

## MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, July 13, 2010 at 7:30 p.m. The meeting was called to order by Mayor Steve Womack. The Invocation was given by Rev. Jim Keith of Central United Methodist Church. Those in attendance were led in the Pledge of Allegiance.

### **PUBLIC FORUM:**

Joe Murfin and Susan Johnson of Daisy Manufacturing recognized Johnny Williams from the Rogers High School, for his assistance, working above and beyond the call of duty during the Daisy National B-B Gun Championship Match which was held in Rogers last week.

Murfin said when the idea of moving this competition from Kentucky to Rogers began it involved everyone from the Chamber of Commerce, City of Rogers, Rogers School District, and to the Rogers Convention & Visitors Bureau. Murfin expressed appreciation to everyone for their support and help throughout this event.

Murfin said the event was attended by 1200 competitors, coaches and parents from 18 states.

Susan Johnston stated there were some many people to thank that she had two pages of names and an ad will be published in the newspaper listing their names and thanking them for their help. Johnston also thanked Charlie Perry and Jamie and Serenity DeDear, of the Rogers School District, who were not able to attend the meeting tonight.

Mayor Womack presented Williams, Perry and DeDeards with the Mayor's Coin and Award of Excellence and a \$50 gift certificate provided by Copeland's Restaurant for their service during this event.

Murfin also presented the council with goodie bags from the event.

Gaye Bland, Rogers Historical Museum Director, invited everyone to participate in the Museum's Long-Range Planning public input meetings scheduled for Saturday, July 17, 2010 at 2:00 p.m. at the Museum Annex and another one on Tuesday, July 20, at 6:30 p.m. in the Community Room at the Rogers Library.

Bland said these meetings will help determine what the community wants to see in the next five years at the Museum.

Bland said for those that cannot attend the meetings, a survey is available online at website [www.rogersarkansas/museum](http://www.rogersarkansas/museum) for input and ideas.

Raymond Burns, Rogers-Lowell Chamber of Commerce, invited the Mayor and City Council to attend a luncheon scheduled for Monday, July 19<sup>th</sup> at 11:30 a.m. at the John Q. Hammons Center for the announcement of the Chamber's re-accreditation.

Burns said the Chamber's current 5-star accreditation is one of only 66 of the total 7000 Chambers in the nation.

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, Senior Planner Derrel Smith, Planning & Transportation Director Steve Glass, Director of Parks & Recreation Rick Stocker, Director of Code Management James Willett, Water Utilities Superintendent Tom McAlister, Water Utilities Engineers Mark Johnson and Earl Rausch, Street Superintendent Frankie Guyll, Parks Superintendent Stan Weaver, Facilities Manager David Hook, Police

Chief Steve Hamilton, Fire Chief Tom Jenkins, and Assistant to the Mayor Janet Foster.

**ACTION ON MINUTES:**

June 22, 2010

Motion by Kruger, second Reithemeyer to approve the minutes of June 22, 2010 as submitted.

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

Motion by Hines, second by Kruger 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)

**ORD. #** \_\_\_\_\_ Adopting for the Purposes of Codification, Changes in the Schedule of Uses, Contained in the City Zoning Ordinance as Promulgated by the Rogers Planning Commission between May 2004 and December 2007

Mayor Womack announced that this item has been pulled from the agenda.

(Agenda Item #2)

**ORD. #10-60** Appropriating \$42,396 from General Fund Reserves into the following Parks Department Accounts: Salaries & Wages Acct. #100-08-60105 in the amount of \$30,300; FICA Acct. #100-08-61150 in the amount of \$2,320; APERS Acct. #100-08-61165 in the amount of \$3,776; Health Insurance Acct. #100-08-61175 in the amount of \$3,000; Vehicle Allowance Acct. #100-08-70166 in the amount of \$3,000

The ordinance was introduced by Council member Daniel and read by title only by Deputy City Attorney Jim Clark.

Daniel, a member of the Finance Committee, reported the committee had met regarding the new salary compensation for the Parks Director, who will be named at a later date, and recommended a “Do pass”.

Daniel recognized Treasurer Jerry Hudlow.

Hudlow said this appropriation will take care of the remaining pay periods for the remainder of the year for the new Parks Director who will begin August 1, 2010.

The Mayor asked, “Shall the ordinance pass?”

Roll call: Goodwin, Kruger, Hines, Daniel, Wright, Reithemeyer, Townzen – Yes; Hayes – abstains. ***The ordinance is adopted.***

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

Roll call: Goodwin, Kruger, Hines, Daniel, Wright, Reithemeyer, Townzen – Yes; Hayes – abstains. ***The emergency clause is adopted.***

(Agenda Item #3)

**ORD. #10-61** Authorizing a Contract for the Purchase of Certain Real Property Located at 113 N. 4<sup>th</sup> Street, Rogers; Appropriating \$405,000 from General Fund Reserves to Admin. Capital Expenditures Acct. #100-01-80100

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” on the purchase, and recognized Jerry Hudlow.

Hudlow reported an offer has been made and accepted for the purchase of 113 N. 4<sup>th</sup> Street in the amount of \$450,000. The appropriation is for \$405,000 because the current owner is donating the \$50,000 of the purchase price. The \$5,000 is for appraisal and closing costs.

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)

**ORD. #10-62** Appropriating \$12,000 from Fire ACT 833 Reserves to Fire ACT 833 Acct. #324-24-70205

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

Hayes reported the Finance Committee had recommended a “Do pass” and recognized Fire Chief Tom Jenkins.

Jenkins reported this appropriation is for the purchase of bunker gear and equipment for the three new firefighters who have been hired through a federal grant.

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. #10-63** Appropriating \$22,932 from General Fund Reserves to Police Department Acct. #100-03-80100

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

Hayes reported the Finance Committee had recommended a “Do pass” and recognized Police Chief Steve Hamilton.

Hamilton reported this appropriation is for a Crown Vic police car that was included in the 2009 budget but could not be delivered by the dealer until 2010.

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)

Request from Garry D. Smith to Approve a Change in the Service Areas from Springdale Water Utilities to Rogers Water Utilities

Deputy City Attorney Jim Clark reported that this request has been approved by the Rogers Water Utilities and only needs a motion and vote. This change of service areas will also have to be approved the City of Lowell and Springdale Water Utilities.

**Approved.**

Motion by Reithemeyer, second by Wright to approve the request from Garry Smith to change the service area from Springdale Water Utilities to Rogers Water Utilities.

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

(Agenda Item #7)

**ORD. #10-64** Authorizing a Contract with Bobcat of NWA of Rogers, AR for the Purchase of a Bobcat S185 Skid Steer for the Rogers Street Dept.; Accepting the Lowest Qualified Bid

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

Kruger, chair of the Transportation Committee, reported the committee had met, recommended a “Do pass” and recognized Street Superintendent Frankie Gyll.

Gyll reported this small tractor will be equipped with a sweeper that can be used to sweep sidewalks and a bucket that can be used for cleaning out drainage ditches.

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. #10-65** Authorizing a Contract with MHC Kenworth Volvo of Springdale, AR for the Purchase of a 2011 Tri-Axle Dump Truck for the Rogers Street Dept.; Accepting the Lowest Qualified Bid

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

Kruger, chair of the Transportation Committee, reported the committee had met, recommended a “Do pass” and recognized Street Superintendent Frankie Gyll.

Gyll reported this truck is capable of hauling nearly 20-ton, and is set up for a gravel spreader for the winter and will be equipped with a 400-gallon liquid tank on it.

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)

**RES. #R10-25** Reviewing and Affirming the Application for a Number of Grants for the Rogers Police Department

The resolution was introduced by Council member Goodwin and read by title only by Clark.

Goodwin, chair of the Public Safety Committee, reported the committee had met and heard a report for Police Chief Steve Hamilton and recommended a “Do pass”.

Goodwin recognized Hamilton.

Hamilton reported that the federal grant applications are available during May and June and this resolution lists the various grants that the department will be applying for.

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

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

**Public Works Committee:**

Council member Gary Townzen, Public Works Committee chair, reported the committee had met prior to the meeting and unanimously recommended that the contract with Inland Services be extended.

Townzen said that Inland has agreed to provide a larger recycle bin and will offer both plastic and paper bags for yard waste.

Townzen said he plans on putting this item on the next City Council Agenda for July 27, 2010.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**ANNOUNCEMENTS:**

Mayor Womack announced that CNN News has designated the City of Rogers as “the 10<sup>th</sup> Best City to Live in America.” “No one person or entity can take credit because all citizens and institutions are participating.”

Womack commended the Street Department for their work of exposing the bricks under the asphalt on Walnut from 2<sup>nd</sup> to 3<sup>rd</sup> Streets. “Those bricks haven’t been seen by many in this room and we hope to expose the bricks under the asphalt to 4<sup>th</sup> Street.”

Street Superintendant Frankie Guyll said the work on the last intersection of the downtown improvement project at 2<sup>nd</sup> & Walnut is currently ahead of schedule barring any weather delays.

Womack congratulated the Parks Department for another successful 3<sup>rd</sup> of July Fireworks Display.

Mayor Womack announced his intent to appoint Barney Hayes as Director of Rogers Parks System to be effective August 1, 2010. Rick Stocker and others will be moving to the Rogers Recreational Activities Association.

**Councilmember Barney Hayes resigns effective immediately.**

Council Hayes expressed thanks to the Department Heads, Council members, and citizens who had elected him to serve, and respectfully resigned his council position effective immediately to accept the position of Director of Rogers Parks System.

Motion by Kruger, second by Wright to accept Councilmember Hayes’ resignation effective immediately and declare a vacancy for Ward II, Position, II.

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

**A vacancy is announced a vacancy for Ward II, Position II on the council.**

Mayor Womack announced the vacancy for Ward II, Position II and said he would be

accepting letters of introduction and resumes from any resident in Ward II for the vacant position in his office until noon on Friday, July 23.

Womack proposed that a Committee of the Whole would meet on Monday, July 26<sup>th</sup> at 6:00 P.M. to interview those who have submitted their resumes for the vacant Ward II, Position II position. An executive session could be held to make a recommendation to fill the unexpired term.

Womack said the swearing-in of the new council member will be held at the next council meeting on Tuesday, July 27 for the remainder of the term which will expire 12/31/2010. The new council member will be eligible to run for the full term on the council by filing for election.

City Clerk Peggy David announced that she has petitions available in her office for candidates who wish to file for municipal offices. The filing period will begin on August 4 and end at noon on August 24, 2010.

**APPOINTMENTS:**

Mayor Womack announced his recommendations of reappointment for Sarah Keith Boyer, John W. Ford and Julie McKenzie to the Rogers Historic District Commission, terms to expire 6/30/2013.

**Approves** the reappointment of *Sarah Keith Boyer, John W. Ford* and *Julie McKenzie* to the **Rogers Historic District Commission**, terms to expire 6/30/2013.

Motion by Wright, second by Kruger to approve the reappointments of Sarah Keith Boyer, John W. Ford and Julie McKenzie to the Rogers Historic District Commission as recommended.

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

There being no further business, motion by Kruger second by Wright to adjourn the meeting. Meeting adjourned at 8:06 p.m.

**ATTEST:**

**APPROVED:**

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Peggy David, City Clerk

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Steve Womack, Mayor