

**Mayor Greg Hines delivered the State of the City Address in the City Council Chambers
at 6:00 p.m. prior to the Council meeting. (Included with the minutes)**

MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, February 26, 2019 at 6:30 p.m. The meeting was called to order by Mayor Greg Hines. The Invocation was given by Rev. Steve Carr of Grace Reformed Church. Those in attendance were led in the Pledge of Allegiance.

PUBLIC FORUM:

David Krutsch, Airport Manager, announced that the café located in Beaver Lake Aviation is open to the public and hosts a Saturday Brunch on the second Saturday of each month.

Jeff Hatley, Public Information Officer for Ozark Regional Transit, provided the latest ridership information for 2018 which shows a 4% decrease, primarily due to the loss of buses in the fire in 2017. The good news is that four new vans have been received earlier this month and twelve new buses are on the assembly line in Indiana to replace buses that were lost in the fire. Also a new operation center is being planned and new software has been installed that gives more accounting of bus boardings to help with development or revisions of bus routes.

There were no other comments from anyone in the audience.

The Public Forum was declared closed.

COUNCIL MEMBERS PRESENT:

Mark Kruger, Betsy Reithemeyer, Gary Townzen, Clay Kendall, Jerry Carmichael, Barney Hayes and Mandy Brashear were present. Marge Wolf was absent.

OTHER OFFICIALS PRESENT:

City Clerk-Treasurer Peggy David, City Attorney Andrew Hatfield, Staff Attorney Bonnie Bridges, Fire Chief Tom Jenkins, Director of Finance Casey Wilhelm, Water

Utilities Superintendent Brent Dobler, Water
Utilities Shared Services Manager Jené

Huffman, Parks and Recreation Director Jim White, Parks Superintendent Stan Weaver, Director of Community Development John McCurdy, City Planners Lori Ericson and Ethan Hunter, Airport Manager David Krutsch, IT Director Ryan Breese, Facilities Manager David

Hook, PR Specialist Ben Cline, Planning Commissioners Kevin Jensen and Mandel Samuels, HR Director Thomas Dunlap, and Assistant to the Mayor Carey Hollis.

ACTION ON MINUTES:

(February 12, 2019)

Motion by Townzen, second by Reithemeyer to approve the minutes of February 12, 2019 as submitted.

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

Approves the suspending of rules for the meeting.

Motion by Kruger, second by Reithemeyer to suspend the rules to consider all items on the agenda on a single reading and by title only.

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

REPORTS OF BOARDS AND STANDING COMMITTEES:

(Agenda Item #1)

RES. #R19-10 Amending the 2019 Budget to Appropriate From General Fund Reserves the Amount of \$12,318 to Acct. #100-09-80100 for the Purchase of a Tegile Storage Unit for Use by the City of Rogers Information Technology Dept.

The resolution was introduced by Reithemeyer and read by title only by Hatfield.

Reithemeyer, chair of the Finance Committee, reported the committee had met, recommended a “Do pass” and recognized IT Director Ryan Breese.

Breese explained that in late 2018 the Police Dept. IT backup storage unit began experiencing issues that indicated end of life usage. The replacement purchase of a Tegile Storage Unit costs \$52,000 out of the budgeted funds. An item included in the 2019 budget was to replace the Administration’s backup storage unit. Because of end of year discounts and other promotions from the vendor which amounted to over \$40,000, the transfer of the additional \$12,318 will cover the cost to replace both units.

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

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

(Agenda Item #2)

RES. #R19-11 Amending the 2019 Budget to Recognized an Insurance Reimbursement in the Amount of \$79,472.84 into 100-01-49195; Appropriating \$79,472.84 to Acct. #100-08-70430

The resolution was introduced by Reithemeyer and read by title only by Hatfield.

Reithemeyer reported the Finance Committee had met, recommended a “Do pass” and recognized Facilities Manager David Hook and Parks and Recreation Director Jim White

Hook reported that a severe lightning strike had occurred late last year at the Rogers Aquatics Center which caused a lot of damage to plumbing, electrical and other areas that have not yet been determined. The insurance claim has been ongoing with this reimbursement payment being received to begin repairs of the damage in preparation for the upcoming opening. Further tests will be conducted to determine if there is any other areas that were damaged and an additional insurance payment may be received.

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

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

(Agenda Item #3)

ORD. #19-13 Authorizing a Contract with Multi-Craft Contractors, Inc. of Springdale, AR; Waiving Competitive Bidding for Emergency Repair Work at the Rogers Aquatic Center

The ordinance was introduced by Brashear and read by title only by Hatfield.

Brashear, chair of the Community Service Committee reported the committee had met and recommended a “Do pass” and recognized Facilities Manager David Hook and Parks and Recreation Director Jim White.

Hook reported this is the follow-up of the previous item. The waiving of competitive bidding is necessary because there is substantial testing that needs to be done and the

information for writing specification for bidding is not possible due to the unknown damage.

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. #R19-12 Amending the 2019 Budget to Recognize an Insurance Reimbursement in the Amount of \$11,950 into Acct. #200-16-49710 and Appropriating to Acct. #200-16-70931

The resolution was introduced by Kruger and read by title only by Hatfield.

