #L202550854 PARCEL #16-72577-012 COOPER COMMUNITIES INC. ZONE: R-1
A2	TRACT 6 PLAT INST. #L202612974 PARCEL #16-72577-012 COOPER COMMUNITIES INC. ZONE: R-1
A3	PARCEL #16-36548-000 BELLA VISTA PROPERTY OWNERS ASSOCIATION DEED BK. 669, PG. 732 ZONE: R-1
A4	PARCEL #16-72566-011 WEHMAN, TIMOTHY P & KAY LAVONE ZONE: R-1



State Survey Code: 500-21N-32W-0-35-300-04-1618



CEI ENGINEERING ASSOCIATES, INC.
 2600 NE 11TH ST, SUITE 300
 BENTONVILLE, AR 72712
 PHONE: (479) 273-9472
 FAX: (479) 273-0844
 CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 920
 DALLAS, TX 75234
 PHONE: (972) 488-3737
 FAX: (972) 488-6732

Final Plat of Evergreen Estates
 Dancing Zebra, LLC
 Kirkwall Drive
 Bella Vista, Benton County, Arkansas

Preliminary
 This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	CEH
FIELD WORK	KGM
CEI PROJECT NUMBER	35099
DATE	4/6/2026
REVISION	REV-0

Final Plat
 SHEET TITLE
 SHEET NUMBER

DRAWING LOCATION: S:\35000135099\DRAWINGS\SURVEY\WORKING\35099 LS.DWG -- SAVED BY - CHENDERSON



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
June 22, 2026	Wanda Krug, City Clerk	ORDINANCE: REQUIRING ORIENTATION AND CONTINUING EDUCATION FOR ELECTED OFFICIALS OF THE CITY OF BELLA VISTA, ARKANSAS; ESTABLISHING MINIMUM TRAINING REQUIREMENTS; PROVIDING FOR REPORTING OF COMPLIANCE; AND FOR OTHER PURPOSES.

AGENDA ITEM # IX.F

ORDINANCE: REQUIRING ORIENTATION AND CONTINUING EDUCATION FOR ELECTED OFFICIALS OF THE CITY OF BELLA VISTA, ARKANSAS; ESTABLISHING MINIMUM TRAINING REQUIREMENTS; PROVIDING FOR REPORTING OF COMPLIANCE; AND FOR OTHER PURPOSES.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Ordinance Council Training Revised

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

REQUIRING ORIENTATION AND CONTINUING EDUCATION FOR ELECTED OFFICIALS OF THE CITY OF BELLA VISTA, ARKANSAS; ESTABLISHING MINIMUM TRAINING REQUIREMENTS; PROVIDING FOR REPORTING OF COMPLIANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City Council finds that municipal government has become increasingly complex and that elected officials are routinely required to make decisions involving municipal finance, budgeting, land use, personnel administration, public safety, ethics, procurement, open meetings, public records, and other matters affecting the public welfare; and

WHEREAS, the City Council finds that orientation and continuing education will improve the effectiveness of municipal governance, promote compliance with state law, and enhance public confidence in municipal government;

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

SECTION 1. TITLE.

This Ordinance shall be known and may be cited as the “Elected Officials Orientation and Continuing Education Ordinance.”

SECTION 2. APPLICABILITY.

This Ordinance shall apply to all elected officials of the City of Bella Vista, including:

- (a) The Mayor;
- (b) Members of the City Council; and
- (c) Any other elected municipal officer now or hereafter authorized by law.

SECTION 3. INITIAL ORIENTATION REQUIRED.

(A) Every person elected to municipal office shall complete an orientation program prior to assuming office whenever practicable.

(B) If orientation cannot reasonably be completed prior to taking office due to scheduling, election timing, or other circumstances beyond the official's control, the orientation shall be completed within ninety (90) days after assuming office.

(C) The orientation shall consist of not less than eight (8) hours of instruction and shall include, at a minimum:

1. The Arkansas Freedom of Information Act;
2. Municipal ethics and conflicts of interest;
3. Roles and responsibilities of elected officials;
4. The mayor-council form of government;
5. Municipal finance, budgeting, and auditing;
6. Purchasing and contracting requirements;
7. Planning, zoning, and land-use authority;
8. Personnel and employment law issues affecting municipalities;
9. Parliamentary procedure and conduct of meetings; and
10. An overview of City operations, policies, ordinances, and strategic priorities.

