

MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, December 13, 2011 at 7:30 p.m. The meeting was called to order by Mayor Greg Hines. The Invocation was given by Rev. David Bentley of First United Methodist Church. Those in attendance were led in the Pledge of Allegiance.

PUBLIC FORUM:

JoAnne Hoffmann, 912 S. 14th Place, stated this has been a successful year for the council and thanked them for their service, and wished everyone a wonderful holiday season.

The Public Forum was declared closed.

COUNCIL MEMBERS PRESENT:

Bob Goodwin, Mark Kruger, Larry Daniel Buddy Wright, Betsy Reithemeyer, Gary Townzen, Marge Wolf, and Dan Brown were present.

OTHER OFFICIALS PRESENT:

City Clerk Peggy David, City Attorney Ben Lipscomb, Street Superintendent Frankie Guyll, Senior Planner Derrel Smith, Director of Planning & Transportation Steve Glass, Treasurer Jerry Hudlow, Police Chief James Allen, Director of Parks Barney Hayes, Water Utilities Engineer Mark Johnson, Main Street Director Kerry Jensen, Parks Superintendent Stan Weaver, Facilities Manager David Hook, Recycling Supervisor Jerrold Haley and Administrative Assistant to the Mayor Lynn Keith.

ACTION ON MINUTES:

November 22, 2011

Motion by Wright, second by Reithemeyer to approve the minutes of November 22, 2011 as submitted.

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

Motions by Kruger, second by Daniel to suspend the rules and consider each item on a single reading, by title only and noting that agenda item #1 has been withdrawn.

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

**REPORTS OF BOARDS AND
STANDING COMMITTEES:**

(Agenda Item #1)

RES. #R11- Authorizing an Agreement Modifying the Water Service Boundary Between the Cities of Lowell, Springdale and Rogers, AR

This item was withdrawn by the applicant.

(Agenda Item #2)

ORD. #11-126 Appropriating \$15,000 from Recycling Fund Reserves to the following Recycling Accounts: \$1,727 to Acct. #368-68-70155, \$6,311 to Acct. #368-68-70160 and \$6,962 to Acct. #368-68-70165

The ordinance was introduced by Council member Daniel and read by title only by City Attorney Ben Lipscomb.

Daniel, chair of the Finance Committee, reported the committee had met, recommended a “Do pass” and recognized Recycling Supervisor Jerrold Haley.

Haley reported that when the Recycling Center moved into the new location it was unknown as to how much it would take to operate the recycling center for maintenance on equipment. The first year all of the equipment was under warranty. Now in the second year of operation the maintenance costs are realized. This appropriation shows the additional cost for maintenance of the recycling equipment.

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

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

(Agenda Item #3)

ORD. #11-127 Amending the 2011 Fire Dept. Budget Miscellaneous Acct. in the Amount of \$13,964 and Appropriating \$19,948 to Acct. #100-04-70155

The ordinances were introduced by Daniel and read by title only by Lipscomb.

Daniel reported the Finance Committee had met and recommended a “Do pass” for this appropriation to replace the roof on Fire Station

#4. \$19, 948 is the total amount for replacement, the \$13,964 has been received from the insurance and the remainder insurance payment will be received when the job is complete.

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

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

(Agenda Item #4)

ORD. #11-128 Appropriating \$3,150 from General Fund Reserves to Acct. #100-18-60105

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

Daniel reported the Finance Committee had met, recommended a “Do pass” to reimburse for vacation time paid to a retiring employee and hiring of new employee.

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

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

(Agenda Item #5)

ORD. #11-129 Appropriating \$143,600 from General Fund Reserves to Police Dept. Acct. #100-03-70167 (\$104,800) and #100-03-70730 (\$38,800)

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

Daniel reported the Finance Committee had met, recommended a “Do pass” and recognized Police Chief James Allen.

Allen reported this appropriation is to reimburse for fuel for the year and additional cost associated with serving warrants.

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

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

(Agenda Item #6)

ORD. #11-130 Authorizing the Adopting of the Post-Issuance Compliance Policy Manual for the City of Rogers

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

Daniel reported the Finance Committee had met, recommended a “Do pass” and recognized Treasurer Jerry Hudlow.

Hudlow reported that with the passage of the 2011 Bond Issue, Bond Counselor Shep Russell has recommended that the city adopt a Post-Issuance Compliance Policy Manual in order to reduce the risk of an IRS audit.

Hudlow said the city was already doing everything in the manual except having an annual meeting with the Mayor, Treasurer, Planning Director and Chair of the Finance Committee to review the bond funds.

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

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

(Agenda Item #7)

ORD. #11-131 Adopting the 2012 Budget for the City of Rogers

The ordinance was introduced by Daniel, read by title only by Lipscomb.

