



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
479-621-1117
www.rogersar.gov

AMENDED COMMITTEE SCHEDULE

DISCLAIMER: The City of Rogers makes no claims, promises, or guarantees regarding the participants ability to attend any public meeting virtually. Technology resources, virtual meeting platforms, and the Internet may occasionally be interrupted or made unavailable by causes beyond the City's reasonable control. The City cannot guarantee that participants will have the opportunity to participate virtually at all times. Public Forums, Public Hearings, and scheduled items of business will not be tabled or postponed due to technological issues. If you are representing a published item of business or wish to speak at a public hearing, in person attendance is required.

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: August 8, 2023

The following committee meetings will be held on **Tuesday, August 8, 2023** prior to the City Council Meeting:

06:00 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)

Committee Room #2 OR <https://us02web.zoom.us/j/87421288827> OR (312)626-6799 ID:874 2128 8827

To Discuss: (a) A Resolution Authorizing The Destruction Of Certain Records Of The City Of Rogers' Legal Department

06:00 p.m. - TRANSPORTATION COMMITTEE: (Surly*, Legere, Townzen)

Committee Room #1 OR <https://us02web.zoom.us/j/82890986694> OR (312)626-6799 ID: 828 9098 6694

- To Discuss:
- (a) Street Closure Request - Pinnacle Springs Retirement Charter Resident Event
 - (b) Street Closure Request – Komen NWA More Than Pink Walk
 - (c) A Resolution Amending The 2023 Budget; Recognizing A Federal Grant In The Amount Of \$1,673,521.00 Into Account #315-15-48050 Federal Grant Revenue; Appropriating \$1,764,844.00 From Grant Revenue And Airport Fund Reserves Into Account #315-15-81143 Reconstruct Taxiway Lighting And Airfield Electrical Vault; Authorizing The Mayor And City Clerk To Enter Into A Construction Contract With Rick McGinty Company, Inc. Of Greenbrier, Arkansas In The Amount Of \$1,673,322.00; Authorizing The Mayor And City Clerk To Enter A Contract Amendment With Garver, LLC, Of North Little Rock, Arkansas, For Construction Phase Professional Services Associated With The Reconstruction Of Taxiway Lighting And Airfield Electrical Vault In An Amount Not To Exceed \$99,850.00
 - (d) A Resolution Amending The 2023 Budget; Authorizing The Mayor And City Clerk To Enter A Contract With Phoenix Navtech, LLC Of Saint Cloud, Florida In The Amount Of \$499,643.24; Appropriating \$79,336.00 From Airport Fund Reserves Into Account #315-15-81144.003 Replace ATC Equipment
 - (e) A Resolution Authorizing The Mayor And City Clerk To Accept And Enter Into A Grant Agreement With The Federal Aviation Administration For The Rogers Executive Airport



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ROGERS CITY COUNCIL **AGENDA**

AUGUST 8, 2023
6:30 PM

In Person Rogers City Council Chambers

OR via [ZOOM LINK](#) OR By Phone (312) 626-6799 ID: 892 6938 0398

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PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. July 25, 2023

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|---|------------------------------|
| 1. | RES. Re: | Authorizing The Destruction Of Certain Records Of The City Of Rogers' Legal Department | RESOURCES & POLICY COMMITTEE |
| 2. | RES. Re: | Amending The 2023 Budget; Recognizing A Federal Grant In The Amount Of \$1,673,521.00 Into Account #315-15-48050 Federal Grant Revenue; Appropriating \$1,764,844.00 From Grant Revenue And Airport Fund Reserves Into Account #315-15-81143 Reconstruct Taxiway Lighting And Airfield Electrical Vault; Authorizing The Mayor And City Clerk To Enter Into A Construction Contract With Rick McGinty Company, Inc. | TRANSPORTATION COMMITTEE |

Of Greenbrier, Arkansas In The Amount Of
\$1,673,322.00; Authorizing The Mayor And City Clerk
To Enter A Contract Amendment With Garver, LLC, Of
North Little Rock, Arkansas, For Construction Phase
Professional Services Associated With The Reconstruction
Of Taxiway Lighting And Airfield Electrical Vault In An
Amount Not To Exceed \$99,850.00

3. RES. Re: Amending The 2023 Budget; Authorizing The Mayor And City Clerk To Enter A Contract With Phoenix Navtech, LLC Of Saint Cloud, Florida In The Amount Of \$499,643.24; Appropriating \$79,336.00 From Airport Fund Reserves Into Account #315-15-81144.003 Replace ATC Equipment TRANSPORTATION
COMMITTEE
4. RES. Re: Authorizing The Mayor And City Clerk To Accept And Enter Into A Grant Agreement With The Federal Aviation Administration For The Rogers Executive Airport TRANSPORTATION
COMMITTEE