(D) Orientation may be conducted by City staff, the Arkansas Municipal League, licensed attorneys, certified public accountants, qualified consultants, or other individuals approved by the Mayor or City Council.

SECTION 4. ANNUAL CONTINUING EDUCATION REQUIREMENT.

(A) Each elected official shall complete not less than six (6) hours of continuing education during each calendar year.

(B) Of the required six (6) hours, at least one (1) hour shall consist of training regarding the Arkansas Freedom of Information Act, including requirements concerning open public meetings, executive sessions, public records, records retention, electronic communications, and recent legal developments affecting municipal government.

(C) The annual FOIA training requirement may be satisfied through training provided by the Arkansas Municipal League, the Arkansas Attorney General's Office, licensed attorneys, accredited educational institutions, or other providers approved by the Mayor.

(D) The remaining continuing education hours may consist of training concerning:

1. Municipal law;
2. Ethics and conflicts of interest;
3. Public finance and budgeting;
4. Economic development;
5. Planning and zoning;
6. Public safety;
7. Infrastructure and public works;
8. Personnel management;
9. Risk management;
10. Leadership and governance; and
11. Other subjects reasonably related to municipal government.

(E) Training may be obtained through conferences, seminars, workshops, webinars, courses, or other educational programs sponsored by:

1. The Arkansas Municipal League;
2. State agencies;
3. Accredited educational institutions;
4. Professional organizations; or
5. Other providers approved by the Mayor.

(F) Completion of the annual FOIA training requirement shall be separately identified in the compliance report prepared by the City Clerk pursuant to Section 5 of this Ordinance.

SECTION 5. RECORDS AND CERTIFICATION.

(A) The City Clerk shall maintain records documenting completion of orientation and continuing education requirements.

(B) Each elected official shall provide certificates, attendance records, or other documentation reasonably demonstrating compliance.

(C) No later than January 31 of each year, the City Clerk shall provide a report to the City Council identifying compliance with the requirements of this Ordinance during the preceding calendar year.

SECTION 6. PUBLIC DISCLOSURE.

The annual compliance report shall be a public record and shall be made available on the City's website and in the office of the City Clerk.

SECTION 7. FUNDING.

Subject to budgetary appropriations, the City may pay registration fees, educational materials, travel expenses, lodging, and other reasonable costs associated with compliance with this Ordinance in accordance with applicable law and City policy.

SECTION 8. FAILURE TO COMPLY.

(A) The requirements established herein are mandatory duties of office.

(B) Nothing in this Ordinance shall be construed to prevent a duly elected official from assuming or holding office.

(C) Failure to comply shall be noted in the public compliance report maintained by the City Clerk.

SECTION 9. WAIVER.

The City Council may waive all or part of the requirements of this Ordinance upon a finding of good cause, including illness, military service, family emergency, or other circumstances beyond the official's control.

SECTION 10. SEVERABILITY.

If any portion of this Ordinance is declared invalid by a court of competent jurisdiction, such declaration shall not affect the remaining provisions.

SECTION 11. EFFECTIVE DATE.

This Ordinance shall take effect January 1 following its adoption.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

JOHN D. FLYNN
MAYOR

ATTEST:

WANDA KRUG
CITY CLERK



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
June 22, 2026	James Graves, Police Chief	RESOLUTION: AUTHORIZING THE CITY TO INITIATE LEGAL PROCEEDINGS AGAINST BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION, INC. TO FACILITATE CONDEMNATION AND POSSESSION OF REAL PROPERTY FOR PURPOSES OF COMPLETING THE PUBLIC SAFETY RADIO TOWER PROJECT, AND FURTHER AUTHORIZING SETTLEMENT IN THE TOTAL AMOUNT OF \$67,000.00

