

## MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, October 27, 2009 at 7:30 p.m. The meeting was called to order by Mayor Steve Womack. The Invocation was given by Chaplain Alan Tyson. Those in attendance were led in the Pledge of Allegiance.

### PUBLIC FORUM:

There were no 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, City Attorney Ben Lipscomb, Water Utilities Superintendent Tom McAlister, Engineer Mark Johnson, Senior Planner Derrel Smith, Planning & Transportation Director Steve Glass, Director of Parks & Recreation Rick Stocker, Parks Superintendent Stan Weaver, Director of Code Management & Inspection James Willett, Main Street Director Kerry Jensen, Police Chief Steve Hamilton, Fire Chief Tom Jenkins, Airport Manager David Krutsch, Engineering Tech Jennifer Bonner and Assistant to the Mayor Janet Foster.

### ACTION ON MINUTES:

October 13, 2009

Motion by Wright, second Reithemeyer to approve the minutes of October 13, 2009 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 and to package items #3, #4 & #5 together and items #7, #8, #9, & #10 together.

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

**REPORTS OF BOARDS AND  
STANDING COMMITTEES:**

(Agenda Item #1)

**ORD. #09-81** Authorizing the Adoption of the 2010 Budget for the City of Rogers, Arkansas

The ordinance was introduced by Council member Barney Hayes and read by City Attorney Ben Lipscomb.

Hayes, chair of the Finance Committee, reported that the committee had recommended a “Do pass”, commended the Department Heads, Treasurer’s Office and Administration for holding down the budget in these troubled economic times and recognized Treasurer Jerry Hudlow.

Hudlow reported that he also wanted to compliment the Department Heads for doing a great job on putting this together and recognized Dolly Lyons for designing the cover and putting the final budget together.

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. #09-82** Authorizing a Contract with Bestech Environmental Resources of Bessemer, AL; Appropriating \$50,000 for the Purchase of an Animal Crematory for the Rogers Animal Shelter; Waiving Competitive Bidding

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

Hayes, reported the Finance Committee had met, recommended a “Do pass” and recognized Director of Code Management James Willett.

Willett reported he was gathering information on replacement costs for a new animal crematory for the 2010 budget from three different companies with costs ranging from \$59,000, \$69,000 and \$44,639, but due to repairs needed in order to keep the existing crematory in service at an estimated cost of \$3,500 it was decided to go ahead and proceed

with the purchase of the new crematory now rather than waiting for 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 #3)

**ORD. #09-83** Amending the 2009 Fiscal Year Budget of the City of Rogers Airport, Increasing State Grant Revenue Acct. #315-15-48060; Appropriating \$110,006.25 from Airport Reserve into Capital Expenditure Acct. #315-15-80100

The ordinance and resolutions were introduced by Kruger and read by title only by Lipscomb. Lipscomb noted that a single roll call vote will be taken for all of these items and that the resolutions are needed to accept the low bidder.

(Agenda Item #4)

**RES. #R09-30** Authorizing a Contract with Marking Systems, Inc. of Bentonville, AR for Crack Sealing/Filling at the Rogers Municipal Airport

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

(Agenda Item #5)

**RES. #R09-31** Authorizing a Contract with Pavecon, LTD., of Grand Prairie, TX for Improvements to the Rogers Municipal Airport

Krutsch reported that a Arkansas Aeronautics 90/10 Grant has been received that will be used for airport pavement maintenance for crack sealing and filling. A thermoplastic coal-tar application will be used along with the more tradition asphalt application of which the city’s share of the cost will be \$11,000 of the total \$110,000 for repairs.

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

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

(Agenda Item #6)

**ORD. #09-84** Authorizing a Contract with Midland Construction, of Rogers, AR for the Main Street Intersection Improvements

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

Kruger reported the Transportation Committee had met and recommended a “Do pass” for the downtown intersections improvement project.

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)

**RES. #R09-32** Authorizing a Contract with Luttrell Concrete Construction, Inc. of Bentonville, AR (Horsebarn South Trail (Sections 1-4)

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

Lipscomb noted that these are all resolutions accepting the low bidders for these projects.

(Agenda Item #8)

**RES. #R09-33** Authorizing a Contract with Danny Robinson Construction LLC, of Garfield, AR (The District Trail aka BW 10-i)

Kruger reported the Transportation Committee had recommended a “Do pass” and recognized Director of Planning Steve Glass.

(Agenda Item #9)

**RES. #R09-34** Authorizing a Contract with Sagely Construction, Inc., of Rogers, AR (The Hospital Trail aka BW11)

Glass displayed the proposed trails and recognized Jennifer Bonner for her work with the development of the trails as well as to the Parks Department.

(Agenda Item #1)

**RES. #R09-35** Authorizing a Contract with Sagely Construction, Inc., of Rogers, AR (Horsebarn North Trail aka Section 5 & 6)

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

Voice vote: Unanimous. ***The resolutions are adopted.***

**OLD BUSINESS:**

(Agenda Item #1)

**ORD. #\_\_\_\_\_** Adopting Primary and Secondary Boundaries for the Planning Jurisdiction Area of the City of Rogers, AR.  
(second reading)

Mayor Womack noted that the map has been changed from what was previously presented

so the ordinance will need to be amended, reintroduced and read again.

Motion by Hines, second by Wright to amend the Planning Boundary Map.

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

The ordinance was introduced as amended by Hines with a motion to consider on a single reading and by title only, second by Kruger.

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

Lipscomb read the ordinance by title only.

Senior Planner Derrel Smith explained the amended map now shows the boundary as going all of the way out on Hwy. 12 to the bridge and stops at the section line and shows 20 acres or 20 lots rather than 40 acres or 40 lots.

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.***

Mayor Womack recommended the reappointment of Susan Grimes and the appointment of Matthew Disheroon to the Advertising and Promotion Commission, terms to expire 11/1/2013.

Womack said Disheroon was appointed to replace Chris Clifton, whose term expires.

Motion by Hines, second by Kruger to approve the reappointment of Susan Grimes and appointment of Matthew Disheroon to the Advertising and Promotion Commission as recommended.

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

**ORD. #09-85** Adopting Primary and Secondary Boundaries for the Planning Jurisdiction Area of the City of Rogers, AR.

**APPOINTMENTS:**

**Approves** the reappointment of *Susan Grimes* and appointment of *Matthew Disheroon* to the **Advertising and Promotion Commission**, terms to expire 11/1/2013.

**ANNOUNCEMENTS:**

Mayor Womack announced the Goblin Parade will be held in downtown Rogers on Friday, October 30<sup>th</sup> beginning at 3:30 p.m. in Frisco Park.

There being no further business, motion by Kruger, second by Wright to adjourn the meeting. Meeting adjourned at 7:50 p.m.

**ATTEST:**

**APPROVED:**

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Peggy David, City Clerk

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Steve Womack, Mayor