



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

***AMENDED AMENDED* COMMITTEE SCHEDULE**

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: January 25, 2022

The following committee meetings will be held on **Tuesday, January 25, 2022** prior to the City Council Meeting:

05:15 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear) **COMMUNITY ROOM** or via ZOOM <https://us02web.zoom.us/j/85246438841> or by phone (312)626-6799 ID: 852 4643 8841

To Discuss: (a) Discussion on virtual attendance

05:45 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall) **COMMITTEE ROOM #1** or via ZOOM <https://us02web.zoom.us/j/87108650033> or by phone (312)626-6799 ID: 871 0865 0033

To Discuss: (a) RWU Monthly Report

05:45 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Kruger, Legere) **COMMUNITY ROOM** or via ZOOM <https://us02web.zoom.us/j/85246438841> or by phone (312)626-6799 ID: 852 4643 8841

- To Discuss:
- (a) A Resolution Adopting Updated Policies And Procedures Of The Rogers Police Department
 - (b) A Resolution Waiving Competitive Bidding For The Purchase Of Nine 2022 Chevrolet Tahoes From Superior Chevrolet Of Siloam Springs, Arkansas For Use By The City Of Rogers Police Department
 - (c) Amending The 2022 Budget To Recognize State Trauma System Grant Funds In The Amount Of \$7,950.00 Into Account #100-04-45305 State Grant Revenue

05:55 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall) **COMMUNITY ROOM** or via ZOOM <https://us02web.zoom.us/j/85246438841> or by phone (312)626-6799 ID: 852 4643 8841

- To Discuss:
- (a) A Resolution Amending The 2022 Budget To Appropriate \$43,800.00 From General Fund Reserves Into Account #100-08-70154 Trails Maintenance
 - (b) A Resolution Amending The 2022 Budget To Appropriate \$9,451.92 From General Fund Reserves Into Account #100-08-70154 Trails Maintenance
 - (c) A Resolution Amending The 2022 Budget To Appropriate \$16,000.00 From General Fund Reserves Into Account #100-08-70154 Trails Maintenance
 - (d) A Resolution Amending The 2022 Budget To Appropriate \$31,843.00 From General Fund Reserves Into Account #100-08-70154 Trails Maintenance

05:55 p.m. - COMMUNITY SERVICES COMMITTEE: (Brashear*, Hayes, Kruger) **COMMITTEE ROOM #1** or via ZOOM <https://us02web.zoom.us/j/87108650033> or by phone (312)626-6799 ID: 871 0865 0033

- To Discuss:
- (a) An Ordinance Amending The Boundaries Of The Railyard Entertainment District



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ROGERS CITY COUNCIL
***AMENDED AMENDED* AGENDA**

JANUARY 25, 2022
6:30 PM

Rogers City Council Chambers or connect virtually via ZOOM
<https://us02web.zoom.us/j/83851585576>
OR by phone (312)626-6799 ID: 838 5158 5576

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. January 11, 2022

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|--|-------------------------|
| 1. | RES. Re: | Adopting Updated Policies And Procedures Of The Rogers Police Department | PUBLIC SAFETY COMMITTEE |
| 2. | RES. Re: | Waiving Competitive Bidding For The Purchase Of Nine 2022 Chevrolet Tahoes From Superior Chevrolet Of Siloam Springs, Arkansas For Use By The City Of Rogers Police Department | PUBLIC SAFETY COMMITTEE |
| 3. | RES. Re: | Amending The 2022 Budget To Recognize State Trauma System Grant Funds In The Amount Of \$7,950.00 Into Account #100-04-45305 State Grant Revenue | PUBLIC SAFETY COMMITTEE |
| 4. | RES. Re: | Amending The 2022 Budget To Appropriate \$43,800.00 From General Fund Reserves Into Account #100-08-70154 Trails Maintenance | FINANCE COMMITTEE |
| 5. | RES. Re: | Amending The 2022 Budget To Appropriate \$9,451.92 | FINANCE |

- | | | |
|----|---|------------------------------------|
| | From General Fund Reserves Into Account #100-08-70154
Trails Maintenance | COMMITTEE |
| 5. | RES. Re: Amending The 2022 Budget To Appropriate \$16,000.00
From General Fund Reserves Into Account #100-08-70154
Trails Maintenance | FINANCE
COMMITTEE |
| 7. | RES. Re: Amending The 2022 Budget To Appropriate \$31,843.00
From General Fund Reserves Into Account #100-08-70154
Trails Maintenance | FINANCE
COMMITTEE |
| 8. | ORD. Re: Amending The Boundaries Of The Railyard Entertainment
District | COMMUNITY
SERVICES
COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