AGENDA ITEM # IX.G

RESOLUTION: AUTHORIZING THE CITY TO INITIATE LEGAL PROCEEDINGS AGAINST BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION, INC. TO FACILITATE CONDEMNATION AND POSSESSION OF REAL PROPERTY FOR PURPOSES OF COMPLETING THE PUBLIC SAFETY RADIO TOWER PROJECT, AND FURTHER AUTHORIZING SETTLEMENT IN THE TOTAL AMOUNT OF \$67,000.00

BACKGROUND

The police department is in the process of updating the city communication system by purchasing and placing three new, stand-alone communication towers. This project is authorized and funded through the most recent citizen-approved bond election. Two towers will be placed on city-owned property and the third tower will be placed on a piece of land currently owned by the POA. City staff has been working with the POA on our needs. The city will need to obtain the property through the process of condemnation and eminent domain.

RECOMMENDATION

City staff request authorization for condemnation, possession and settlement of eminent domain with the Bella Vista POA for the acquisition of the needed tower project land.

FISCAL IMPACT

Overall fiscal impact, as determined through the eminent domain process and fair market value, will be supported by approved tower project bond funds.

ATTACHMENTS

City of Bella Vista, Arkansas
City Hall

1. Resolution POA condemnation Radios
2. Radio Tower Lot (002)

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

AUTHORIZING THE CITY TO INITIATE LEGAL PROCEEDINGS AGAINST BELLA VISTA VILLAGE PROPERTY OWNERS ASSOCIATION, INC. TO FACILITATE CONDEMNATION AND POSSESSION OF REAL PROPERTY FOR PURPOSES OF COMPLETING THE PUBLIC SAFETY RADIO TOWER PROJECT, AND FURTHER AUTHORIZING SETTLEMENT IN THE TOTAL AMOUNT OF \$67,000.00

WHEREAS, City officials have successfully negotiated sale of real property necessary for the completion of the planned, bond-funded, Public Safety Radio Tower Project in the total amount of \$67,000.00, however the Bella Vista Village Property Owners Association, Inc. lacks legal authority to transfer ownership of the property absent a vote of its entire membership; and

WHEREAS, the Project must proceed and legal action through condemnation is necessary so that expensive delays can be avoided; and

WHEREAS, filing a condemnation suit provides a necessary mechanism for transfer of the real property and settling the issue of the amount of compensation pursuant to the agreed amount;

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

SECTION 1: The City is hereby authorized to initiate legal proceedings against Bella Vista Village Property Owners Association, Inc. to facilitate condemnation and possession of real property for purposes of completing the Public Safety Radio Tower Project, and further authorizes settlement in the total amount of \$67,000.00.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

ATTEST:

City Clerk Wanda Krug



LEYLAND DR

TRAFALGAR RD

PENDLE LN



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
June 22, 2026	James Graves, Police Chief	RESOLUTION: AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR THE PURCHASE OF FIVE (5) DODGE DURANGO AWD PURSUIT VEHICLES WITH EQUIPMENT UPFITS AND TWO (2) 2026 CHEVROLET SILVERADO PICKUPS WITH EQUIPMENT UPFITS, IN A TOTAL AMOUNT NOT TO EXCEED \$394,601.21 FOR USE BY THE POLICE DEPARTMENT

AGENDA ITEM # IX.H

RESOLUTION: AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR THE PURCHASE OF FIVE (5) DODGE DURANGO AWD PURSUIT VEHICLES WITH EQUIPMENT UPFITS AND TWO (2) 2026 CHEVROLET SILVERADO PICKUPS WITH EQUIPMENT UPFITS, IN A TOTAL AMOUNT NOT TO EXCEED \$394,601.21 FOR USE BY THE POLICE DEPARTMENT

BACKGROUND

Due to normal wear and tear, mileage and condition of vehicles, the police department has scheduled the replacement of several fleet vehicles. The replacement vehicles will be purchased through Superior Automotive of Siloam Springs at the 2026 State Bid price. Four 2026 AWD Dodge Durango Pursuit vehicles, with police equipment upfit, for \$59,908.20 each. One 2026 AWD Dodge Durango Pursuit vehicle, with police admin upfit, for \$49,202.91. One 2026 Chevy Silverado PU, with upfit, for \$46,055.00 and One 2026 Chevy Silverado PU, with upfit, for \$51,305.00.

