



Bella Vista City Council Regular Meeting Agenda

Date/Time: Monday, August 26, 2024
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 - Jerry Snow

Ward 1, Position 2 - Wendy Hughes

Ward 2, Position 1 - Jim Wozniak

Ward 2, Position 2 - Larry Wilms

Ward 3, Position 1 - Doug Fowler

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. Action on the Minutes

- A. Approval of July 22, 2024 Regular Meeting Minutes

VII. Reports

- A. Monthly Financial Report for June 30, 2024
- B. Streets Department Report - Superintendent Hunt and Assistant Supt. Downing
- C. Fire Station #1 and City Hall Construction - Chief Sims

(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.)

VIII. Unfinished Business

IX. New Business

See meeting packet for complete ordinances and resolutions.

- A. WAIVING THE REQUIREMENT OF FORMAL COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO A CONTRACT FOR STORM DEBRIS DISPOSAL SERVICES IN AN AMOUNT NOT TO EXCEED \$150,000.00 BASED ON BEST PRICE AND AVAILABILITY, AND AMENDING THE 2024 CITY BUDGET

X. Announcements

Next City Council Work Session: 5:30 pm, Monday, September 16, 2024, at Bella Vista Police Training Room

Next City Council Regular Meeting: 6:00 pm, Monday, September 23, 2024, at Bella Vista District Court

Planning Commission Work Session: 4:30 pm Thursday, August 29, 2024, at Bella Vista District Court

Planning Commission Regular Meeting: 4:30 pm, Monday, September 9, 2024, at Bella Vista District Court

Board of Construction Appeals: 3:00 pm, Tuesday, September 10, if necessary, at Fire Station #4 Conference Room, 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.

BELLA VISTA CITY COUNCIL REGULAR MEETING

July 22, 2024 6:00 PM

**Bella Vista District Court
2483 Forest Hills Blvd.**

MINUTES

Call to Order by Mayor John Flynn at 6:00 PM.

Pledge of Allegiance recited.

Roll Call of Council called by Clerk Lepillez Krug. Council Members Jerry Snow, Wendy Hughes, Larry Wilms, James Wozniak, Doug Fowler, Craig Honchell present. Mayor Flynn present.

Citizen Input

Four people signed up to speak. Mayor Flynn explained the 3-minute rule and called the people on the list.

Chris Nelson, 1 Herrington Drive. He came to speak against the proposed ordinance regarding candidates filing campaign contributions prior to the beginning of early voting. He believes filing is best handled through the County Clerk's office.

Amy Darpinian, 6 Lerwick Lane. She came to voice concerns regarding the safety of the temporary Highway 71 route for hikers and bikers. This alternative route installed due to bridge wash-out over Sugar Creek does not feel safe, especially the section by the highway. She would like the City to install concrete barriers by August 14 to protect staff, students, and families who use this route to Cooper Elementary School.

Maribel Childress, 75 Rath Drive. She came to introduce herself to the Mayor and Council members, as the newly appointed principal of Cooper Elementary School. She has 33 years of experience in education, including 27 years in administration. She thanked the City for their wonderful partnership with Cooper Elementary, particularly the Law Enforcement and School Resource Officer, and First Responders and Fire Department. She hopes that Cooper Elementary and the City will be mutually beneficial.

Frosty Merriott, 30 Bosworth Circle. He came to introduce himself as a relatively new resident of Bella Vista. He cited his City government involvement in Colorado, which included three terms as Town Trustee of Carbondale. He served on the Chamber of Commerce Executive Board, and the Planning and Zoning Commission. He worked on issues connected with city growth and development. He cited numerous challenges in

Bella Vista related to current growth, and would like to see flashing signs to warn of speeding and frequent deer crossings.

Council Member Reply

Council Member Hughes thanked each of the four citizens for coming forward to speak and acknowledged each one's concerns. She looks forward to collaborating with Maribel Childress, Principal of Cooper Elementary School this upcoming school year. She welcomed Mr. Merriott to Bella Vista and thanked him for his service to his community.

Council Member Wilms thanked Maribel Childress for coming tonight to introduce herself as the new principal at Cooper Elementary School. He addressed the safety concerns for bikers on the 71 corridor, stating the city has applied for a DOT study grant. Highway 71 is Bella Vista's main commuter travel route and the traffic speed cannot be compromised for the many workers who use it on a daily basis. The study is looking at ways to enhance side lanes for bikers and create a safer, more attractive, central thoroughfare.

