



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

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: September 28, 2021

The following committee meetings will be held on **Tuesday, September 28, 2021** prior to the City Council Meeting:

05:20 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)

<https://us02web.zoom.us/j/84054837447> OR (312) 626-6799 ID: 840 5483 7447

To Discuss: (a) RWU Monthly Report

05:30 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)

<https://us02web.zoom.us/j/84054837447> OR (312) 626-6799 ID: 840 5483 7447

- To Discuss:
- (a) A Resolution Changing One Of The Airport Operations Technician Positions From Thirty To Forty Hours; Amending The 2021 Budget To Appropriate \$9,654.00 From Airport Fund Reserves To The Below Listed Accounts In Order To Fund This Change
 - (b) A Resolution Authorizing The Rate Of Property Tax For The City Of Rogers For The Year 2021 To Be Collected In 2022
 - (c) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With The Northwest Arkansas Council

05:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Legere*, Townzen, Hayes)

<https://us02web.zoom.us/j/84054837447> OR (312) 626-6799 ID: 840 5483 7447

- To Discuss:
- (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To U-COM, Amending The Comprehensive Growth Map (PHP Holdings) [Staff Report](#)



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ROGERS CITY COUNCIL
***AMENDED* AGENDA**

SEPTEMBER 28, 2021
6:30 PM

via ZOOM <https://us02web.zoom.us/j/86414579249>

OR By Phone (312) 626-6799 ID: 864 1457 9249

PUBLIC HEARING:

1. 1. The Vacation Of An Alley In The Morris Subdivision On West Ash Between South 6th And South 8th Streets
2. The Vacation Of A Certain Portion Of West Sycamore Street

PUBLIC FORUM:

ROLL CALL:

ACTION ON MINUTES:

1. September 14, 2021

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|---|----------------------|
| 1. | RES. Re: | Changing One Of The Airport Operations Technician Positions From Thirty To Forty Hours; Amending The 2021 Budget To Appropriate \$9,654.00 From Airport Fund Reserves To The Below Listed Accounts In Order To Fund This Change | FINANCE
COMMITTEE |
| 2. | RES. Re: | Authorizing The Rate Of Property Tax For The City Of Rogers For The Year 2021 To Be Collected In 2022 | FINANCE
COMMITTEE |
| 3. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into An Agreement With The Northwest Arkansas Council | FINANCE
COMMITTEE |

4. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning
Certain Lands From A-1 To U-COM, Amending The
Comprehensive Growth Map (PHP Holdings)

COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R21-_____

A RESOLUTION CHANGING ONE OF THE AIRPORT OPERATIONS TECHNICIAN POSITIONS FROM THIRTY TO FORTY HOURS; AMENDING THE 2021 BUDGET TO APPROPRIATE NINE THOUSAND SIX HUNDRED FIFTY-FOUR DOLLARS (\$9,654.00) FROM AIRPORT FUND RESERVES TO THE BELOW LISTED ACCOUNTS IN ORDER TO FUND THIS CHANGE; AND FOR OTHER PURPOSES.

WHEREAS, the increase in hours for this position is needed in anticipation of increasing airport maintenance requirements with increased air traffic post Covid-19 and due to the hangar development expansion project nearing completion.

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

Section 1: One of the positions of Airport Operation Technician is changed from thirty to forty hours to assist with increased airport maintenance requirements;

Section 2: The 2021 Budget is amended to appropriate nine thousand six hundred fifty-four dollars (\$9,654.00) from **Airport Fund Reserves** to the following accounts to fund the increase from thirty to forty hours:

315-15-60105 – Salaries and Wages	\$ 7,850.00
315-15-61150 – FICA	\$ 601.00
315-15-61155 – Retirement Expense-APERS	\$ 1,203.00
Grand Total:	\$ 9,654.00

Section 3: 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 4: Repeal of Conflicting Resolutions: 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 _____, **2021**.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Thomas Dunlap, Director of Human Resources
Prepared by: Bonnie Bridges, Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. R21-_____

A RESOLUTION AUTHORIZING THE RATE OF PROPERTY TAX FOR THE CITY OF ROGERS FOR THE YEAR 2021 TO BE COLLECTED IN 2022; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Annotated § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for general purposes, in any one year, pursuant to the provision of the Arkansas Constitution;

WHEREAS, Arkansas Code Annotated § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the County Clerk the rate of taxation levied by the city on all the real and personal property within the city or town; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Rogers and its citizens to levy the rate of taxation on the real and personal property located within the said city as set forth herein, and to certify the same to the County Clerk, and authorize the Quorum Court of Benton County to levy said tax for the year 2021, to be collected in 2022.

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

Section 1: The property tax rate for the City of Rogers General purposes on the Real and Personal Property situated within the city and to be collected in the year 2022 shall be fixed and levied at the rate of Two and Four Tenths (2.4) mills on each dollar of assessed value of real and personal property.

