

MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building on Tuesday, July 24, 2018 at 6:30 p.m. The meeting was called to order by Mayor Greg Hines. The Invocation was given by Chaplain Peggy Arends with the Lowell Police Dept. Those in attendance were led in the Pledge of Allegiance.

PUBLIC FORUM:

Mayor Hines with Fire Chief Tom Jenkins and Police Chief Hayes Minor presented certificates of appreciation to the following employees: B. J. Hyde for 5 years of service with the FD; Jason Villines for 10 years of service with the FD; David Whitlow for 30 years of service with the FD; Adam Elington for 10 years of service with the FD; Philip Alderman for 5 years of service with the PD; and Daniel Wilcox with 10 years of service with the PD.

Hines congratulated the employees who have reached these milestones and expressed appreciation to family members who had attended tonight for their continued support.

Clint Hopper, 2 Creekwood Hill, announced his intention to run for the City Council Ward 1, in the November election.

The Public Forum was declared closed.

COUNCIL MEMBERS PRESENT:

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

OTHER OFFICIALS PRESENT:

City Clerk-Treasurer Peggy David, City Attorney Andrew Hatfield, Senior Staff Attorney Jennifer Waymack, Police Chief Hayes Minor, Fire Chief Tom Jenkins, Community Development Director John McCurdy, Public Relations Specialist Ben Cline, Superintendent of Water Utilities Earl Rausch, Water Utilities Operations Manager Brent Dobler; City Planner Ethan Hunter; Deputy Fire Chief B J. Hyde, Parks Superintendent Stan Weaver, Facilities Manager David Hook, Project Engineer Nathan

Becknell, District Judge Chris Griffin; Chief Court Clerk Dana Burk, Parks and Recreation Director Jim White, Main Street Director Shay Bland, and Assistant to the Mayor Carey Hollis.

ACTION ON MINUTES:

(July 10, 2018)

Approves the suspending of rules for the meeting.

Motion by Wright, second by Townzen to approve the minutes of July 10, 2018 as submitted.

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

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

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

REPORTS OF BOARDS AND STANDING COMMITTEES:

(Agenda Item #1)

RES. #R18-40 Authorizing a Contract with Nabholz Construction Corp. of Rogers, AR for Construction Management Services for the Frisco Park Construction Project

The resolution was introduced by Councilmember Reithemeyer and read by title only by City Attorney Andrew Hatfield.

Reithemeyer, chair of the Finance Committee, reported the Finance Committee had met, recommended a “Do pass” and recognized Parks & Recreation Director Jim White.

White reported as part of the Frisco Park project that construction management service documents were submitted from construction firms Nabholz, Crossland and Flintco for consideration. These documents were vetted by a committee of city staff, design team and Parks and Recreation Commissioner Nathan Gairhan. Nabholz was chosen by the committee.

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

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

(Agenda Item #2)

RES. #R18-41 A Resolution of Intent Regarding the Construction of Rogers Fire Department Station #8

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

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 Fire Chief Tom Jenkins.

Jenkins said this is the beginning of an important project for the city’s public safety on the west side of the city. The resolution allows for pre-sending of bond funds so that the project can begin as soon as possible.

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

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

(Agenda Item #3)

RES. #R18-42 Authorizing Contracts with WER Architects/Planner of Fayetteville, AR for Architecture Design Services and Crossland Construction of Rogers, AR for Construction Management Services for the Rogers Fire Dept. Station #8 Construction Project; Amending the 2018 Budget to Appropriate \$250,000 from General Fund Reserves to Acct. #100-04-80126

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 again recognized Fire Chief Tom Jenkins.

Jenkins said by utilizing Facilities Manager David Hook, several architects were vetted and WER Architects was chosen for design services because of the reputation and willingness to work with the previous architect, Don Spann, who is retiring. Station 8 will be a similar design and model of Station 2.

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

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

(Agenda Item #4)

RES. #R18-43 Authorizing the Destruction of Certain Records of the Rogers District Court

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

Wolf, a member of the Internal Affairs Committee, reported that the committee had

met, recommended a “Do pass: and recognized District Judge Chris Griffin.

Griffin introduced the Chief Court Clerk Dana Burk and requested authorization to destroy certain court records.

