

MINUTES – February 14, 2023

The Rogers City Council met in *regular session* in the Council Chambers of the Maurice H. Kolman City Hall Building and via ZOOM on Tuesday, February 14, 2023 at 6:30 p.m. The meeting was called to order by Mayor Greg Hines.

PUBLIC FORUM:

Dave Hatsell Chaplin of the Benton County Sheriff's Department provided an invocation.

Tex Aten, resident at 1705 Dixieland Road. For the growth within the city, but feels the development at 1704 Dixieland being proposed in front of the council tonight is wrong for the area and not compatible with the existing neighborhood.

Brenda Ink, resident at 1811 Lela Road. Agrees with the previous speaker regarding the proposed development on Dixieland Road. Concerned with the increased traffic the development would create and adding to an already existing drainage issue.

Kruger, commend the street department & airport for all their hard work during the last winter storm and appreciate their efforts.

ROLL CALL:

Mark Kruger, Betsy Reithemeyer, Gary Townzen, Marge Wolf, Barney Hayes, Clay Kendall, Mandy Brashear, and April Legere were present.

OTHER OFFICIALS PRESENT:

Senior Staff Attorney John Pesek, Finance Director Casey Wilhelm, Community Development Director John McCurdy, Community Development Director Shawn Grindstaff, Parks & Recreation Director Jim White, Airport Supervisor David Krutsch, Planning Services Administrator Lori Ericson, Planning Commissioner Mandel Samuels, Chief BJ Hyde, Recycling Center Superintendent Jarold Haley, Rogers Police Chief Jonathan Best, Public Relations Manager Peter Masonis, and Executive Assistant to the Mayor Jennifer Moore.

ACTION ON MINUTES:

January 24, 2023

Motion by Townzen, second by Kruger to approve the minutes of the January 24, 2023 as presented.

Voice vote: Yes, unanimous. **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. Bundle items #12-18.

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

**REPORTS OF BOARDS AND STANDING
COMMITTEES:**

(Agenda Item #1.)

RES. R23-10 Amending The 2023 Budget By
Establishing Capital Project Account
#315-15-81144 West Side
Acquisitions

The resolution 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 Airport Manager David Krutsch.

No questions from the council.

Motion by Wolf, second by Reithemeyer to adopt the resolution. One abstain – Kruger.

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

(Agenda Item #2.)

RES. R23-11 Scheduling A Public Hearing To
Determine A Nuisance Structure On
Certain Property Located In Rogers,
Arkansas

The resolution 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 BJ Hyde.

No questions from the council.

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

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

(Agenda Item #3.)

RES. R23-12 Adopting Updated Policies And
Procedures In The Standard Operating
Procedures Of The Rogers Police
Department

The resolution 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 Police Chief Jonathan Best.

No questions from the council.

Motion by Kruger, second by Hayes to adopt the resolution. One abstain – Brashear.

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

(Agenda Item #4.)

RES. R23-13 Amending The 2022 Budget To Recognize Funds From The Edward Byrne Grant In The Amount Of \$37,841.00 Into Account #100-03-45631 Edward Byrne Federal Grant Revenue 2022

The resolution 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 Police Chief Jonathan Best.

No questions from the council.

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

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

(Agenda Item #5.)

ORD. #23-07 Amending Chapter 14, Section 723 – Conditional Uses Of The City Of Rogers Code Of Ordinances

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

Legere, chair of Community Environment & Welfare Committee, reported the committee had met, recommended to “Do pass” and recognized Director of Planning John McCurdy.

Brashear, does this only affect new CUP permits? McCurdy, that is correct.

Pesek, it would not require existing CUP permit holders to comply until they are doing work on their property and the update would need to include the guidelines.

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

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

(Agenda Item #6.)

RES. R23-14 Authorizing The Mayor And City Clerk To Enter Into A Permanent Encroachment And Usage Agreement Within The Public Right Of Way With 401 North 1st Street Rogers, LLC And The District

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

Legere, chair of Community Environment & Welfare Committee, reported the committee had met, recommended to “Do pass” and recognized Director of Planning John McCurdy.

No questions from the council.

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

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

(Agenda Item #7.)

ORD. #23-08 Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To U-COM (2111 W. Walnut Street)

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

Legere, chair of Community Environment & Welfare Committee, reported the committee had met, recommended to “Do pass” and recognized Director of Planning John McCurdy.

No questions from the council.

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

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

(Agenda Item #8.)

ORD. #23-__ Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To RMF-10.5 (1704 S Dixieland & 1710 S Dixieland)

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

Legere, chair of Community Environment & Welfare Committee, reported the committee had met, recommended to “Send back to Planning Commission” and recognized Director of Planning John McCurdy.

Legere, motion to remit back the Planning Commission for further review, second by Hayes.

(Agenda Item #9.)

RES. R23-15 Amending The 2023 Budget To Recognize A Donation From The Artosphere Festival Of \$1,000.00 Into Account #100-18-45600 Grants And Donations

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 to “Do pass” and recognized Justin Pounds.

No questions from the council.

Motion by Brashear, second by Reithemeyer to adopt the resolution.
Voice vote: Unanimous – Yes. The resolution is adopted.

(Agenda Item #10.)

RES. R23-16 Authorizing The Mayor And City Clerk To Enter Into An Agreement With Esco Processing And Recycling Of Rogers, Arkansas For The Purchase Of A Used Styrofoam Densifier

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 to “Do pass” and recognized Jarold Haley.

No questions from the council.

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

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

(Agenda Item #11.)

RES. R23-17 Amending The City Of Rogers' 2022 Budget To Appropriate General Fund Reserves, Street Fund Reserves, And Health Insurance Fund Reserves To Various Accounts

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 to "Do pass" and recognized Director of Finance Casey Wilhelm.

No questions from the council.

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

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

(Agenda Item #12-18.)

RES. R23-18 Amending The 2023 Budget To Recognize Grant Proceeds In The Amount Of \$416,294.00 And Appropriate Said Grant Proceeds And General Fund Reserves In The Amount Of \$28,162,354.00 To Various Accounts

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 to "Do pass" and recognized Director of Finance Casey Wilhelm.

No questions from the council.

RES. R23-19 Amending The 2023 Budget To Appropriate American Rescue Fund Reserves In The Amount Of \$387,945.00 To Account Number 348-48-73320 Education Assistance

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

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

RES. R23-20 Amending The 2023 Budget To Appropriate Court Automation Fund Reserves In The Amount Of \$120,078.00 To Account Number 338-38-70251 Court Automation Expense

RES. R23-21 Amending The 2023 Budget To Appropriate Grant Proceeds And Street Fund Reserves In The Amount Of \$9,272,193.00 To Various Accounts

RES. R23-22 Amending The 2023 Budget To Recognize Grant Proceeds In The

Amount Of \$1,246,380.00 And
Appropriate Said Grant Proceeds And
Airport Fund Reserves In The
Amount Of \$686,219.00 To Various
Accounts

RES. R23-23 Amending The 2023 Budget To
Appropriate CMRS 911 Fund
Reserves In The Amount Of
\$630,314.00 To Various Accounts

RES. R23-24 Amending The 2023 Budget To
Recognize Grant Proceeds In The
Amount Of \$638,429.00 And
Appropriate Said Grant Proceeds And
CDBG Fund Reserves In The Amount
Of \$638,429.00 To Various Accounts

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

No comments.

Kruger, move to adjourn the meeting at 7:07pm second
by Wolf.

ATTEST:

APPROVED:

Jessica Rush, City Clerk-Treasurer

C. Greg Hines, Mayor