Section 2: The property tax for *Library* purposes for the City of Rogers on Real and Personal Property situated within the city to be collected in the year 2022 shall be fixed and levied at the rate of Nine-Tenths (0.9) mills on each dollar of assessed value of real and personal property.

Section 3: The rate of taxation levied herein on the real and personal property within the City of Rogers shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

Section 4: The Quorum Court of Benton County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Rogers, for the year, 2021 at its regular meeting in November according to law.

Section 5: 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 6: 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 _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Mayor C. Greg Hines

Prepared By: Bonnie Bridges, Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R21-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE NORTHWEST ARKANSAS COUNCIL; AMENDING THE 2021 BUDGET TO APPROPRIATE FUNDS FROM THE AMERICAN RESCUE PLAN ACT FUND 348 INTO ACCOUNT #348-48-73135 COVID-19 PUBLIC HEALTH EXPENSE; ALLOWING FOR PAYMENT IN THE AMOUNT OF UP TO SIXTY-NINE THOUSAND NINE HUNDRED EIGHT DOLLARS (\$69,908.00); AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers wants to be a proactive part of the region wide effort to protect its residents and all people across Northwest Arkansas from the COVID-19 virus;

WHEREAS, the City desires to partner with the Northwest Arkansas Council to support community health by funding vaccination clinics and educational media campaigns; and

WHEREAS, Northwest Arkansas Council has submitted a request for up to sixty-nine thousand nine hundred eight dollars (\$69,908.00) for Rogers' portion of this 12 month media campaign and vaccination clinics.

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 an agreement with the Northwest Arkansas Council to fund COVID-19 vaccination clinics and media campaigns;

Section 2: The City of Rogers 2021 Budget is amended to appropriate up to sixty-nine thousand nine hundred eight dollars (\$69,908.00) from the American Rescue Plan Act Fund 348 into Account #348-48-73135 Covid-19 Public Health Expense,

Section 3: 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 4: 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 _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Mayor C. Greg Hines
Prepared by: Bonnie Bridges, Staff Attorney
For Consideration By: Finance Committee

ORDINANCE NO. 21-_____

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM A-1 TO U-COM, AMENDING THE COMPREHENSIVE GROWTH MAP, PROVIDING FOR THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code Section Rogers Code Section 14-725, et seq, and upon the consideration of the report and recommendations of the Planning Commission of the City of Rogers, Benton County, Arkansas, on September 22, 2021, the City Council has found that certain lands hereinafter described are better suited for U-COM zoning.

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

SECTION 1: That Section 14-675 of the code of Ordinances, City of Rogers, should be and the same hereby is amended as hereinafter provided.

SECTION 2: That the land hereinafter described should be and the same is hereby zoned as U-COM and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS.

LESS AND EXCEPT, PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 22, IN TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 660 FEET NORTH OF AND 669.6 FEET EAST OF THE SW CORNER OF THE SAID SW 1/4 OF THE NW 1/4, RUNNING THENCE NORTH 660 FEET; THENCE EAST 330 FEET; THENCE SOUTH 660 FEET; THENCE WEST 330 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT, PART OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, THENCE SOUTH 88 DEGREES 00 MINUTES EAST 511.9 FEET; THENCE NORTH 01 DEGREE 43 MINUTES EAST 662.5 FEET TO A FOUND IRON PIN; THENCE SOUTH 88 DEGREES 27 MINUTES 40 SECONDS EAST 487.45 FEET TO A SET IRON PIN SET ON THE CENTERLINE OF CAPPS ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE ALONG SAID CENTERLINE SOUTH 88 DEGREES 27 MINUTES 40 SECONDS EAST 330.03 FEET TO A FOUND IRON PIPE; THENCE LEAVING SAID CENTERLINE NORTH 01 DEGREE 42 MINUTES 16 SECONDS EAST 657.15 FEET TO A FOUND IRON PIPE; THENCE NORTH 88 DEGREES 19 MINUTES 19 SECONDS WEST 329.64 FEET TO A SET IRON PIN; THENCE SOUTH 01 DEGREE 44 MINUTES 18 SECONDS WEST 657.95 FEET TO THE TRUE POINT OF BEGINNING AND BEING SUBJECT TO THE RIGHT-OF-WAY OF CAPPS ROAD ALONG THE SOUTH SIDE THEREOF AND SUBJECT TO COVENANTS AND EASEMENT IF ANY.

LESS AND EXCEPT, PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST IN ROGERS, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEGINNING S 88°00' E 339.6 FEET FROM THE SW CORNER OF THE SAID SW 1/4 OF THE NW 1/4; THENCE N 01°43' E 661.11 FEET; THENCE S 88°27'40" E

172.4 FEET; THENCE S 01°43' W 661.85 FEET; THENCE N 88°13' W 172.4 FEET TO THE POINT OF BEGINNING, CONTAINING 2.62 ACRES, MORE OR LESS.