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

1. Appointment of Hayes Minor to the Civil Service Commission; term to expire August 08, 2029.

ANNOUNCEMENTS:

RESOLUTION NO. R23- _____

**A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS OF
THE CITY OF ROGERS' LEGAL DEPARTMENT; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Rogers Legal Department desires to destroy certain archived civil records to create space for current City records; and

WHEREAS, the list of records to be destroyed is set out in the Affidavit of Destruction, attached as **Exhibit "A."**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF ROGERS, ARKANSAS THAT:**

Section 1: The City of Rogers' Senior Staff Attorney may destroy the following records of the City of Rogers' Legal Department pursuant to Ark. R. Prof. Conduct Rule 1.19(b)(1);

Section 2: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John M. Pesek, Senior Staff Attorney
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Resources & Policy Committee

EXHIBIT "A"

AFFIDAVIT OF DESTRUCTION OF RECORDS

I, John Pesek, do hereby certify that the following records of the City of Rogers Legal Department have been retained for at least five (5) years as specified under Ark. R. Prof. Conduct Rule 1.19(b)(1) of the Arkansas Rules of Professional Conduct and have been audited as required by law. The records listed below, covering the time period stated, are to be destroyed on or after August 2023, by shredding said records.

TYPE OF RECORDS

Staff attorney/city attorney closed case files

Receipts/Receipt listings

TIME PERIOD

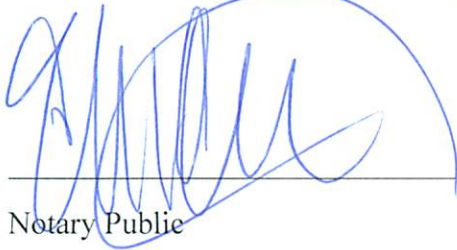
July 2018 or before

July 2018 or before

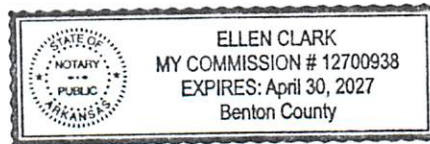


Senior Staff Attorney
John M. Pesek

Subscribed and Sworn to me this 3 day of August, 2023.



Notary Public



RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET; RECOGNIZING A FEDERAL GRANT IN THE AMOUNT OF ONE MILLION SIX HUNDRED SEVENTY-THREE THOUSAND FIVE HUNDRED TWENTY-ONE DOLLARS (\$1,673,521.00) INTO ACCOUNT #315-15-48050 FEDERAL GRANT REVENUE; APPROPRIATING ONE MILLION SEVEN HUNDRED SIXTY-FOUR THOUSAND EIGHT HUNDRED FORTY-FOUR DOLLARS (\$1,764,844.00) FROM GRANT REVENUE AND AIRPORT FUND RESERVES INTO ACCOUNT #315-15-81143 RECONSTRUCT TAXIWAY LIGHTING AND AIRFIELD ELECTRICAL VAULT; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONSTRUCTION CONTRACT WITH RICK MCGINTY COMPANY, INC. OF GREENBRIER, ARKANSAS IN THE AMOUNT OF ONE MILLION SIX HUNDRED SEVENTY-THREE THOUSAND THREE HUNDRED TWENTY-TWO DOLLARS (\$1,673,322.00); AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER A CONTRACT AMENDMENT WITH GARVER, LLC, OF NORTH LITTLE ROCK, ARKANSAS, FOR CONSTRUCTION PHASE PROFESSIONAL SERVICES ASSOCIATED WITH THE RECONSTRUCTION OF TAXIWAY LIGHTING AND AIRFIELD ELECTRICAL VAULT IN AN AMOUNT NOT TO EXCEED NINETY-NINE THOUSAND EIGHT HUNDRED FIFTY DOLLARS (\$99,850.00); AND FOR OTHER PURPOSES.