Kruger, chair of the Transportation Committee, reported the committee had met, recommended a “Do pass” and recognized Finance Director Casey Wilhelm.

Wilhelm reported this is a settlement from an outside source for the repairs of a streetlight and pole damaged in an accident.

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

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

ADDED TO THE AGENDA:

(Agenda Item #5)

ORD. #19-14 Amending the Master Street Plan for the City of Rogers

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

Kruger reported the Transportation Committee, had met, recommended a “Do pass” and recognized Engineer Lance Jobe.

Jobe reported the amended Master Street Plan includes changes due to the 2018 Bond Issue projects that have been modified, adds connectivity of minor streets, updates for construction that has occurred and adding additional streets and trails, updated for clarity

to make it easier to read and added federal and state designations of streets and roads.

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. #19- Authorizing an Amendment to the City of Rogers Franchise Agreement with Inland Waste Solutions; to Approve a Fee Increase for Solid Waste Disposal that is Proportional to Cost Increases

The ordinance was introduced by Councilmember Townzen and read by title only by Hatfield.

Townzen, chair of the Public Works Committee, reported the committee had met and recommended the ordinance be tabled to allow Inland to provide more information to the councilmembers.

(Agenda Item #7)

ORD. #19-15 Amending Section 44.9(4)(e)(1) of the City of Rogers Code of Ordinances, Concerning the Interstate Sign District

The ordinance was introduced by Carmichael and read by title only by Hatfield.

Carmichael, chair of the Community Environment & Welfare Committee, reported the committee had met, recommended a “Do pass” and recognized City Planner Ethan Hunter.

Hunter reported the current ordinance allows for 70’ tall signs within 500 feet on either side of I-49 for the entire section along I-49 in Rogers. This ordinance would change the Interstate Sign District boundary to exclude the Uptown Area from Oak Street to Blossom Way Creek.

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.***

ADDED TO THE AGENDA:

(Agenda Item #8)

ORD. #19-16 Adopting Density Management Provisions; Amending Various Sections of Chapter 14 of the City of Rogers Code of Ordinances

The ordinance was introduced by Carmichael and read by title only by Hatfield.

Carmichael, chair of the Community Environment & Welfare Committee, reported the committee had met, recommended a “Do pass” and recognized City Planner Ethan Hunter.

Hunter explained this ordinance establishes a new mechanism that consists of a three-step review process for residential projects that are above the base density of six units per acre.

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.***

ADDED TO THE AGENDA:

(Agenda Item #9)

ORD. #19-17 Adopting a Revised Comprehensive Growth Map for the City of Rogers, AR

The ordinance was introduced by Carmichael and read by title only by Hatfield.

Carmichael, chair of the Community Environment & Welfare Committee, reported the committee had met, recommended a “Do pass” and recognized City Planner Ethan Hunter.

Hunter explained the comprehensive Growth Map that was adopted in July 2018 has been updated and sets density limits by growth designation rather by zoning districts as has previously been treated. This relates to the

approved provision of the code that was considered in Agenda Item #8.

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.***

ADDED TO THE AGENDA:

(Agenda Item #10)

ORD. #19-18 Amending Chapter 14 of the City of Rogers Code of Ordinances to Add Section 14-738 Concerning Accessory Dwelling Units

The ordinance was introduced by Carmichael and read by title only by Hatfield.

Carmichael reported the Community Environment & Welfare Committee did not review this item and asked Mr. Hunter to provide information.

Hunter explained that this ordinance adds a section in the code defining accessory dwelling units. Current code allows for accessory dwelling units but this expands where there are multiple structures on one lot. The new codes sets out the allowed uses, setback requirements and restrictions and is what is considered as best practice across the country.

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:

(Agenda Item #1)

ORD. #19-19 Rezone from R-O and CU to C-3, 3202 W. New Hope Road (Carroll Electric Cooperative Corporation)

The ordinance was introduced by Councilmember Carmichael and read by title only by Hatfield.

Carmichael reported the Community Environment & Welfare Committee had reviewed the project and recommended approval.

Ed McClure, representing Carroll Electric, reported the rezoning was unanimously approved by the Planning Commission.

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. #19-20 Accepting the Final Plat of Haxton Estates

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

Daniel Ellis, of Crafton, Tull & Associates, presented the final plat for approval.

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)

RES. #R19-13 Supporting Benton County’s Proposed Sales Tax for a Courts Facility

The resolution was introduced by Councilmember Hayes and read by title only by Hatfield.

Hayes reported, “This resolution is similar to what was approved by Bentonville City Council

last week. As the largest city in Benton County, I think it would speak well of us to go on record and support this. The new court facility would provide protection of the public, space for the appropriate detention of inmates and secure space for the Circuit Court Judges and their staffs. It would also provide a single structure for the courts.”

Councilmember Kruger also pointed out that the sales tax increase would be 1/8 % of a cent and would sunset in 54 months.

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

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

ANNOUNCEMENTS:

Mayor Hines welcomed Scouts from Scouts BSA, Troop #5 who were attending the meeting tonight.

There being no further business, motion by Kruger, second by Reithemeyer to adjourn the meeting. Meeting adjourned at 6:55 p.m.

ATTEST:

APPROVED:

Peggy David, City Clerk-Treasurer

C. Greg Hines, Mayor