LESS AND EXCEPT, PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST IN ROGERS, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SW CORNER OF SAID SW 1/4 OF THE NW 1/4; THENCE S 88°00' E 339.6 FEET; THENCE S 88° 13' E 172.4 FEET TO THE POINT OF BEGINNING; THENCE N 01°43' E 450.85 FEET; THENCE S 88°00'50" E 435.0 FEET; THENCE S 01°43' W 449.30 FEET; THENCE N 88° 13' W 435.0 FEET TO THE POINT OF BEGINNING, CONTAINING 4.49 ACRES.

LESS AND EXCEPT, PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT WHICH IS S 88° E 511.90 FEET AND N 01°43' E 451.50 FEET FROM THE SW CORNER OF THE NW 1/4 OF SAID SECTION 22; THENCE N 01°43' E 210.86 FEET; THENCE S 88°27'40" E 435.00 FEET; THENCE S 01°43' W 214.4 FEET; THENCE N 88°00'48" W 435.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT, A PART OF THE S 1/2 OF THE NW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NW 1/4 WHICH IS DESCRIBED AS BEING 947 FEET EASTERLY OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH 1 DEGREE 43 MINUTES EAST 663.2 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 40 SECONDS EAST 382.6; THENCE SOUTH 1 DEGREE 43 MINUTES WEST 664.5 FEET; THENCE NORTH 88 DEGREES 16 MINUTES WEST 382.6 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT, PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NW CORNER OF SAID SW 1/4 OF THE NW 1/4; THENCE ALONG THE NORTH LINE OF SAID SW1/4 OF THE NW 1/4 S86°51'16"E 18.53 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S86°51'16"E 146.31 FEET; THENCE S60°00'00"W 195.84 FEET TO THE WEST LINE OF SAID SW1/4 OF THE NW1/4; THENCE ALONG SAID WEST LINE N02°40'51"E 95.05 FEET; THENCE N60°00'00"E 22.01 FEET TO THE POINT OF BEGINNING, CONTAINING 8,714.11 SQUARE FEET OR 0.20 ACRES, MORE OR LESS.

LESS AND EXCEPT, PART OF THE SW1/4 OF THE NW1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NW CORNER OF SAID SW1/4 OF THE NW1/4; THENCE ALONG THE NORTH LINE OF SAID SW1/4 OF THE NW1/4 S86°51'16"E 18.53 FEET; THENCE S60°00'00"W 22.01 FEET TO THE WEST LINE OF SAID SW 1/4 OF THE NW1/4; THENCE ALONG SAID WEST LINE N02°40'51 "E 12.04 FEET TO THE POINT OF BEGINNING, CONTAINING 111.50 SQUARE FEET .

LESS AND EXCEPT, PART OF THE SW1/4 OF THE NW1/4 OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 30 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NW CORNER OF SAID SW1/4 OF THE NW1/4; THENCE ALONG THE WEST LINE OF SAID SW1/4 OF THE NW1/4 S02°40'51"W 107.08 FEET TO THE POINT OF BEGINNING; THENCE N60°00'00"E 35.44 FEET; THENCE S30°00'00"E 12.32 FEET; THENCE S60°00'00"W 25.00 FEET; THENCE N30°00'00"W 5.82 FEET; THENCE S60°00'00"W 14.62 FEET TO THE WEST LINE OF SAID SW1/4 OF THE NW1/4; THENCE

ALONG SAID WEST LINE N02°40'51"E 7.72 FEET TO THE POINT OF BEGINNING, CONTAINING 389.41 SQUARE FEET.

LAYMAN'S DESCRIPTION:

15.57 ± acres located N and SW of the intersection of S. 31st St. and Green Acres Dr.

SECTION 3: **Zoning.** That the above described lands are better suited for U-COM than A-1 zoning and same should be and are hereby zoned U-COM.

SECTION 4: **Comprehensive Growth Map.** That the City's Comprehensive Growth Map is hereby amended to classify the entirety of parcels 02-01694-035, 02-01694-040 and 02-01694-045 as the "Regional Center" Growth Designation rather than the "Neighborhood" Growth Designation.

SECTION 5: **Emergency Clause.** That it is necessary to bring proposed uses of the property into conformance with the Rogers City Zoning Ordinances and because of such an emergency is declared to exist and in order to protect the public peace, health, safety and welfare, this ordinance shall be in full force and effect from the date of its passage and approval.

SECTION 6: **Severability Provision.** In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 7: **Repeal of Conflicting Ordinances and Resolutions.** All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this _____ day of _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Bill Watkins

Prepared By: Amber Long

For Consideration By: Community Environment & Welfare Committee