1. ORD. Re: Accepting The Final Plat Of Pine Street Subdivision
Rogers, Benton County, Arkansas, The Dedication Of
Utility Easements And Other Public Ways Therein
(PINE STREET)
2. ORD. Re: Accepting The Final Plat Of Villas At Cobble Creek
Rogers, Benton County, Arkansas, The Dedication Of
Utility Easements And Other Public Ways Therein
(VILLAS AT COBBLE CREEK)
3. 2022 Committee Assignments

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R22-_____

**A RESOLUTION ADOPTING UPDATED POLICIES AND PROCEDURES OF THE
ROGERS POLICE DEPARTMENT; AND FOR OTHER PURPOSES.**

WHEREAS, the Rogers Police Department desires to update its current policies and procedures contained in its Standard Operating Guidelines; and

WHEREAS, the updated policies are identified in Exhibit “A” and will be incorporated into the Rogers Police Department’s Standard Operating Guidelines.

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

Section 1: The revised policies and procedures as set forth in the attached Exhibit “A” are adopted for immediate use and implementation by the Rogers Police Department;

Section 2: Severability Provision: If any of the 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 in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Johnathan Best, Interim Chief of Police
Prepared by: London K. Lundstrum, Staff Attorney
For Consideration By: Public Safety Committee

Exhibit A - 2022 Policy Changes

103.3 Non-Biased Policing

5. TRAINING CURRICULUM

5.1 The Training Unit shall conduct initial and annual training of personnel to include non-bias based profiling issues, legal aspects of bias-based profiling, traffic stops, and other related objectives as required by the Arkansas Commission on Law Enforcement Standards and Training.

7. ANNUAL ADMINISTRATIVE REVIEW

7.1 The command staff shall conduct documented, annual review of police practices related to non-bias based profiling in traffic stops, searches, asset seizure and forfeiture, enforcement and field contacts prior to March 1 of each year.

7.2 The review shall include the following information:

7.2.1 Data from the annual report on traffic stops prepared by the Records Unit supervisor.

7.2.2 A review of agency practices including any citizen concerns and any corrective measures taken as transmitted by the Office of Professional Standards.

103.5 Use of Force

8. DUTY TO INTERVENE

8.1 Any employee shall intervene within their scope of authority and training and notify the appropriate supervisor if they observe another agency employee or public safety associate engage in any unreasonable use of force or if they become aware of any violation of departmental policy, state or federal law, or local ordinance.

12. MEDICAL AID

12.1 Appropriate medical aid will be rendered as quickly as reasonably possible following any law enforcement action in which injuries have been sustained, and the officer will insure that the subject is transported to a medical facility for medical attention if unconsciousness occurs or there are obvious signs of (serious) injury or the subject requests medical attention.

103.10 Disciplinary Investigation Process

II. Definitions

Administrative Complaint - A complaint originating within the Department and involving it's personnel which are specific allegations of violations of departmental rules, regulations or procedures, Civil Service Rules and Regulations (if applicable), or violations of law.

2.4.7(f) Expedited Administrative Reviews may be conducted on the following incidents:

Any use of force by an officer in response to resistance that does not surpass level III controls as defined in SOG 103.5 Use of Force.

304.1 Police Vehicle Operations

5. TRAINING

5.1 All officers shall attend in-service emergency vehicle operations policy training annually.

401.6 Field Reporting

401.8 Handling Mentally Ill Persons

5. TRAINING

5.1 All personnel will receive documented initial training on the handling of mentally ill persons that is consistent with State requirements.

5.2 All personnel will receive documented in-service training on the handling of mentally ill persons annually.

406.1 Criminal Intelligence Management

409.8 Incident Command System

9. TRAINING EXERCISE AND ANALYSIS

9.1 The Police Department will participate in documented practical application, tabletop, or multiple agency training for Incident Command System operations biennially utilizing scenarios addressed by the department's "All Hazard" Plan

9.2 Department Command Staff, Special Weapons and Tactics Team, and other affected agency personnel will participate in documented annual "All Hazard" training.

412.2 Academy Recruit Training

5. TRAINING NEEDS

5.1 Upon request from the academies, the Rogers Police Department's Training Unit is authorized to coordinate efforts with Academy staff in order to provide suitable training facilities (if available), staff and instructors, and/or any other resources for training purposes.

5.2 Upon enrollment into an academy, the Training Unit will ensure that recruits are provided the following:

5.2.1 A curriculum based on tasks of the most frequent duties of sworn personnel who complete recruit training.

5.2.2 Evaluation techniques designed to measure competency in the required knowledge, skills, and abilities.

5.2.3 An orientation handbook issued to all new recruit personnel at the time academy training begins.

SO/2015-3 Warrantless Search of Probationer or Parolee

UOD/SO 304.6 Uniforms and Equipment

1. GENERAL REGULATIONS

1.1 The Class B / Winter Uniform

1.1.1 Headgear – Dark navy colored Stratton Brand straw campaign style Model S40-NV with single hole for the hat badge.

1.7.4 Bicycle Patrol

1.7.4(a) Uniform only authorized while operating a police bicycle or actively engaged in activities arising from the operation of a police bicycle.

1.7.4(b) Helmet

- Any time that the officer is on a bike, the helmet will be worn and the safety straps locked.

- H

1.7.4(d) Shirts

- Lightweight, nylon or cotton/nylon blend, royal blue upper half/dark blue lower half, divided by reflective strip with "POLICE" written in reflective material on the back.

1.7.4(h) Jackets

- SBlauer softshell fleece jacket, style #4670, royal top/navy bottom.

Hats

- Navy colored Stratton brand campaign hat Model S40-NV double brim with single hole for the hat badge.

RESOLUTION NO. R22-_____

A RESOLUTION WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF NINE 2022 CHEVROLET TAHOES FROM SUPERIOR CHEVROLET OF SILOAM SPRINGS, ARKANSAS FOR USE BY THE CITY OF ROGERS POLICE DEPARTMENT; ALLOWING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR SAID PURCHASE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Police Department desires to purchase nine 2022 Chevrolet Tahoes for use by that department;

WHEREAS, the purchase price for the nine 2022 Chevrolet Tahoes is five hundred eighteen thousand eight hundred and ninety-six dollars (\$518,896.00);

WHEREAS, Superior Chevrolet of Siloam Springs, Arkansas, can provide the vehicles with the specifications and warranties necessary for the Rogers Police Department; and

WHEREAS, there is no current state bid for the Tahoes this year due to the supply shortage of semiconductor microchips, however, Superior Chevrolet of Siloam Springs, Arkansas has offered the purchase price based on the price given for the state bid for 2021 plus a percentage increase.

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 Superior Chevrolet of Siloam Springs, Arkansas to purchase nine Chevrolet Tahoes from Superior Chevrolet of Siloam Springs, Arkansas for the purchase price not to exceed five hundred eighteen thousand eight hundred and ninety-six dollars (\$518,896.00);

Section 2: There exists an exceptional circumstance whereby the requirements of competitive bidding are neither practical nor feasible and the City Council, therefore, waives the requirements of competitive bidding for the purchase of the nine 2022 Chevrolet Tahoes for use by the City of Rogers Police Department;

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 _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Jonathan Best, Interim Chief of Police
Prepared by: London K. Lundstrum, Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R22-_____

A RESOLUTION AMENDING THE 2022 BUDGET TO RECOGNIZE STATE TRAUMA SYSTEM GRANT FUNDS IN THE AMOUNT OF SEVEN THOUSAND NINE HUNDRED AND FIFTY DOLLARS (\$7,950.00) INTO ACCOUNT #100-04-45305 STATE GRANT REVENUE; APPROPRIATING THAT SAME AMOUNT INTO ACCOUNT #100-04-70105 MEDICAL SUPPLIES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers will receive seven thousand nine hundred fifty dollars (\$7,950.00) in grant funds from the State Trauma System; and

WHEREAS, this grant money will be used to purchase manikins for use by the Rogers Fire Department.

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

Section 1: The City of Rogers' 2022 Budget is hereby amended to recognize grant funds in the amount of seven thousand nine hundred and fifty dollars (\$7,950.00) into Account #100-04-45305 State Grant Revenue.

Section 2: The City of Rogers' 2022 Budget is further amended to appropriate seven thousand nine hundred and fifty dollars (\$7,950.00) from Account #100-04-45305 State Grant Revenue into Account #100-04-70105 Medical Supplies.

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.

