

MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, November 28, 2006 at 7:30 p.m. The meeting was called to order by Mayor Steve Womack. The Invocation was given by Councilman Barney Hayes. Those in attendance were led in Pledge of Allegiance.

PUBLIC FORUM:

Mayor Womack presented a certificate of appreciation to Michael (Mick) Smith for twenty-five years of service with the Rogers Fire Department.

Eric Haussermann, 206 Franklin Avenue, Lowell, stated the annexation on the agenda is not the people of Lowell's fault.

Haussermann said this particular section was removed from the annexation that Lowell was contemplating at the time and that was due to the Lowell's mayor action.

Haussermann asked to council to consider that this which would create a "claw tooth" on the north boundary of Lowell.

Councilman Buddy Wright introduced Tom Galyon, the new Executive Director of the Rogers Convention & Visitor Bureau who has replaced Beth Stephens.

Galyon said he is the "new kid on the block" for the Rogers Convention & Visitor Bureau, but has been in the tourism industry for the past 20 years and excited to be in Rogers.

The Public Forum was declared closed.

COUNCIL MEMBERS PRESENT:

Councilmen Jack McHaney, Bob Goodwin, Mark Kruger, Barney Hayes, Greg Hines, Larry Daniel, Buddy Wright and Jim Clark were present.

OTHER OFFICIALS PRESENT:

City Clerk Peggy David, City Attorney Ben Lipscomb, Police Chief Steve Helms, Fire Chief Wesley Lewis, Water Utilities Superintendent Tom McAlister, Senior Planner Derrel Smith, Director of Planning and Transportation Steve Glass, Treasurer Jerry Hudlow, Director of Code Management and Inspections James Willett, Water Utilities Engineer Mark Johnson, Assistant to the Mayor Wendy Shumate, Human Resource Director Gina Kincy, Street Superintendent Frankie Gyll, Main Street Director Marge Wolf, Police Capt. James Baker and Airport Manager David Krutsch.

ACTION ON MINUTES:

November 14, 2006

Motion by Hines, second by Kruger to approve the minutes of November 14, 2006 as submitted.

Voice vote: Unanimous. ***Motion carried.***

Motion by Hines, second by Kruger to suspend the rules and consider all items except for item #1 under Old Business on a single reading and by title only.

Roll call: Unanimous. ***Motion carried.***

REPORTS OF BOARDS AND STANDING COMMITTEES:

(Agenda Item #1)

ORD. #06-191 Appropriating \$81,771 from General Fund Reserves to Payroll Acct. #100-10150

Motion by McHaney, second by Hines to suspend the rules and consider items #1, #2 & #3 together.

Roll call: Unanimous. ***Motion carried.***

(Agenda Item #2)

ORD. #06-192 Appropriating \$5,745 from Street Fund Reserves to Payroll Acct. #200-10250

Lipscomb read the ordinances by title only.

McHaney, chairman of the Finance Committee, reported the committee had met and recommended approval a “Do pass” for Christmas bonuses for city employees.

(Agenda Item #3)

ORD. #06-193 Appropriating \$722 from Airport Fund Reserves to Payroll Acct #315-10350

McHaney recognized Treasurer Jerry Hudlow.

Hudlow reported these appropriations are for Christmas Bonuses for city employees. Full-time employees will receive \$200 each, and part-time employees will receive \$100 each, which is the same amount as in 2005.

The Mayor asked, “Shall the ordinances pass?”
Roll call: Unanimous. ***The ordinances are adopted.***

The Mayor asked, “Shall the emergency clauses pass?”
Roll call: Unanimous. ***The emergency clauses are adopted.***

(Agenda Item #4)

RES. #R06-45 Authorizing a Contract with Mobile Vision Inc, of Boonton, N.J. for Purchase of In-Car Video for the Police Department

The resolution was introduced by Councilman Goodwin and read by Lipscomb by title only.

Goodwin, chairman of the Public Safety Committee, reported the committee had met and recommended a “Do pass” and recognized Police Chief Steve Helms.

Helms explained this is a mobile digital video system that will be installed in vehicles with a backbone system that will backup the video to be archived on a DVD after either 60 or 90 days depending on the number of vehicles that have the equipment. This system will allow the video to be reviewed at a desktop, has a pre-event option, a manual activation system, and an automatic activation if the blue lights are activated or if the car accelerates to a certain speed to record a pursuit or is involved in a collision.

Motion by Hines, second by Kruger to adopt the resolution.
Voice vote: Unanimous. ***The resolution is adopted.***

Mayor Womack announced at the Public Safety Committee meeting he had asked Capt. Baker and Chief Helms to bring back numbers for installation of the in-car video for all of the police vehicles.

(Agenda Item #5)

RES. #R06-46 Condemning a Structure Located at 1603 W. Walnut and Declaring the same to be a Nuisance

Councilman Hines introduced the resolution
Lipscomb read the resolution by title only.

