

## MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, November 12, 2019 at 6:30 p.m. The meeting was called to order by Mayor Greg Hines. The Invocation was given by Pastor Jeremy Foster of Calvary Chapel in the Ozarks. Those in attendance were led in the Pledge of Allegiance.

### **PUBLIC FORUM:**

Keith Krusekopf of 1403 W. Poplar Street, discussed concerns he has regarding drainage issues on and near Poplar Street near his property. He requested that the work that has been started a year ago be completed. He expressed concern that the delay in the work is causing backflow issues on his property and neighboring properties. He requested that he is notified of a timeline and when there are changes to the schedule.

There were no other comments from anyone in the audience.

The Public Forum was declared closed.

### **COUNCIL MEMBERS PRESENT:**

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

### **OTHER OFFICIALS PRESENT:**

City Attorney Andrew Hatfield, Staff Attorney John Pesek, Street Superintendent Frankie Guyll, HR Director Thomas Dunlap, Director of Finance Casey Wilhelm, Deputy Fire Chief BJ Hyde, Water Utilities Superintendent Brent Dobler, Water Utilities Shared Services Manager Jené Huffman, Water Utilities Attorney Robert Frazier, Parks and Recreation Director Jim White, Parks Superintendent Wendell Brewer, Director of Community Development John McCurdy, City Engineer Lance Jobe, City Planner Jessie Masters, Project Manager Jamie Kemp, Planning Commissioner Mandel Samuels, Assistant to the Mayor Carey Hollis, Records Administrator Jennifer Moore

**ACTION ON MINUTES:**

(October 24, 2019)

**Approves** the suspending of rules for the meeting.

Motion by Townzen, second by Reithemeyer to approve the minutes of October 24, 2019 as submitted.

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

Motion by Reithemeyer, second by Wolf 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. #R19-86** Scheduling A Public Hearing Concerning A Proposed Sewer Rate Increase; Directing Notice Of The Hearing

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

Townzen, chair of the Public Works Committee, reported the committee had met, recommended a “Do pass” and recognized Water Utilities Superintendent Brent Dobler.

Dobler reported on the statutory requirements to hold public hearing regarding a proposed sewer rate increase and requested a hearing be set.

Motion by Wolf, second by Carmichael to amend the resolution to include a start time of 6:30 pm on November 24, 2019 and adopt the resolution.

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

(Agenda Item #2)

**RES. #R19-87** Amending The 2019 Budget To Recognize Funds In The Amount Of \$66,400.00 From Rx Reimbursements Into Revenue Account #375-75-49261 And \$1,482,120.00 From Excess Loss Reinsurance Into Revenue Account #375-75-49264; Appropriating \$1,548,520.00 Into Health Claims Expense Account # 375-75-61503

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 HR Director Thomas Dunlap.

Dunlap reported that the \$66,400 represents pharmacy rebates received throughout the year, and the 1.4 Million amount is the excess loss reimbursements. The two amounts combined is the total amount to be appropriated for current health claim expenses.

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

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

(Agenda Item #3)

**ORD. #19-68** Waiving Competitive Bidding For the Provision of Health Insurance Coverage for City Employees For the Calendar Year 2020

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

Reithemeyer, chair of the Finance Committee reported the committee had met and recommended a “Do pass” and recognized HR Director Thomas Dunlap.

Dunlap explained that the waiving competitive bidding is the first step in the process for the renewal of the current employee health insurance coverage for the year 2020.

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. #R19-88** Authorizing the Mayor and City Clerk to Enter Into A Contract With Blue Cross Blue Shield For Employee Health Insurance for 2020

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 again recognized HR Director Thomas Dunlap.

Dunlap reported that this next step is to allow for the entering into the agreement with Blue Cross for next year. The Plan remains essentially the same with some changes to pharmacy formulary and a modest change in employee premiums. Network access, doctors, benefits, and eligibility remain the same.

Motion by Wolf, second by Hayes to adopt the resolution. Voice vote: Unanimous – Yes. ***The resolution is adopted.***

(Agenda Item #5)

**ORD. #19-69** Establishing A New Salary For The Office Of The City Clerk/Treasurer

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

Mayor reported that this reflects the duties and changes in the role from a full time role to part time roll with duties that meet the statutory requirements. Compensation rate is based on information available from the Arkansas Municipal League on salary ranges for the various positions in the different cities in the state. The filing period for the open Clerk/Treasurer position has closed and submissions are being processed and will be brought before council for review.

Reithemeyer chair of the Finance Committee, reported the committee had met, 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 #6)

**RES. #R19-89** Amending the 2019 Budget to Provide For Additional Compensation To City Employees; Appropriating the Sum of \$195,051 From General, Street, and Airport Reserves to Various Accounts

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

The Mayor reported that it has been a fairly long established customary year end process over the last 15 years to identify if funds are available to be able to provide employees with a holiday bonus. While the amount has fluctuated over the years, the following three years have remained steady. It is a \$300 per employee pre tax benefit at the holiday time.