Section 4: 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 _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Tom Jenkins, Chief, Rogers Fire Department

Prepared By: London K. Lundstrum, Staff Attorney

For Consideration By: Public Safety Committee

RESOLUTION NO. R22-_____

A RESOLUTION AMENDING THE 2022 BUDGET TO APPROPRIATE FORTY THREE THOUSAND EIGHT HUNDRED DOLLARS (\$43,800.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-08-70154 TRAILS MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to repair Osage Creek due to damage it sustained in the flooding event of April 2021;

WHEREAS, these repairs will not exceed a cost of forty three thousand eight hundred dollars (\$43,800.00); and

WHEREAS, the City may receive mitigation funds not to exceed thirty-five percent from the Arkansas Division of Emergency Management for eligible expenses for this repair work.

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

Section 1: The City of Rogers' 2022 Budget is hereby amended to appropriate forty three thousand eight hundred dollars (\$43,800.00) from General Fund Reserves into Account #100-08-70154 Trails Maintenance;

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, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development
Prepared by: London K. Lundstrum, Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. R22-_____

A RESOLUTION AMENDING THE 2022 BUDGET TO APPROPRIATE NINE THOUSAND FOUR HUNDRED FIFTY ONE DOLLARS AND NINETY-TWO CENTS (\$9,451.92) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-08-70154 TRAILS MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to remove the Railyard Bike Park wall due to the damage it sustained in the flooding event of April 2021; and

WHEREAS, these repairs will cost an amount not to exceed nine thousand four hundred fifty one dollars and ninety-two cents (\$9,451.92).

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

Section 1: The City of Rogers' 2022 Budget is hereby amended to appropriate nine thousand four hundred and fifty one dollars and ninety-two cents (\$9,451.92) from General Fund Reserves into Account #100-08-70154 Trails Maintenance;

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, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development

Prepared by: London K. Lundstrum, Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R22-_____

A RESOLUTION AMENDING THE 2022 BUDGET TO APPROPRIATE SIXTEEN THOUSAND DOLLARS (\$16,000.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-08-70154 TRAILS MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to repair the entrance to Lake Atalanta at Pleasant Ridge due to damage it sustained in the flooding event of April 2021;

WHEREAS, these repairs will not exceed a cost of sixteen thousand dollars (\$16,000.00);
and

WHEREAS, the City may receive mitigation funds not to exceed thirty-five percent from the Arkansas Division of Emergency Management for eligible repair expenses.

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

Section 1: The City of Rogers' 2022 Budget is hereby amended to appropriate sixteen thousand dollars (\$16,000.00) from General Fund Reserves into Account #100-08-70154 Trails Maintenance;

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, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development

Prepared by: London K. Lundstrum, Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R22-_____

A RESOLUTION AMENDING THE 2022 BUDGET TO APPROPRIATE THIRTY ONE THOUSAND EIGHT HUNDRED FORTY THREE DOLLARS (\$31,843.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-08-70154 TRAILS MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to repair the Trail of Two Cities Bridge railing that sustained damage during the flooding event of April 2021;

WHEREAS, these repairs will cost an amount not to exceed thirty one thousand eight hundred forty three dollars (\$31,843.00); and

WHEREAS, the City may receive mitigation funds up to thirty-five percent from the Arkansas Division of Emergency Management for eligible expenses.

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

Section 1: The City of Rogers' 2022 Budget is hereby amended to appropriate thirty one thousand eight hundred forty three dollars (\$31,843.00) from General Fund Reserves into Account #100-08-70154 Trails Maintenance;

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, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development
Prepared by: London K. Lundstrum, Staff Attorney
For Consideration By: Finance Committee

ORDINANCE NO. 22-_____

AN ORDINANCE AMENDING THE BOUNDARIES OF THE RAILYARD ENTERTAINMENT DISTRICT; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, Act 812 of 2019, codified at Ark. Code Ann. §14-54-1412, authorizes cities, collecting a gross receipts tax on prepared food or hotel and motel accommodation and located in a county authorized to sell alcoholic beverages, to create a designated entertainment district in contiguous areas zoned for or customarily used for commercial purposes;

WHEREAS, the City adopted Ordinance No. 21-34 that established the Railyard Entertainment District along with its associated boundaries, rules, and procedures; and

WHEREAS, the City wishes to amend the boundaries of the Railyard Entertainment District due to the opening of new businesses outside the current boundary. This Ordinance only revises the boundary of the Railyard Entertainment District and does not revise or amend any other provisions as established in Ordinance No. 21-34.