Council Member Fowler addressed the Highway 71 traffic safety issues and shares the concern. He welcomed Maribel Childress as the new Cooper Elementary principal, and recognized her as an outstanding educator and administrator in our community. He acknowledged the deer crossing problem, having recently sustained a costly car accident from hitting a deer.

Mayor Flynn thanked everyone for coming to speak tonight.

Action on the Minutes

Council Member Wilms questioned whether the review of city meetings needs to be included in the announcements section of the Minutes, since it takes up one half page of space. City Attorney Kelley stated the Minutes have always included a list of the upcoming meetings, and he feels it is best to leave them as is.

Approval of Minutes - June 2024 Regular Meeting

Council Member Wilms made a motion to approve, seconded by Council Member Hughes. **Roll Call Vote: (Ayes: 5/Nays: 0/Abstain: 1 Fowler) Passed 5-0.**

Reports

Monthly Financial Report - May 2024 Mayor Flynn addressed the May 31, 2024 Financial Report. He noted total Operating Revenue is up 3.8% compared with last year, County Sales Tax is up 2.6%, and City Sales Tax is up 6.8%. The County increase is quite modest, and being monitored for trends. Total Operating Expenses are \$602,000 below budget, and City financials continue to be positive. The City has a healthy reserve balance of cash. Revenues are up, but we have a sharp eye out due to ongoing capital expenditures.

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

Unfinished Business

ORDINANCE: REQUIRING CANDIDATES FOR ELECTION TO ANY MUNICIPAL OFFICE OF THE CITY OF BELLA VISTA, IN ADDITION TO ANY OTHER REQUIREMENT OF STATE LAW, TO FILE CAMPAIGN CONTRIBUTION AND EXPENDITURE REPORTS WITH THE BELLA VISTA CITY CLERK IN SUFFICIENT TIME FOR VOTERS TO MAKE USE OF SUCH INFORMATION PRIOR TO THE BEGINNING OF EARLY VOTING, AND FOR OTHER PURPOSES *3rd reading, tabled from May 2024 Regular Meeting Mayor Flynn read the ordinance for the third and final time. Council Member Fowler reviewed why he proposed this ordinance in February 2024, citing an article in the Weekly Vista by Bennett Horne after city elections in early December 2022. He researched state statutes concerning election campaign fund reporting and consulted with Staff Attorney Kelley. He concluded the time is right to provide disclosure of campaign fund sourcing to residents who participate in early voting. He referenced the stringent compliance required by the Arkansas FOIA (Freedom of Information Act) on behalf of all Arkansas citizens. Some of the Council asked to first seek the opinion of State Attorney General Tim Griffin. Recently, the Attorney General's response came back, stating this proposed ordinance does not conflict with or violate any current Arkansas law concerning campaign finance or ethics. Council Member Hughes asked Attorney Kelley a clarifying question, then explained why she is opposed to this ordinance. She believes it represents government overreach, and doesn't think the city is the right governing body to do it. She thinks there is a lot to learn about candidates, and finances are one piece only.*

Council Member Wozniak thinks residents concerned about a candidate's financial contributions can wait for disclosures, and still vote eight or nine days early. Council Member Snow is opposed to this ordinance. He finds it unnecessary, thinks it duplicates a state document, and would be an unreasonable requirement. Council Member Honchell thanked Council Member Fowler for his research and work on this ordinance. For him, this is a simple matter of transparency. He would be proud to be part of the "first draft" of an ordinance like this in our state. As elections get bigger and more complicated, he believes that whatever can be done to promote transparency is a good idea.

Council Member Fowler addressed each of the comments, and reaffirmed his commitment to transparency for his constituents.

Council Member Wilms addressed the negative reaction of the Arkansas Municipal League, which he does not find unusual, considering our state has over 500 cities and towns. Many have populations under 5,000 and would likely have no issues. He feels Bella Vista is unique in that it has 38,000 lots owned by individuals, but in some cases multiple or many lots are owned by investors. This unique factor could

evolve and become problematic. He supports the ordinance.