These vehicles were approved under the Police portion of the current bond passed by voters in 2025. The total amount of this purchase, for all seven vehicles, is not to exceed \$394,601.21.

RECOMMENDATION

The Chief of Police recommends approval for the purchase of the aforementioned seven vehicles with a total price not to exceed \$394,601.21.

FISCAL IMPACT

\$394,601.21 approved through the voter-passed 2025 city bond.

ATTACHMENTS

1. Resolution Superior Durangos and Silverados PD Revised

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS, PURSUANT TO A STATE PROCUREMENT CONTRACT, FOR THE PURCHASE OF FIVE (5) DODGE DURANGO AWD PURSUIT VEHICLES WITH EQUIPMENT UPFITS AND TWO (2) 2026 CHEVROLET SILVERADO PICKUPS WITH EQUIPMENT UPFITS, IN A TOTAL AMOUNT NOT TO EXCEED \$394,601.21 FOR USE BY THE POLICE DEPARTMENT

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

SECTION 1: The Mayor and City Clerk are hereby authorized to enter into a contract with Superior Automotive Group of Siloam Springs, pursuant to a state procurement contract, for the purchase of five (5) Dodge Durango AWD pursuit vehicles with equipment upfits and two (2) 2026 Chevrolet Silverado pickups with equipment upfits, in a total amount not to exceed \$394,601.21 for use by the Police Department.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

ATTEST:

City Clerk Wanda Krug



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
June 22, 2026	James Graves, Police Chief	RESOLUTION: AMENDING THE 2026 CITY BUDGET TO APPROPRIATE \$120,000.00 IN DEVELOPMENT IMPACT FEE REVENUE RELATED TO PUBLIC SAFETY BUILDING ADDITIONS

AGENDA ITEM # IX.I

RESOLUTION: AMENDING THE 2026 CITY BUDGET TO APPROPRIATE \$120,000.00 IN DEVELOPMENT IMPACT FEE REVENUE RELATED TO PUBLIC SAFETY BUILDING ADDITIONS

BACKGROUND

Due to increased growth and need for capacity, the construction of the Public Safety Building was approved through a bond measure in 2020 with the building being completed in early 2023. City ordinance at the time required this type of new construction to provide public sidewalk access as part of the overall project design. While working on another project, it was discovered that the public access sidewalk requirement was never completed in the original project.

To meet the current city of Bella Vista building code requirements, the Bella Vista Police Department will be constructing a public access sidewalk the length of the Public Safety Complex and Streets Department property running along Hwy 279 (Forest Hills Blvd).

Working with the civil engineering firm, CEI, it is estimated that this project could cost up to \$120,000. Police Department staff is requesting a budget amendment, through the use of impact fees, in support of this required project.

RECOMMENDATION

The Chief of Police recommends approval of a budget amendment in the amount of \$120,000 to support the completion of the required sidewalk project. This budget amendment will be funded through impact fees.

FISCAL IMPACT

\$120,000 funded through police department impact fees.

ATTACHMENTS

1. Budget Adj 20260615
2. Resolution Budget Amend Impact Fee Pub Saf Bldg

City of Bella Vista Budget Amendment Request Form

Expense not included in the annual budget process.

Meeting Date

Department

Budget Impact Information

Agenda / Expense Description

Amount

Fund

Source

Expense Dept

Account Name or Number

RESOLUTION NO. _____

CITY OF BELLA VISTA, ARKANSAS

AMENDING THE 2026 CITY BUDGET TO APPROPRIATE \$120,000.00 IN DEVELOPMENT IMPACT FEE REVENUE RELATED TO PUBLIC SAFETY BUILDING ADDITIONS

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 \$120,000.00 in development impact fee revenue related to Public Safety Building additions as shown in the attached document, which is incorporated by reference herein.

ADOPTED THIS _____ DAY OF _____, 2026.

APPROVED:

Mayor John D. Flynn

Attest:

City Clerk Wanda Krug