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

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

(Agenda Item #5)

ORD. #18-38 Ordering the Razing and Removal of a Certain Structure Within the City of Rogers, AR, Located at 307 E. Olive

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

Wolf, chair of the Public Safety Committee, reported the committee had met, recommended a “Do pass” and recognized Senior Staff Attorney Jennifer Waymack.

Waymack reported Risk Reduction has been in contact with the potential heirs of the property since 2016 with no response. Inspections by Risk Reduction indicate it is a fire hazard and uninhabitable and have recommended the razing and removal.

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. #18-39 Amending the Code of Ordinances, City of Rogers Concerning Dedications Made in the Subdivision Process

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

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 the changes in the city code removes the requirement for utility companies to sign the final plats.

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)

ORD. #18-40 Adopting a 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 and Welfare Committee, reported the committee had met, recommended a “Do Pass” and recognized McCurdy.

McCurdy reported the City Council initiated the need to update the Comprehensive Growth Map. The updated map now shows the Downtown Rogers district and Uptown Rogers district, establishes regional centers, neighborhood center and has been refined showing the existing corridors.

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. #18-41 Amending Various Sections of Chapter 14 of the City of Rogers Code of Ordinances; Adopting the Uptown Rogers Development Code (URDC)

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

Carmichael, chair of the Community Environment and Welfare Committee, reported the committee had met, recommended a “Do Pass” and again recognized McCurdy.

McCurdy reported this ordinance adopts and creates the Uptown Rogers Development Code (URDC) which is similar to the Downtown Rogers Development Code (DRDC); removes the DRDC map from the code; removes some provisions of DRDC that were never intended to be included; and changes the neighborhood zone C-3 language to allow slightly reduced setbacks and requiring height requirements that are standard in the DRDC and URDC.

Kruger spoke in favor of the ordinance and suggested that if staff sees that the setbacks are not working, either too close or not close enough, to consider revising the code.

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:

(Agenda Item #1)

ORD. #18-42 Rezone from C-2 to I-1, 7.25 Acres at the Intersection of N. 2nd Street and W. Industrial Drive (Shirley Lach)

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

Ryan Evitts, of CEI Engineering, presented the rezoning request that 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.***

APPOINTMENTS:

Approves the appointment of ***Mandel Samuels*** to the **Planning Commission** to replace the unexpired term of Mike Malone, term to expire on October 23, 2023

Mayor Hines recommended the appointment of Mandel Samuels to the Planning Commission; to replace the unexpired term of Mike Malone term to expire on October 23, 2023.

Motion by Kruger, second by Wolf to approve the appointment of Mandel Samuels to the Planning Commission as recommended.
Voice vote: Unanimous – Yes. ***Motion carried.***

Approves the reappointment of ***Edwin McClure*** to the **Historic District Commission** with a new term to expire on June 30, 2021.

Hines recommended the reappointment of Edwin McClure to the Historic District Commission with a new term to expire on June 30, 2021.

Motion by Kruger, second by Wolf to approve the reappointment of Edwin McClure to the Historic District Commission as recommended.
Voice vote: Unanimous – Yes. ***Motion carried.***

Approves the reappointment of ***Paul Hively*** to the **Historic District Commission** with a new term to expire on June 30, 2021

Hines recommended the reappointment of Paul Hively to the Historic District Commission with a new term to expire on June 30, 2021.

Motion by Hayes, second by Kruger to approve the reappointment of Edwin McClure to the Historic District Commission as recommended.
Voice vote: Unanimous – Yes. ***Motion carried.***

Hines recommended the reappointment of David Swearingen to the Historic District Commission with a new term to expire on June 30, 2021.

Approves the reappointment of *David Swearingen* to the **Historic District Commission** with a new term to expire on June 30, 2021

Motion by Kruger/Hayes, second by Townzen to approve the reappointment of David Swearingen to the Historic District Commission as recommended.

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

ANNOUNCEMENTS:

Councilmember Kruger announced the Transportation Committee approved the street closing request for Frisco Festival on August 31st and September 1st.

There being no further business, motion by Kruger, second by Wolf to adjourn the meeting. Meeting adjourned at 7:01 p.m.

ATTEST:

APPROVED:

Peggy David, City Clerk-Treasurer

C. Greg Hines, Mayor