Hines reported the Community Environment & Welfare Committee had met and recommended a “Do pass” and recognized Director of Code Management and Inspections James Willett.

Willett explained the former nursing home building is owned by a company in Texas that he has been in contact with, but no action has been taken to secure the building or take the building down.

Willett said there were 96 broken windows and evidence of transient and criminal activity in the building.

Motion by Hines, second by Daniel to adopt the resolution.

Voice vote: Unanimous. ***The resolution is adopted***

(Agenda Item #6)

ORD. #06-194 Amending 2006 Fiscal Year Budget of Rogers Airport Increasing Federal Grant Revenues; Appropriating \$41,376.44 from Airport Reserve to Acct. #315-15-81122

Councilman Kruger introduced the ordinance, read by Lipscomb by title only.

Kruger chairman of the Transportation Committee had met and recommended a ‘Do pass’ and recognized Airport Manager David Krutsch.

Krutsch reported this ordinance will reconcile the 2006 budget with the 2005 federally funded Taxiway project.

The Mayor asked, “Shall the ordinance pass?”
Roll call: Unanimous. ***The ordinance is adopted***

The Mayor asked, “Shall the emergency clause pass?”
Roll call: Unanimous. ***The emergency clause is adopted***

OLD BUSINESS:

(Agenda Item #1)

ORD #06-___ Amending Section 118-184 of Rogers City Code and Establishing a new Sewer Rate Schedule

Lipscomb read the ordinance by title only.

No other action was taken.

This item will be on the next council agenda for the third and final reading.

Clark announced the Public Hearing for the Sewer Rate Schedule has been set for December 12th at 7:30 p.m.

NEW BUSINESS:

(Agenda Item #1)

ORD. #06-195 Accepting the Final Plat of Sandalwood II Subdivision

The ordinance was introduced by Kruger and read by Lipscomb by title only.

Jason Ingalls, of Northstar Engineering, presented the final plat.

The Mayor asked, “Shall the ordinance pass?”
Roll call: Unanimous. ***The ordinance is adopted.***

The Mayor asked, “Shall the emergency clause pass?”
Roll call: Unanimous. ***The emergency clause is adopted.***

(Agenda Item #2)

ORD. #06-196 Annex and Zone as RSF, 13.56 Acres on the South side of Pleasant Grove Road, 272, 344 & 416 W. Pleasant Grove Road (Joyce Anderson & John and Anna Meldrum)

The ordinance was introduced by Councilman Kruger, and read by Lipscomb by title only.

Pat Moran, of Slinkard Law Firm, presented the annexation and zoning request.

Moran said all of the statutory requirements have been met for this annexation and the Planning Commission has unanimously recommended approval.

City Attorney Ben Lipscomb explained this annexation is not in violation of the ACT 779 lawsuit settlement with Lowell. This annexation is not an ACT 779 annexation and the petitioner has followed all of the requirements and this area is within the Rogers water service area.

The Mayor asked, “Shall the ordinance pass?”
Roll call: Unanimous. ***The ordinance is adopted.***

The Mayor asked, “Shall the emergency clause pass?”
Roll call: Unanimous. ***The emergency clause is adopted.***

(Agenda Item #3)

ORD. #06-197 Rezone from A-1 to R-O, 6340 Stoney Brook Road (Karen & Ahmad Taymore)

The ordinance was introduced by Kruger and read by Lipscomb by title only.

Karen Taymore, owner, presented the rezoning request.

The Mayor asked, “Shall the ordinance pass?”
Roll call: Unanimous. ***The ordinance is adopted.***

The Mayor asked, “Shall the emergency clause pass?”
Roll call: Unanimous. ***The emergency clause is adopted.***

(Agenda Item #4)

ORD. #06-198 Rezone from A-1 to C-2, .87 Acres on the Northeast side of Ridout Lumber, South of the Railroad Right-of-Way (Wayne & Robbie Ridout)

The ordinance was introduced by Kruger and read by Lipscomb by title only.

Tony Noblin, of Watkin Law Firm, presented the rezoning request.

The Mayor asked, “Shall the ordinance pass?”
Roll call: Unanimous. ***The ordinance is adopted.***

The Mayor asked, “Shall the emergency clause pass?”

Roll call: Unanimous. ***The emergency clause is adopted***

ANNOUNCEMENTS:

Mayor Womack announced the Annual Christmas Parade will be held on Monday, December 4th at 7:00 p.m. in downtown Rogers.

Womack also announced a retirement reception will be held for Councilman Jack McHaney on Thursday, November 30th from 5:30 p.m. to 7:30 p.m. in the Lobby of the Rogers City Hall. McHaney will be retiring from the council at the end of the year after serving 26 years.

There being no further business, motion by Kruger, second by Wright to adjourn the meeting. Meeting adjourned at 8:00 p.m.

ATTEST:

Peggy David, City Clerk

APPROVED:

Steve Womack, Mayor