

## MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, July 9, 2019 at 6:30 p.m. The meeting was called to order by Mayor Greg Hines. Those in attendance were led in the Pledge of Allegiance.

### **PUBLIC FORUM:**

Raymond Burns, CEO of Rogers-Lowell Area Chamber of Commerce reported at the last council meeting the Vision 100 project was announced and the process has begun. The Community Table focus groups are meeting at locations in each ward to communicate on how they see the communities will continue to develop with a population of 100,000 which will occur in less than 15 years away. The online survey is also being utilized and we hope to have good response to move forward.

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, Marge Wolf, Clay Kendall, Jerry Carmichael, Barney Hayes, and Mandy Brashear were present.

### **OTHER OFFICIALS PRESENT:**

City Clerk-Treasurer Peggy David, Staff Attorney Bonnie Bridges, Deputy Fire Chief Bill Hyde, Battalion Fire Chief Cliff Thompson, Police Chief Hayes Minor, Water Utilities Superintendent Brent Dobler, Director Finance Casey Wilhelm, Director of Parks and Recreation Jim White, Community Development Director John McCurdy and PR Specialist Ben Cline.

### **ACTION ON MINUTES:**

(June 25, 2019)

Motion by Townzen, second by Kruger to approve the minutes of June 25, 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)

**ORD. #19-45** Granting the Director of the City of Rogers Community Development Department the Authority to Approve Waivers of Building and Structure Dispositions Standards, Street Cross Sections and All Related Storm Water Utility Standards, and Sign Placement, Which Would Otherwise be Governed by the City of Rogers Code of Ordinances Chapters 14 and 44, for All Acquisitions Relating to the Walnut Widening Project

The ordinance was introduced by Councilmember Carmichael and read by title only by Staff Attorney Bonnie Bridges.

Carmichael, Chair of the Community Environment and Welfare Committee, reported the committee had met, recommended a “Do pass” and recognized Director of Community Development John McCurdy.

McCurdy explained because of the street widening of Walnut at some point some of the landowners whose property will be affected will have to obtain a variance for setbacks from the Board of Adjustments because of the city project. This authorization will allow that setback waivers be approved by Community Development and filed with the county so that the landowners will not have to go through that process in the future. This would prevent the requirement for a new survey for any improvements that the landowner or future landowner might be required to do at that time. This will also allow the waiver of requirements for streetscapes, stormwater requirements and sign placement to minimize the impact to the landowners and will be beneficial to the city in negotiations for the properties affected.

Councilmember Kruger stated that he will support this, but the possible waiver of stormwater requirements is a concern.

McCurdy said at the end of the day, there won't be any function that won't be in full compliance.

Councilmember Brashear asked what the process is for the landowner if they don't agree.

McCurdy responded that the landowner could request a variance from the Board of Adjustments and then appeal to Circuit 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. #19-46** Waiving Competitive Bidding for the Purchase of a Patrol Vehicle from Superior Chevrolet of Siloam Springs, AR for the Rogers Police Department; Allowing a Contract for Said Purchase

The ordinance was introduced by Councilmember Wolf and read by title only by Bridges.

Wolf, chair of the Public Safety Committee reported the committee had met, recommended a “Do pass” and recognized Police Chief Hayes Minor.

Minor explained an accident at 8<sup>th</sup> & Walnut caused by the other driver had totaled a patrol car. This waiver of competitive bidding is requested to replace the vehicle. Superior of Siloam Springs will meets the state bid for the purchase.

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. #R19-55** Amending 2019 Budget Recognizing an Insurance Reimbursement in the Amount of \$16,665 into Acct. #100-01-49195; Recognizing a Transfer from ACT 988 Fund to the General Fund in the Amount of \$33,000; Appropriating \$49,665 into Acct. #100-03-80100

The resolution was introduced by Councilmember Reithemeyer and read by title only by Bridges.

Reithemeyer, chair of the Finance Committee, reported the committee had met, recommended a “Do pass” and recognized Police Chief Minor.

Minor explained this resolution recognizes the insurance settlement of \$16,665 for the totaled patrol vehicle and also includes a transfer from ACT 988 funds for the replacement vehicle.

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

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

(Agenda Item #4)

**RES. #R19-56** Amending the 2019 Budget to Recognize Funds in the Amount of \$104,810 from RX Reimbursements into Acct. #375-75-49261 and \$2,393,955 from Excess Loss Reinsurance into Acct. #375-75-49264; Appropriating \$2,498,765 into Acct. #375-75-61503

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

Reithemeyer reported the Finance Committee had met and recommended a “Do pass” and recognized Human Resources Director Thomas Dunlap.

Dunlap explained this is pharmacy rebates that are routinely received and Excess Loss Reinsurance that will be re-appropriated to the expense account.

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

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

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

(Agenda Item #1)

**RES. #R19-57** Certifying Local Government Endorsement of Business to Participate in the Tax Back Program (as Authorized by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003)

Raymond Burns, CEO of Rogers-Lowell Chamber of Commerce, represented this item for Mundo Tech to participate in the Tax Back Program to support their facility expansion.

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

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

**APPOINTMENTS:**

Mayor Hines announced his recommendation of the appointment of Hunter Fry to the Board of

Adjustments to fill the unexpired term of Ben Kaufman, whose term expires March 11, 2022.

**Approves** the appointment of *Hunter Fry* to the **Board of Adjustments** to fill the unexpired term of Ben Kaufman, whose term expires March 11, 2022

Motion by Kruger, second by Wolf to approve the appointment of Hunter Fry to the Board of Adjustments.

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

**ANNOUNCEMENTS:**

None.

There being no further business, motion by Kruger, second by Wolf to adjourn the meeting. Meeting adjourned at 6:45 p.m.

**ATTEST:**

**APPROVED:**

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Peggy David, City Clerk-Treasurer

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C. Greg Hines, Mayor