

MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, March 23, 2010 at 7:30 p.m. The meeting was called to order by Mayor Steve Womack. The Invocation was given by Monte Mills of New Hope Assembly of God Church. Those in attendance were led in the Pledge of Allegiance.

PUBLIC FORUM:

Angela Hill, 3404 W. Chestnut, spoke in regard to feral cats in her neighborhood.

Hill said in the past she had contacted City Code Department and was told to contact the Animal Control who told her that there wasn't anything they could do about cats because there was no leash law for them.

Hill said she had previously obtained a trap from Animal Control and trapped some cats, but there are now more cats and she fears that the cat population will only increase.

Hill said vehicles in the neighborhood have been scratched because of the cats jumping on them; window and door screens damaged and she cannot plant anything in her garden because of the cat urine and feces.

Mayor Womack advised Hill to contact Animal Control again and if she needed further assistance to contact his assistant Janet Foster.

Joanne Hoffman, 912 S. 14th Place, said she also had experienced problems with feral cats and it is a shame that there is a charge of \$25.00 to surrender an animal at the animal shelter. The Bella Vista Animal Shelter does not charge if an animal is surrendered.

There were no other comments from anyone in the audience.

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, Water Utilities Engineers Mark Johnson and Earl Rausch, Planning & Transportation Director Steve Glass, Parks Superintendent Stan Weaver, Police Capt. George Riggs, Fire Chief Tom Jenkins, Deputy Fire Chief Jake Rhoades, Project Engineer Lance Jobe, Airport Manager David Krutsch, Main Street Director Kerry Jensen, Emergency Management Director Marshal Watson and Assistant to the Mayor Janet Foster.

ACTION ON MINUTES:

March 9, 2010

Motion by Reithemeyer, second Wright to approve the minutes of March 9, 2010 as submitted.

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

Motion by Hines, second by Wright 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. #R10-16 Authorizing a Contract with Cook & Associates Land Services, LLC of Carbondale, CO for Land Acquisition Services for the Perry Road Project

The resolution were introduced by Council member Kruger and read by title only by Deputy City Attorney Jim Clark.

Kruger, chair of the Transportation Committee, reported the committee had met, heard a report from Project Engineer Lance Jobe and recommended a “Do pass”.

Jobe reported this contract in the amount of \$28,000 will allow for the property easement and right-of-way acquisition along Perry Road for half of the project from Bellview to 26th Street.

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

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

(Agenda Item #2)

RES. #R10-17 Authorizing a Contract with Garver, LLC of Fayetteville, AR for the Design Phase and Planning Services Pursuant to Apron Construction, Signage Plan Updates and Airport Layout Plan Updates at the Rogers Municipal Airport

The resolution were introduced by Council member Kruger and read by title only by Clark.

Kruger, chair of the Transportation Committee, reported the committee had met, heard a report Airport Manager David Krutsch and recommended a “Do pass”.

Krutsch reported this contract is for design only of the Apron project. A portion of the FAA funding has been received and the remainder of the funding is expected to be received later.

The next item is the funding for the design work and will be reimbursed by the FAA by 95%.

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

Voice vote: 7 – Yes; Kruger – Abstains. ***The resolution is adopted***

(Agenda Item #3)

ORD. #10-34 Amending the 2010 Fiscal Year Budget of the City of Rogers Airport, Increasing Federal Grant Revenue Acct. #315-15-48050; Establishing a new Airport Project Expense Acct. #315-15-81128; Appropriating \$105,600 from Airport Reserves into Acct. #315-15-81128

The ordinance was introduced by Council member Kruger and read by title only by Clark.

Kruger reported the committee had met, heard a report Airport Manager David Krutsch and recommended a “Do pass”.

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 #4)

RES. #R10-18 Authorizing a Cost Sharing Agreement with Rogers Water Utilities for the Street Overlay Project of Seventh and Poplar Streets

The resolution were introduced by Council member Hines and read by title only by Clark.

Kruger reported the Transportation Committee had met, heard a report from Director of Planning & Transportation Steve Glass.

Glass reported the sewer line was replaced by Rogers Water Utilities along Poplar Street from Seventh Street to the area west on Poplar behind the old Wal-Mart entrance. The overlay for the entire width of the street of this area will be a cost sharing project with RWU paying one-half and the city paying one-half of the cost.

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

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

(Agenda Item #5)

ORD. #10-35 Appropriating \$31,910 from Court Automation Reserves to District Court Acct. 100-12-70251

The ordinance was introduced by Hayes and read by title only by Clark.

Hayes, chair of the Finance Committee, reported the committee had met, recommended a “Do pass” and recognized District Judge Brad Karren.

Karren said this appropriation will pay for computers and software to allow for the court to collect a \$20.00 jail fine and allow the court to work more efficiently.

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***

OLD BUSINESS:

None.

NEW BUSINESS:

ORD. #10-36 Accepting Annexation of Certain Territory Contiguous to the City of Rogers (Clint & Theresa Bowles)

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

Mark Drake, attorney for the petitioners Clint and Theresa Bowles, presented the annexation request.

Drake said there was no opposition to the petition from the Benton County court.

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 #2)

ORD. #10-37 Rezoning from W-O and A-1 to R-O and I-1, 3301 and 3305 N. 2nd (Nabholz)

The ordinance was introduced by Kruger and read by title only by Clark

Daniel Ellis, of Crafton, Tull, Sparks and Associates, presented the rezoning request.

Ellis said a neighborhood meeting was held with the neighborhood to the north where an agreement was reached which would include that a double row of evergreen trees will be planted and a privacy fence will be built by Nabholz.

Council member Daniels reported he had attended the neighborhood meeting and

commended Nabholz for listening to the residents comments.

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.***

ANNOUNCEMENTS:

Womack announced the Mayor’s Easter Egg Hunt will be held on Saturday, April 3, 2010 on the lawn of Church at Pinnacle Hills beginning at 11:00 a.m.

There being no further business, motion by Kruger second by Wright to adjourn the meeting. Meeting adjourned at 8:07 p.m.

ATTEST:

APPROVED:

Peggy David, City Clerk

Steve Womack, Mayor