*Mayor Flynn thinks elections should be run by the state and county, and not by the city. He asked for a motion and a second to vote. Council Member Honchell made a motion to approve, seconded by Council Member Fowler. **Roll Call Vote: (Ayes: 3 Wilms, Fowler, Honchell/Nays: 3 Snow, Hughes, Wozniak) Mayor Flynn declined to vote. Motion failed 3-3.***

RESOLUTION: EXPRESSING THE OPINION OF THE CITY COUNCIL, A NON-PARTISAN BODY, THAT CITIZENS SHOULD BE HIGHLY VIGILANT REGARDING THE INFLUENCE OF PARTISAN AND SPECIAL INTEREST GROUP CAMPAIGN CONTRIBUTIONS DURING BELLA VISTA NON-PARTISAN MUNICIPAL ELECTIONS *Tabled from May 2024 Regular Meeting Mayor Flynn read the resolution. Council Member Wozniak made a motion to approve, seconded by Council Member Fowler. Council Member Fowler explained the resolution in detail. Council Member Hughes disagreed with the resolution. She is not in favor of highlighting financial contributions when there are dozens of factors for voters to consider. **Roll Call Vote: (Ayes: 4 Wozniak, Wilms, Fowler, Honchell/Nays: 2 Snow, Hughes) Motion passed 4-2.***

New Business

RESOLUTION: AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH LEO M ELLEBRACHT COMPANY OF WENTZVILLE, MISSOURI, PURSUANT TO A SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, IN THE AMOUNT OF \$63,999.34 FOR THE PURCHASE OF TURN-OUT GEAR FOR THE FIRE DEPARTMENT *Mayor Flynn read the resolution. Motion to approve by Council Member Snow, seconded by Council Member Hughes. **Roll Call Vote unanimous to approve: (Yays: 6/Nays: 0) Motion passed 6-0.***

Announcements

Mayor Flynn read through the upcoming meeting schedule.

- City Council Work Session: Monday, August 19, 2024, 5:30 pm at Bella Vista Police Training Room
- City Council Regular Meeting: Monday, August 26, 2024, 6:00 pm at Bella Vista District Court
- Planning Commission Work Session: Thursday, August 1, 2024, 4:30 pm at Bella Vista District Court
- Planning Commission Regular Meeting: Monday, August 12, 2024, following BZA (4:30 pm) at Bella Vista District Court
- Board of Construction Appeals: Tuesday, August 13, if necessary, at Fire Station #4 Conference Rm, 1639 Forest Hills Blvd.

Adjournment

Mayor Flynn adjourned the meeting at 6:56 pm.

City Clerk Wanda Lepillez Krug

Mayor John D. Flynn



BELLA VISTA
A place to call home

Financial Reports for the six - month
period ending June 30, 2024

	General Fund		Street Fund	
	As of June 2024	As of June 2023	As of June 2024	As of June 2023
<u>ASSETS</u>				
Cash and Cash Equivalents	\$ 8,274,248	\$ 10,402,397	\$ 1,374,835.64	\$ 281,806
Accounts Receivable	547,601	1,717,702	17,491	15,556
Other Assets	6,228,526	7,866,360	-	-
Interfund Receivables	838,857	915,693	153,733	-
TOTAL ASSETS	\$ 15,889,232	\$ 20,902,152	\$ 1,546,059	\$ 297,362
<u>LIABILITIES AND FUND BALANCES</u>				
<u>Liabilities</u>				
Accounts Payable	\$ 750,865	\$ 597,017	\$ 21,602	\$ 21,957
Interfund Payables	(0)	489,028	1,117,146	56,054
TOTAL LIABILITIES	\$ 750,865	\$ 1,086,046	\$ 1,138,749	\$ 78,011
<u>Fund Balances</u>				
Restricted	\$ 728,166	\$ 552,331	\$ 407,311	\$ 219,351
Assigned	\$ 161,394	\$ 170,656		
Unassigned	\$ 14,248,807	\$ 19,093,119	\$ -	\$ -
TOTAL FUND BALANCES	\$ 15,138,367	\$ 19,816,106	\$ 407,311	\$ 219,351
TOTAL LIABILITIES AND FUND	\$ 15,889,232	\$ 20,902,152	\$ 1,546,059	\$ 297,362

	GENERAL FUND				STREET FUND			
	Year-To-Date Actual Jan 2024- June 2024	Prior Year-To-Date Actual Jan 2023-June 2023	Year-To-Date Adopted Budget Jan 2024-June 2024	Budget Surplus (Deficit)	Year-To-Date Actual Jan 2024- June 2024	Prior Year-To-Date Actual Jan 2023- June 2023	Year-To-Date Adopted Budget Jan 2024-June 2024	Budget Surplus (Deficit)
REVENUES - Unrestricted/Unassigned								
State Aid	215,103	202,629	225,498	(10,395)	-	-	-	-
Property Tax Revenue	2,002,443	1,974,971	1,784,600	217,843	-	-	-	-
Franchise Fees	1,038,182	1,069,068	1,064,496	(26,314)	-	-	-	-
City Sales Tax	2,031,257	1,903,163	1,935,000	96,257	-	-	-	-
County Sales Tax - General	4,618,137	4,623,398	4,671,000	(52,863)	-	-	-	-
Total Sales Tax Revenue	6,649,393	6,526,561	6,606,000	43,393	-	-	-	-
Fines, forfeitures, and costs	101,685	68,159	67,500	34,185	-	-	-	-
Interest Income	234,832	169,483	97,500	137,332	-	-	-	-
Local permits and fees	436,315	435,440	309,990	126,325	-	-	-	-
Solid Waste Pick Up Fees	148,742	142,316	142,998	5,744	-	-	-	-
Ambulance Fees	589,690	559,400	574,998	14,692	-	-	-	-
Other Income	26,301	54,682	9,900	16,401	-	-	-	-
TOTAL REVENUES - OPERATING	11,442,686	11,202,708	10,883,480	559,206	-	-	-	-
REVENUES - Restricted/Assigned								
County Turnback Revenues - Street					345,611	343,312	290,000	55,611
State Aid	61,270	542,138	-	61,270	1,263,588	1,263,517	1,250,000	13,588
Federal Aid (Grants, etc.)	-	25,144	-	-	-	-	-	-
Impact Fees	-	-	-	-	-	-	-	-
Fines, forfeitures, and costs	11,770	7,180	-	11,770	-	-	-	-
Interest Income - Street Fund					5,690	2,167	-	5,690
Other Income	21,082	16,874	-	21,082	-	-	-	-
TOTAL REVENUES - RESTRICTED/ASSIGNED	94,122	591,336	-	94,122	1,614,888	1,608,996	1,540,000	74,889
TOTAL REVENUES	11,536,808	11,794,044	10,883,480	653,328	1,614,888	1,608,996	1,540,000	74,889

	GENERAL FUND				STREET FUND			
	Year-To-Date Actual Jan 2024- June 2024	Prior Year-To-Date Actual Jan 2023-June 2023	Year-To-Date Adopted Budget Jan 2024-June 2024	Budget Surplus (Deficit)	Year-To-Date Actual Jan 2024- June 2024	Prior Year-To-Date Actual Jan 2023- June 2023	Year-To-Date Adopted Budget Jan 2024-June 2024	Budget Surplus (Deficit)
EXPENDITURES								
OPERATING AND CAPITAL								
General Government:								
Admin (Admin, HR, and IT)	\$ 1,101,667	\$ 1,081,018	\$ 1,202,812	\$ 101,145				
Legal (Legal and Court)	\$ 220,282	\$ 207,353	\$ 234,876	\$ 14,594				
Community Development	\$ 577,854	\$ 873,761	\$ 663,079	\$ 85,225				
Total General Government	\$ 1,899,802	\$ 2,162,132	\$ 2,100,766	\$ 200,964				
Law Enforcement (Police)	3,296,790	2,945,231	3,660,987	364,198				
Streets	-	6,795	-	-	\$ 1,406,252	\$ 1,454,757	\$ 2,104,302	\$ 698,050
Public Safety (Fire and Ambulance)	4,172,516	3,543,756	4,199,551	27,035				
Recreation and Culture (Library)	353,693	328,299	488,053	134,359				
Total Other Government	\$ 7,822,999	\$ 6,824,081	\$ 8,348,591	\$ 525,592	1,406,252	1,454,757	2,104,302	698,050
TOTAL OPERATING Expenditures	\$ 9,722,801	\$ 8,986,213	\$ 10,449,357	\$ 726,557	\$ 1,406,252	\$ 1,454,757	\$ 2,104,302	\$ 698,050
REVENUES OVER/ (UNDER) OPERATING EXPENDITURES	\$ 1,814,007	\$ 2,807,832	\$ 434,123	\$ 1,379,885	\$ 208,636	\$ 154,239	\$ (564,302)	\$ 772,939
Capital Projects								
Impact Fees	221,886	-	\$ 305,599	83,713				
Capital Projects	3,152,072	2,127,488	11,288,199	8,136,127				
Total Capital Projects	\$ 3,373,958	\$ 2,127,488	\$ 11,593,798	\$ 8,219,840				
DEBT SERVICE:								
TOTAL DEBT SERVICE	\$ 140,163	\$ -	\$ 282,000	\$ 141,837				
TOTAL OPERATING, CAPITAL IMPROVEMENT, AND DEBT SERVICE EXPENDITURES	\$ 13,236,922	\$ 11,113,700	\$ 22,325,155	\$ 9,088,233	\$ 1,406,252	\$ 1,454,757	\$ 2,104,302	\$ 698,050
REVENUES OVER/ (UNDER) EXPENDITURES BEFORE OTHER FINANCING SOURCES (USES)	\$ (1,700,114)	\$ 680,344	\$ (11,441,675)	\$ 9,741,561	\$ 208,636	\$ 154,239	\$ (564,302)	\$ 772,939
OTHER FINANCING SOURCES (USES)								
Transfers In (Out)	\$ -	\$ -	\$ (1,130,000)	\$ 1,130,000	\$ -	\$ -	\$ -	\$ -
TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ -	\$ (1,130,000)	\$ 1,130,000	\$ -	\$ -	\$ -	\$ -
NET REVENUES (EXPENDITURES)	\$ (1,700,114)	\$ 680,344	\$ (12,571,675)	\$ 10,871,561	\$ 208,636	\$ 154,239	\$ (564,302)	\$ 772,939

Sales Tax Detail June 2024

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	\$ 351,952	\$ 296,741	\$ 55,211	19%	322,500	\$ 29,452
Feb	297,433	319,283	\$ (21,850)	-7%	322,500	\$ (25,067)
March	314,857	297,901	\$ 16,957	6%	322,500	\$ (7,643)
Apr	373,691	340,689	\$ 33,002	10%	322,500	\$ 51,191
May	342,843	319,041	\$ 23,802	7%	322,500	\$ 20,343
June	350,480	329,508	\$ 20,972	6%	322,500	\$ 27,980
YTD	\$ 2,031,257	\$ 1,903,163	\$ 128,094	7%	\$ 1,935,000	\$ 96,257

County Sales Tax

	CY Actual	PY Actual	Increase (Decrease) from Prior Yr	Increase (Decrease) as % from prior yr	2023 Budget	Budget Surplus (Deficit)
Jan	\$ 863,615	\$ 791,915	\$ 71,701	8%	\$ 778,500	\$ 85,115
Feb	747,469	707,562	\$ 39,908	5%	\$ 778,500	\$ (31,031)
March	699,579	670,133	\$ 29,446	4%	\$ 778,500	\$ (78,921)
Apr	799,846	799,962	\$ (115)	0%	\$ 778,500	\$ 21,346
May	727,271	769,715	\$ (42,444)	-6%	\$ 778,500	\$ (51,229)
June	780,356	884,112	\$ (103,756)	-13%	\$ 778,500	\$ 1,856
YTD	\$ 4,618,137	\$ 4,623,398	\$ (5,261)	0%	\$ 4,671,000	\$ (52,863)

Total	\$ 6,649,393	\$ 6,526,561	\$ 122,833	2%	\$ 6,606,000	\$ 43,393
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Note:

For the October Financials Statement, the October Sales Tax relates to August sales.