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

Section 1: That pursuant to the authority granted by Act 812 of 2019, the City of Rogers established an entertainment district to be known as the Railyard Entertainment District (“District”). The boundaries of that District are revised and amended as shown on Exhibit “A”;

Section 2: No other provisions of Ordinance No. 21-34 as it relates to the rules and procedures of the Railyard Entertainment District are being amended;

Section 3: This Ordinance does not diminish the requirements or authority of the Alcoholic Beverage Control Division of the Department of Finance and Administration concerning permits issued within the designated entertainment district, including special event permits;

Section 4: Pursuant to Ark. Code. Ann. §14-54-1412(b)(4), the City Clerk shall, within ten (10) days from the passage of this Ordinance, provide notice of the revised boundary of the Railyard Entertainment District to the Alcoholic Beverage Control Division of the Department of Finance and Administration;

Section 5: Emergency Clause: The need to make use of the provisions of Act 812 of 2019 and amend the boundary of the Railyard Entertainment District, in order to promote the downtown area of the City of Rogers and provide entertainment, hospitality, and dining opportunities to the citizens, is immediate and an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage;

Section 6: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance 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.

PASSED this _____ day of _____, 2022

APPROVED:

C. GREG HINES, Mayor

Attest:

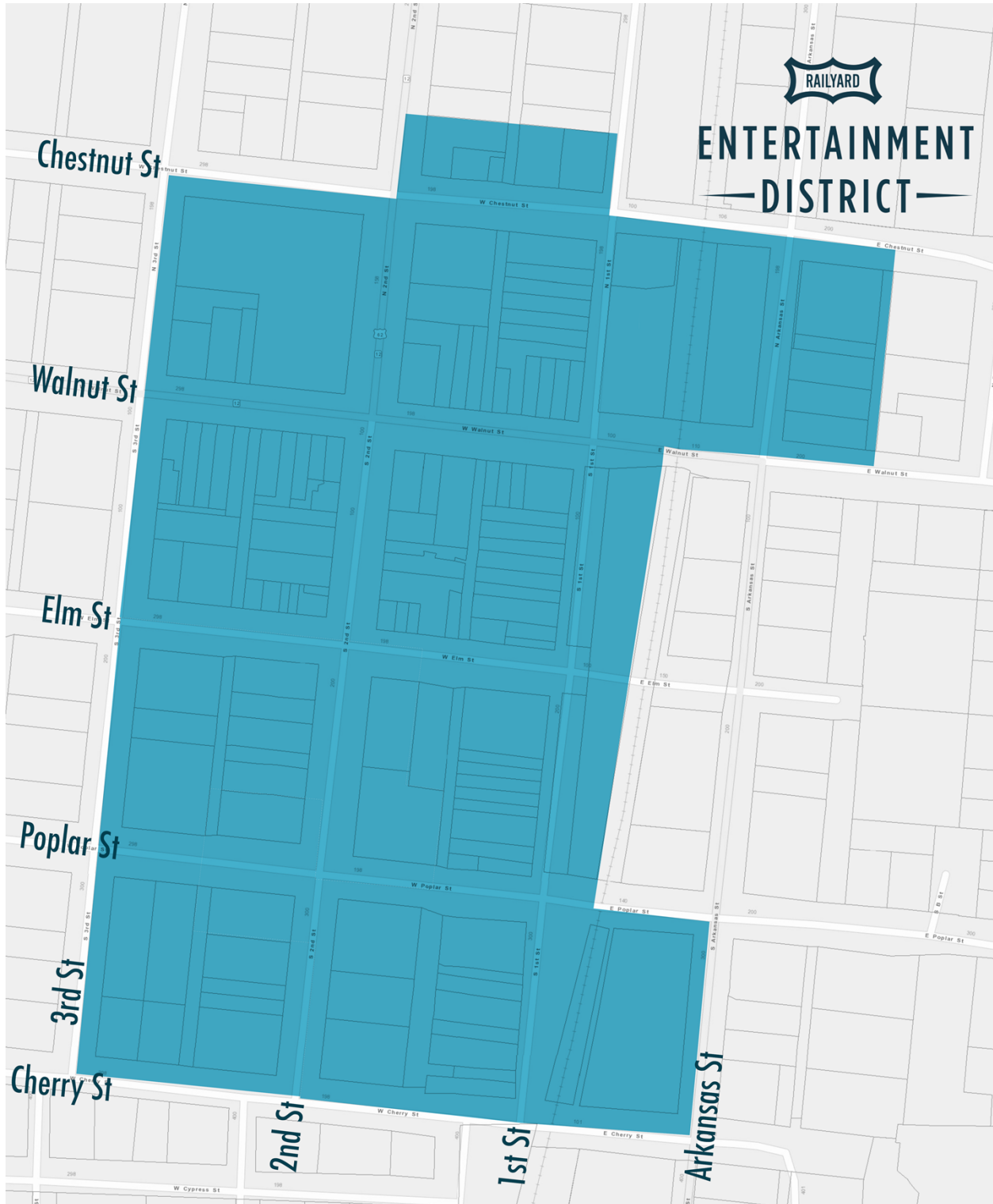
JESSICA RUSH, City Clerk

Requested by: John McCurdy, Community Development Director

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Services Committee

Exhibit A



ORDINANCE NO. 22-_____

**AN ORDINANCE ACCEPTING THE FINAL PLAT OF PINE STREET SUBDIVISION
ROGERS, BENTON COUNTY, ARKANSAS, THE DEDICATION OF UTILITY
EASEMENTS AND OTHER PUBLIC WAYS THEREIN;
AND DECLARING AN EMERGENCY**

WHEREAS, the Final Plat has been submitted for the subdivision of Pine Street Subdivision, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

PART OF LOTS 2 & 3 IN BLOCK 5 OF FELKNER'S SUBDIVISION OF ROGERS, ARKANSAS.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 17, WATSON'S SUBDIVISION OF THE CITY OF ROGERS, ARKANSAS;