WHEREAS, bids were received for the Reconstruct Taxiway Lighting and Airfield Electrical Vault project at the Rogers Executive Airport and Rick McGinty Company, Inc. was the lowest qualified bidder;

WHEREAS, City Council approved a contract with Garver, LLC, of North Little Rock for design and bid phase services associated with this project in Resolution 23-09;

WHEREAS, the City of Rogers desires to enter into a contract amendment with Garver, LLC, of North Little Rock, Arkansas, for construction phase services associated with the reconstruction of taxiway lighting and airfield electrical vault at the Rogers Executive Airport; and

WHEREAS, the Federal Aviation Administration has allocated grant funding for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: The 2023 Budget is amended to recognize federal grant revenue in the amount of one million six hundred seventy-three thousand five hundred twenty-one dollars (\$1,673,521.00) into Account #315-15-48050 Federal Grant Revenue;

Section 2: The 2023 budget is hereby amended to appropriate one million seven hundred sixty-four thousand eight hundred forty-four dollars (\$1,764,844.00) from Airport

Fund Reserves and Grant Revenue into Account #315-15-81143 Reconstruct Taxiway Lighting and Airfield Electrical Vault;

Section 3: The Mayor and City Clerk are authorized to enter into a Contract Amendment with Garver, LLC, for construction phase professional services associated with the reconstruction of taxiway lighting and the airfield electrical vault at the Rogers Executive Airport in the amount not to exceed ninety-nine thousand eight hundred fifty dollars (\$99,850.00), plus applicable taxes, if any;

Section 4: The Mayor and City Clerk are authorized to enter into a Contract with Rick McGinty Company, Inc. in the amount of one million six hundred seventy-three thousand three hundred twenty-two dollars (\$1,673,322.00);

Section 5: Execution of said contract with Rick McGinty Company, Inc. and contract amendment with Garver, LLC shall be contingent upon the approval of the Federal Aviation Administration, as may be required;

Section 6: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 7: Repeal of Conflicting Provisions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2023.

APPROVED:

C, GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: David Krutsch, Airport Manager
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER A CONTRACT WITH PHOENIX NAVTECH, LLC OF SAINT CLOUD, FLORIDA IN THE AMOUNT OF FOUR HUNDRED NINETY-NINE THOUSAND SIX HUNDRED FORTY-THREE DOLLARS AND TWENTY-FOUR CENTS (\$499,643.24); APPROPRIATING SEVENTY-NINE THOUSAND THREE HUNDRED THIRTY-SIX DOLLARS (\$79,336.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT #315-15-81144.003 REPLACE ATC EQUIPMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers anticipates receipt of four hundred thousand dollars (\$400,000.00) in grant funding from the Federal Aviation Administration for the Replacement of Air Traffic Control Equipment at the Rogers Executive Airport;

WHEREAS, City Council approved Resolution 23-43, recognizing four hundred thousand dollars (\$400,000.00) in grant revenue and appropriating four hundred fifty thousand dollars (\$450,000.00) for this project;

WHEREAS, bids were received and Phoenix Navtech, LLC. of Saint Cloud, Florida was the lowest qualified bidder; and

WHEREAS, the bid amount exceeds the budgeted amount by seventy-nine thousand three hundred thirty-six dollars (\$79,336.00).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: The Mayor and City Clerk are authorized to enter into a contract with Phoenix Navtech, LLC. of Saint Cloud, Florida, for the installation of communications and weather equipment at the Rogers Executive Airport Air Traffic Control Tower in an amount not to exceed four hundred ninety-nine thousand six hundred forty-three dollars and twenty-four cents (\$499,643.24), plus applicable taxes, if any;

Section 2: The 2023 budget is amended to appropriate seventy-nine thousand three hundred thirty-six dollars (\$79,336.00) from Airport Fund Reserves into Account #315-15-81144.003 Replace ATC Equipment;

Section 3: Execution of said contract with Phoenix Navtech, LLC shall be contingent upon the approval of the Federal Aviation Administration, as may be required;

Section 4: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 5: Repeal of Conflicting Provisions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2023.

APPROVED:

C, GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: David Krutsch, Airport Manager
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT
AND ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL AVIATION
ADMINISTRATION FOR THE ROGERS EXECUTIVE AIRPORT; AND FOR OTHER
PURPOSES.**

WHEREAS, the City of Rogers Executive Airport anticipates receipt of a grant from the Federal Aviation Administration under the Airport Improvement Program (AIP) with tentative identification number 3-05-0055-043-2023;

WHEREAS, the anticipated amount of the grant will be one million six hundred seventy-three thousand five hundred twenty-one dollars (\$1,673,521.00), with the exact amount of said grant based on available funding as determined by FAA; and

WHEREAS, the grant funds will help fund the Rogers Executive Airport Taxiway Lighting and Airfield Electrical Vault reconstruction project.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF ROGERS, ARKANSAS RESOLVES THAT:**

Section 1: The Mayor and City Clerk are authorized to accept and enter into a grant agreement with the Federal Aviation Administration (FAA); with tentative identification number 3-05-0055-043-2023;

Section 2: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: David Krutsch, Airport Manager
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee