

## MINUTES

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building and via virtual meeting space ZOOM on Tuesday, October 27, 2020 at 6:32 p.m. The meeting was called to order by Mayor Greg Hines.

### **PUBLIC HEARING:**

Notice To Vacate A Portion Of The Alley  
Between West Walnut Street And West Maple  
Street – No comment

### **PUBLIC FORUM:**

None

### **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:**

Staff Attorney Bonnie Bridges, City Attorney  
Andrew Hatfield, Director of Community  
Development John McCurdy, Fire Chief Tom  
Jenkins, Water Utilities Superintendent Brent  
Dobler, Director of Finance Casey Wilhelm,  
Director of Parks & Recreation Jim White,  
Police Chief Hayes Minor, City Planner Ethan  
Hunter, Planning Commissioner Mandel  
Samuels, Public Relations Shanda Hunter,  
Assistant to the Mayor Carey Anderson,  
Volunteer Coordinator Peter Masonis, and  
Records Administrator Jennifer Moore.

### **ACTION ON MINUTES:**

(October 13, 2020)

Motion by Townzen, second by Wolf to  
approve the minutes of October 13, 2020 as  
submitted.

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

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

Motion by Kruger, 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)

**ORD. #20-91.** Allowing The Extension Of The Current Refuse Collection Contract With Inland Services Corporation, Now Orion Waste Solutions, Concerning The Exclusive Residential Waste Disposal Franchise Agreement

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

Townzen, chair of Public Works Committee, reported the committee had met, recommended to “Do pass” and recognized Staff Attorney Bonnie Bridges.

Bridges, allow extension of trash contract beginning Jan 1, 2021 through June 30, 2025.

Mayor, positive change to align with Rogers Water Utilities fiscal year.

No questions from the council.

The Mayor asked, “Shall the ordinance pass?”  
Roll call: Unanimous – Yes. The ordinance is adopted.

(Agenda Item #2)

**ORD. #20-92.** Waiving Competitive Bidding For Bathroom Remodels Made Necessary By The Covid-19 Pandemic At Fire Station #1

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

Wolf, chair of Public Safety Committee, reported the committee had met, recommended to “Do pass” and recognized Chief Tom Jenkins.

Jenkins, bathroom remodel to convert locker room style to private bathrooms to help with hygiene and privacy.

Wolf, CARES Act funding to assist in paying for remodel.

No questions from the council.

The Mayor asked, “Shall the ordinance pass?”  
Roll call: Unanimous – Yes. The ordinance is adopted.

(Agenda Item #3)

**ORD. #20-93.** Vacating A Portion Of The Alley Between West Walnut Street And West Maple Street

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

Kruger, chair of Transportation Committee, reported the committee had met, recommended to “Do pass” and recognized Engineer Lance Jobe.

Jobe, located east of 8<sup>th</sup> Street and currently being used as parking lot. This is the second appearance to the council and ask to vacate the alley.

No questions from the council.

The Mayor asked, “Shall the ordinance pass?”  
Roll call: Unanimous – Yes. The ordinance is adopted.

(Agenda Item #4)

**ORD. #20-94.** Amending Chapter 2 Of The City Of Rogers Code Of Ordinances Concerning Competitive Bidding To Ensure Compliance With City Franchise And Right Of Way Agreements

The ordinance was introduced by Hayes and read by title only by City Attorney Andrew Hatfield.

Hayes, chair of Resources & Policy Committee, reported the committee had met, recommended to “Do pass” and recognized Staff Attorney Bonnie Bridges.

Bridges, clean up handling of utility use in right of way. Cuts out going to bid on utilities already governed by agreement.

No questions from the council.

The Mayor asked, “Shall the ordinance pass?”  
Roll call: Unanimous – Yes. The ordinance is adopted.

(Agenda Item #5)

**RES. R20-83.** Authorizing The Mayor And City Clerk To Enter Into A Grant Agreement With The Walton Family Foundation To Receive Up To \$318,604.00

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

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

White, largest grant from Walton Family Foundation for trees, plotter software & maintenance.

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

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

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

Carmichael, chair of Community Environment & Welfare Committee, reported the committee had met, recommended a “Do pass” and recognized Engineer Lance Jobe.

Jobe, wording on easement from the expansion of Perry Road. Currently reads doesn’t expire until abandoned, asking for abandonment.

No questions from the council.

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

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

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

Carmichael, chair of Community Environment & Welfare Committee, reported the committee had met, recommended to “Do pass” and recognized Geoff Bates.

(Agenda Item #6)

**RES. R20-84.** Authorizing The Mayor And City Clerk To Sign An Abandonment Of The Temporary Construction Easement Granted By Warren Family, LLC

(Agenda Item #7)

**ORD. #20-95.** Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From RMF-9A (PUD) To RMF-12A, Accepting The Density Concept Plan (Everest)

Bates, representing developer in project on 4 acres allowing for 12 units per acres. In line with comprehensive growth map and recommended for approval by staff.

Kruger, cannot support rezone due to the density of the project on the land proposed.

Reithemeyer, cannot support and notes the original staff report was not in favor of this development.

Wolf, has a tough time supporting this rezone.

Carmichael, all points brought to light have been addressed and discussed in Planning Commission. Last piece of land to be developed and adjacent properties are compatible with the development.

Mayor, during Planning Commission was the comment of previous developments on the adjoining properties a mistake an opinion?

Carmichael, project has been to the Planning Commission 3 times and was a split vote and main concern was rear facing.

Bates, unique property because it is completely surrounded by streets hence the rear facing.

The Mayor asked, "Shall the ordinance pass?"  
Roll call: Kendall, Carmichael, Brashear, Townzen – Yes. Kruger, Reithemeyer, Wolf, Hayes – No. Tie: Mayor – Yes. The ordinance is adopted.

**OLD BUSINESS:**

(Agenda Item #8)

**ORD. #20-96.** Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-DP To NBT (Joseph & Scott Properties)

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

Carmichael, chair of Community Environment & Welfare Committee, reported the committee had met, recommended to "Do pass" and recognized Chris Eshnaur.

Eshnaur, in line with comprehensive growth plan and downtown development.

No questions from the council.

The Mayor asked, "Shall the ordinance pass?"  
Roll call: Unanimous – Yes. The ordinance is adopted.

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

Carmichael, chair of Community Environment & Welfare Committee, reported the committee had met, recommended to "Do pass" and recognized Phil Swope.

No questions from the council.

The Mayor asked, "Shall the ordinance pass?"  
Roll call: Unanimous – Yes. The ordinance is adopted.

Hayes, reminder to stay safe and smart during this ongoing pandemic.

Reithemeyer, budget books will be out for review next week in preparation for the meeting at the Rogers Convention Center.

Mayor, vote and assist neighbors, friends, church members in getting to the polls safely.

**NEW BUSINESS:**

(Agenda Item #9)

**ORD. #20-97.** Accepting The Final Plat Of Scissortail Subdivision, Phase 2 Rogers, Benton County, Arkansas

**APPOINTMENTS:**

**ANNOUNCEMENTS:**

There being no further business, motion by Kruger, second by Wolf to adjourn the meeting. Meeting adjourned at 7:08 p.m.

**ATTEST:**

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Jessica Rush, City Clerk-Treasurer

**APPROVED:**

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C. Greg Hines, Mayor