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

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

(Agenda Item #7)

**RES. #R19-90** Amending The 2019 Budget; Appropriating The Sum Of \$834,678.00 From Street Fund Reserves Into Account #200-16-80100

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

Townzen reported that the Transportation Committee had met, recommended a “Do pass” and recognized Street Superintendent Frankie Gyll.

Gyll reported that the need for a new brush grinder has been identified during the cleanup efforts after the recent tornado.

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

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

(Agenda Item #8)

**ORD. #19-70** Authorizing The Mayor And City Clerk To Enter Into A Contract With Aep/Swepco, Of Columbus, Ohio, In The Amount Of \$1,314,199.68, For Utility Relocation And Underground Installation Related To The Walnut Widening Project; Waiving Competitive Bidding

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

Townzen reported that the Transportation Committee had met, recommended a “Do pass” and recognized Community Development Project Manager Jamie Kemp.

Kemp explained that the contract is for relocation of utilities to be placed unground during the Walnut Widening Project.

Contracting with the existing utility provided, AEP/SWEPCO will save the city almost \$200,000.

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. #R19-91** Amending The 2019 Budget To Recognize Funds From The Transportation Alternatives Program Grant For Safe Routes To Schools To Fund Improvements In The Amount Of \$340,000.00 Into Account #200-16-45110; Appropriating That Same Amount To Account #200-16-85802

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

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

Jobe explained that the City has worked with the schools on safety improvements, such as signs and stripping. The city has been awarded a \$340,000 state grant, with the \$85,000 city matching fund amount to be paid from bond funds. Jobe explained that this is for the safety of our students.

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

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

(Agenda Item #10)

**RES. #R19-92** Authorizing Certain City Departments to Dispose of Obsolete Property No Longer Used by the City

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

Hayes reported that the Resources and Policy Committee had met, recommended a “Do pass” and recognized Staff Attorney John Pesek.

Pesek explained that state law requires the resolution in order to dispose of items into the landfill that are damaged. Most of the items to be disposed of on the list are from the library.

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

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

(Agenda Item #11)

**RES. #R19-93** Authorizing Certain City Departments to Dispose of Obsolete Property No Longer Used by the City Through Internet Auction or Other Available Means

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

Hayes reported that the Resources and Policy Committee had met, recommended a “Do pass” and recognized Staff Attorney John Pesek.

Pesek explained that this is for the disposal of property, mainly vehicles, which will be sold for the highest return.

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

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

(Agenda Item #12)

**ORD. #19-71** Rezone from U-COR and C2 to U-COR, 4 Acres East of South Pinnacle Hills Parkway at S. Champions Drive (Hunt Plaza)

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

Carmichael reported that the Community Environment and Welfare Committee had met, recommended a “Do pass” and introduced Reed Hill with Crafton Tull.

Hill, representing Hunt Plaza, explained the request for the four acres to be rezoned to U-COR is consistent with the Comprehensive Growth Map and received unanimous approval from Planning Commission.

Carmichael informed that the request also had staff 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 #13)

**ORD. #19-72** Rezone from COM to NBT, .22 Acres± at 120 N. 6<sup>th</sup> Street (Rita Guido)

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

Carmichael reported that the Community Environment and Welfare Committee had met, recommended a “Do pass” and recognized Bill Watkins.

Bill Watkins, representing Rita Guido, explained that the Comprehensive Growth Map

was changed at the last Planning Commission Meeting to make the area NBT, and that the request fits in with what is there.

Carmichael informed that the request had planning commission and staff 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 #14)

**ORD. #19-73** Rezone from C-2 to C-3, 2.92 Acres ± Lot between 2100 and 1800 W. Hudson Rd. (Hudson Road Townhomes)

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

Carmichael reported that the Community Environment and Welfare Committee had met, recommended a “Do pass” for both the rezone and the Density concept plan, and recognized Andres Forero.

Forero, representing Hudson Row Townhomes explained that the request is to provide for the construction of 9 buildings, for 35 units/ townhomes, and explained the various nearby amenities, including trail systems.

Carmichael informed that the request had planning commission and staff approval, and discussed that the density is fairly low and fits in well with the transitioning neighborhood.

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:**

None.

**ANNOUNCEMENTS:**

None.

There being no further business, motion by Wolf, second by Reithemeyer to adjourn the meeting.  
Meeting adjourned at 6:59 p.m.

**ATTEST:**

**APPROVED:**

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Jennifer Moore, Records Administrator

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C. Greg Hines, Mayor