THENCE ALONG THE NORTH RIGHT OF WAY OF PINE STREET NORTH 87°08'52" WEST A DISTANCE OF 442.98 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 01°42'23" EAST A DISTANCE OF 390.49 FEET; THENCE SOUTH 86°43'20" EAST A DISTANCE OF 118.29 FEET; THENCE NORTH 01°42'52" EAST A DISTANCE OF 63.15 FEET; THENCE SOUTH 86°41'41" EAST A DISTANCE OF 318.04 FEET TO THE WEST BOUNDARY LINE OF SAID WATSON SUBDIVISION; THENCE ALONG SAID WEST BOUNDARY LINE AS FOLLOWS, SOUTH 02°53'17" WEST A DISTANCE OF 234.14 FEET; THENCE SOUTH 87°06'43" EAST A DISTANCE OF 16.00 FEET; THENCE SOUTH 02°53'17" WEST A DISTANCE OF 216.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.39 ACRES MORE OR LESS.
SUBJECT TO ANY EASEMENTS OF RECORD OR FACT.

WHEREAS, the City Council finds that said Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public ways be accepted and confirmed;

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

SECTION 1: The Final Plat of Pine Street Subdivision, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved and confirmed.

SECTION 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat.

SECTION 3: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an

emergency is declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

SECTION 4: 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 5: 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: _____, 2022

CITY OF ROGERS, ARKANSAS

APPROVED:

C. GREG HINES, MAYOR

ATTEST:

JESSICA RUSH, CITY CLERK

ORDINANCE NO. 22-_____

AN ORDINANCE ACCEPTING THE FINAL PLAT OF VILLAS at COBBLE CREEK ROGERS, BENTON COUNTY, ARKANSAS, THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN; AND DECLARING AN EMERGENCY

WHEREAS, the Final Plat has been submitted for the subdivision of Villas at Cobble Creek, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS.

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 02°40'12" WEST A DISTANCE OF 494.13 FEET; THENCE NORTH 86°46'23" WEST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 02° 38' 04" WEST A DISTANCE OF 264.53 FEET;
THENCE NORTH 86° 46' 20" WEST A DISTANCE OF 610.12 FEET;
THENCE NORTH 02° 37' 19" EAST A DISTANCE OF 264.52 FEET;
THENCE SOUTH 86° 46' 23" EAST A DISTANCE OF 610.18 FEET TO THE POINT OF BEGINNING.
CONTAINING 3.71 ACRES MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF SOUTH DIXIELAND ROAD, AND ANY EASEMENTS OF RECORD OR FACT.

WHEREAS, the City Council finds that said Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public was be accepted and confirmed;

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

SECTION 1: The Final Plat of Villas at Cobble Creek, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved and confirmed.

SECTION 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat.

SECTION 3: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

SECTION 4: 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 5: 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: _____, 2022

CITY OF ROGERS, ARKANSAS

APPROVED:

C. GREG HINES, MAYOR

ATTEST:

JESSICA RUSH, CITY CLERK