

## MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, November 24, 2009 at 7:30 p.m. The meeting was called to order by Mayor Steve Womack. The Invocation was given by Rev. Gordon Besel, of Holy Trinity Lutheran Church. Those in attendance were led in the Pledge of Allegiance.

### **PUBLIC FORUM:**

Fire Chief Tom Jenkins, presented the *Frank Jacobs Citizen's Award for Heroism* to citizens Chris Thomas and Shannon Kultgen who heroically helped in the rescue of Mary Erwin on October 13, 2009.

Erwin, who was trapped in her car as fire and electric lines were life threatening, expressed thanks to everyone for what they did to help in her rescue.

Troy Edmund, 3708 Lehman Court, requested the council delay action on the proposed Master Trail plan that would directly affect the Rural Oaks Subdivision.

Edmund said another possible route is being explored and the residents of Rural Oaks Subdivision feel that this other route would be a safer alternative for the residents.

Director of Planning and Transportation Steve Glass confirmed that another route is being reviewed and working with that property owner in hopes that the Master Trail can be amended using the new route.

The Public Forum was declared closed.

### **COUNCIL MEMBERS PRESENT:**

Bob Goodwin, Mark Kruger, Barney Hayes, Greg Hines, Larry Daniel, Buddy Wright, Betsy Reithemeyer and Gary Townzen were present.

### **OTHER OFFICIALS PRESENT:**

City Clerk Peggy David, Deputy City Attorney Jim Clark, Water Utilities Superintendent Tom McAlister, Engineer Mark Johnson, Planning & Transportation Director Steve Glass, Parks Superintendent Stan Weaver, Director of Code Management & Inspection James Willett, Police

Chief Steve Hamilton, Fire Chief Tom Jenkins,  
Project Engineer Lance Jobe, Treasurer Jerry

Hudlow and Water Utilities Engineer Earl Rausch.

**ACTION ON MINUTES:**

November 10, 2009

Motion by Hines, second Wright to approve the minutes of November 10, 2009 as submitted.  
Voice vote: Unanimous - Yes. ***Motion carried.***

Motion by Hines, second by Daniel to suspend the rules and consider all items on a single reading and by title only.  
Roll call: Unanimous - Yes. ***Motion carried.***

**REPORTS OF BOARDS AND STANDING COMMITTEES:**

(Agenda Item #1)

**RES. #R09-38** Authorizing a Contract with Tomlinson Asphalt, Company, Inc. of Fayetteville, AR; Accepting the Low Bid

The resolution was introduced by Council member Greg Hines and read by Deputy City Attorney Jim Clark.

Hines reported the Transportation Committee had met and recommended a “Do pass”.

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

**OLD BUSINESS:**

(Agenda Item #1)

**ORD. #09-\_\_** Adopting the Master Trail Route for the City of Rogers (Final reading)

Mayor Womack announced this ordinance was read at the last meeting and this would be the final vote on the ordinance.

Council member Hines reported the Transportation Committee had met and recommended that this ordinance be defeated so that the Master Trail route could be amended per the request from the residents of Rural Oaks Subdivision.

The Mayor asked, “Shall the ordinance pass?”  
Roll call: Unanimous – No. ***The Ordinance is defeated.***  
(Agenda Item #2)

**ORD. #09-** Restricting the Use of Cellular Phones and Other Communications Devices in Designated School Zone (Final reading)

Mayor Womack announced this ordinance was also read at the last meeting and this would be the final vote on the ordinance or a motion to amend would be appropriate.

Motion by Wright, second by Reithemeyer to amend the ordinance to include the provision “not to apply to parked vehicles” and “school bus drivers are exempted from this provision”. Roll call: Unanimous – Yes. ***Motion carried.***

**ORD. #09-93** Restricting the Use of Cellular Phones and Other Communications Devices in Designated School Zone

Motion by Hayes, second by Wright to introduce the amended ordinance, suspend the rules and to consider on a single reading by title only.

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

Clark read the amended ordinance by title only.

Council member Betsy Reithemeyer, chair of the Policy and Resource Committee, reported the committee had met and recommended a “Do pass” on the amended ordinance.

The Mayor asked, “Shall the ordinance pass?”

Roll call: Unanimous - Yes. ***The ordinance is adopted.***

Mayor Womack announced the ordinance does not include an emergency clause so the ordinance will go into effect in 30 days.

**NEW BUSINESS:**

**ANNOUNCEMENTS:**

Council member Hayes reported that customarily the second City Council meeting in December is cancelled due to the holidays, and if something comes up, a special meeting could always be called.

**December 22, 2009 City Council meeting canceled.**

Motion by Hayes, second by Daniel to cancel the December 22<sup>nd</sup> meeting.

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

Mayor Womack announced the annual Christmas Parade will be held on December 7, 2009 at 7:00 p.m. in Downtown Rogers and wished everyone a Happy Thanksgiving.

There being no further business, motion by Hayes second by Wright to adjourn the meeting. Meeting adjourned at 7:48 p.m.

**ATTEST:**

**APPROVED:**

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Peggy David, City Clerk

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Steve Womack, Mayor