Note: Per review of the Sales Tax numbers posted by ARML,
Sales tax is down for Cities and Counties over last year

City	-1.20% June
County	-1.93% June

Misc Additional Information June 2024

2024 Non-budgeted Requests

Estimated Unassigned Funds Available after Capital Requests	1,059,678
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Date Appr	Dept	Description	Type	Inflows	Expenses	Resolution
5.2024	PD	New Officer Auto	Operating		65,000	R2024-39
5.2024	PD	2 New Officers	Operating		76,000	R2024-38
5.2024	LG	STR Settlement	Operating		11,000	R2024-43
Total Non-Budgeted				-	152,000	
Net Non-Budgeted Requests					<u>\$ (152,000)</u>	
Adjusted Estimated Unassigned Funds Available after Capital Requests					<u>907,678.00</u>	

Impact Fee Revenue

Impact Fees	Current Year 44610 - SF Res	Prior Year 44610 - SF Res	Change	Other Impact Fees
PY Years		740,674		
1-Jan	66,294	42,291	24,003	
2-Feb	46,863	48,625	(1,762)	
3-Mar	54,530	41,148	13,382	11,838
4-Apr	49,149	44,577	4,572	
5-May	27,432	50,292	(22,860)	
Total YTD	<u>288,845</u>	<u>279,511</u>	<u>9,334</u>	<u>11,838</u>
2023 Total Revenue		<u>582,406</u>		
Total Impact fees		<u>1,611,925</u>		<u>11,838</u>

Impact Fee Use

Source	Police	Fire	Library	Total	Resolution #
SFR	425,548	1,110,616	75,760	1,611,925	
Other	8,170	3,131	536	11,838	
Prior Year Expenditures	(53,578)	(905,689)	-	(959,267)	
Current Year Expenditures	(289,000)	(3,123)	(16,599)	(305,599)	R2023-59 R2024-33
Funds Available	<u>91,140</u>	<u>204,935</u>	<u>59,698</u>	<u>355,773</u>	



MEETING DATE	PREPARED BY	LEGISLATIVE TITLE
August 26, 2024	Karen Hunt, Street Superintendent	WAIVING THE REQUIREMENT OF FORMAL COMPETETIVE BIDDING AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO A CONTRACT FOR STORM DEBRIS DISPOSAL SERVICES IN AN AMOUNT NOT TO EXCEED \$150,000.00 BASED ON BEST PRICE AND AVAILABILITY, AND AMENDING THE 2024 CITY BUDGET

AGENDA ITEM # IX.A

WAIVING THE REQUIREMENT OF FORMAL COMPETETIVE BIDDING AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO A CONTRACT FOR STORM DEBRIS DISPOSAL SERVICES IN AN AMOUNT NOT TO EXCEED \$150,000.00 BASED ON BEST PRICE AND AVAILABILITY, AND AMENDING THE 2024 CITY BUDGET

BACKGROUND

A thunderstorm which occurred the evening of August 16, 2024, caused extensive damage and downed trees, particularly on the west side of the city.

RECOMMENDATION

Move item to third and final reading

FISCAL IMPACT

Budget Amendment of \$150,000.00 from Unassigned Funds General Account

ATTACHMENTS

1. Budget Adj Form 2024.08.26
2. Ordinance Debris 2024

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

ORDINANCE NO. _____

CITY OF BELLA VISTA, ARKANSAS

**WAIVING THE REQUIREMENT OF FORMAL COMPETITIVE BIDDING AND
AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A
CONTRACT FOR STORM DEBRIS DISPOSAL SERVICES IN AN AMOUNT NOT
TO EXCEED \$150,000.00 BASED ON BEST PRICE AND AVAILABILITY, AND
AMENDING THE 2024 CITY BUDGET**

WHEREAS, a thunderstorm which occurred the evening of August 16, 2024, caused extensive damage and downed trees, particularly on the west side of the city; and

WHEREAS, formal competitive bidding of debris disposal services is not feasible or practical due to a lack of potential bidders, the restricted availability of such service providers, and the immediate need of debris cleanup; and

WHEREAS, it is anticipated that more than \$35,000.00 will be required to obtain such services; and

WHEREAS, to fund a contract, an amendment to the 2024 City budget is necessary;

**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 the Mayor and City Clerk to enter into a contract for storm debris disposal services in an amount not to exceed \$150,000.00 based on best price and availability.

SECTION 2: The 2024 City Budget is hereby amended by appropriating \$150,000.00 in otherwise unassigned and unappropriated general reserve funds to fund the contract authorized herein.

ADOPTED THIS _____ DAY OF _____, 2024.

APPROVED:

MAYOR JOHN D. FLYNN

ATTEST:

WANDA KRUG
CITY CLERK

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