Daniel reported the Finance Committee had met, recommended a “Do pass” and recognized Treasurer Jerry Hudlow.

Hudlow reported the 2012 Budget has been reviewed extensively. The 2012 revenues are projected at 2.6% increase; expenditures are projected at 2.5% increase with an overall surplus of \$237,000.

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

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

(Agenda Item #8)

ORD. #11-132 Appropriating \$10,200 from General Fund Reserves to Acct. #100-01-70995

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

Daniel reported the Finance Committee had met, recommended a “Do pass” and recognized Hudlow.

Hudlow reported that Main Street Rogers had applied for and received this State of Arkansas grant for historic preservation. The grant must pass through the city for Main Street to use.

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

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

(Agenda Item #9)

ORD. #11-133 Authorizing a Cost Sharing Agreement with the City of Lowell, AR and Rogers Public Schools for the Construction of a Road near the new Mt. Hebron Elementary School

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

Kruger, chair of the Transportation Committee, reported the committee had met, recommended

a “Do pass” and recognized Director of Planning and Transportation Steve Glass.

Glass reported this agreement was reached through negotiation between the City of Rogers, City of Lowell and Rogers School System for the road to be built for the new school on Mt. Hebron Road. The City of Rogers will pay for the portion north of the school. The School District will pay for the portion in front of the school and the City of Lowell will pay for the portion south of the school. When the project is bid out each entity will pay their prorated share.

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

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

(Agenda Item #10)

ORD. #11-134 Authorizing a Contract with Cruse Uniforms and Equipment; Appropriating \$124,000 from ICE Forfeitures Acct. #100-04-44312 into Acct. #100-03-70215; Waiving Competitive Bidding

The ordinance was introduced by Council Member Goodwin and read by title only by Lipscomb.

Goodwin, chair of the Public Safety Committee, reported the committee had met, recommended a “Do pass” and recognized Police Chief James Allen.

Allen reported this appropriation will use ICE money to begin a rifle program in each car for officers ranked Corporal and below. The rifle is a medium-range weapon to be used to take down a threat quickly and decisively.

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

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

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

(Agenda Item #11)

RES. #R11-51 Authorizing an Amendment to the Original Contract for the Aquatics Center with Flintco, LLC

The resolution was introduced by Wright and read by title only by Lipscomb.

Wright, chair of the Community Services Committee, reported the committee had met, recommended a “Do pass” and recognized Facilities Manager David Hook.

Hook reported that bids were received for the site work and site utilities with two low bidders, ARCO for the site work and NEC for the site utility work.

Motion by Wright, second by Kruger to adopt the resolution.

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

OLD BUSINESS:

None.

NEW BUSINESS:

(Agenda Item #1)

ORD. #11-135 Rezone from R-DP to I-1, 208 E. North Street, 1005 & 1009 N. Arkansas (Refugio Torres)

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

Refugio Torres, owner, requested the rezoning.

The Mayor asked, “Shall the ordinance pass?”

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

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

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

APPOINTMENTS:

Mayor Hines recommended the reappointment of Joe Murfin and David Faulkner to the Advertising and Promotion Commission, terms to expire December 31, 2015.

Approves the reappointment of *Joe Murfin* and *David Faulkner* to the **Advertising and Promotion Commission**, terms to expire 12/31/2015

Motion by Kruger, second by Daniel to approve the reappointment of Joe Murfin and David Faulkner as recommended.
Voice vote: Unanimous. ***Motion carried.***

Hines recommended the reappointment of Caroline Smith to the Rogers Library Board of Trustees.

Approves the reappointment of *Caroline Smith* to the **Library Board of Trustees**, term to expire 12/31/2015.

Motion by Wright, second by Daniel to approve the reappointment of Caroline Smith to the Library Board of Trustees
Voice vote: Unanimous. ***Motion carried.***

Hines recommended the reappointment of Jerry Hiatt and Robert Cowan to the Museum Commission, terms to expire 12/31/2014.

Approves the reappointment of *Jerry Hiatt* and *Robert Cowan* to the **Museum Commission**, terms to expire 12/31/2014.

Motion by Wright, second by Kruger to approve the reappointments of Jerry Hiatt and Robert Cowan to the Museum Commission as recommended.
Voice vote: Unanimous. ***Motion carried.***

Council member Kruger, on behalf of the City Council and City of Rogers, wished everyone a Merry Christmas and Happy New Year.

There being no further business, motion by Kruger, second by Daniel to adjourn the meeting. Meeting adjourned at 7:52 p.m.

ATTEST:

APPROVED:

Peggy David, City Clerk

C. Greg Hines, Mayor