



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

***AMENDED* COMMITTEE SCHEDULE**

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: April 26, 2022

The following committee meetings will be held on **Tuesday, April 26, 2022** prior to the City Council Meeting:

05:35 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)

Committee Room #1 OR <https://us02web.zoom.us/j/81927084727> OR (312)626-6799 ID: 819 2708 4727

To Discuss: (a) RWU Monthly Report

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

Committee Room #1 OR <https://us02web.zoom.us/j/81927084727> OR (312)626-6799 ID: 819 2708 4727

To Discuss: (a) An Ordinance Adopting Changes To The Comprehensive Growth Map Promulgated By The Rogers Planning Commission Since February Of 2019

(b) **An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-3 To C-3, Accepting Density Concept Plan (Willow Creek) [Staff Report](#)**

(c) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To R-SF (Arando) [Staff Report](#)

05:45 p.m. - INTERNAL AFFAIRS COMMITTEE: (Kendall*, Wolf, Reithemeyer)

Committee Room #2 OR <https://us02web.zoom.us/j/83018961050> OR (312)626-6799 ID: 830189601050

To Discuss: (a) A Resolution Adopting A Revised Personnel Policy Manual For The City Of Rogers, Arkansas

05:55 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Legere, Townzen)

Committee Room #2 OR <https://us02web.zoom.us/j/83018961050> OR (312)626-6799 ID: 830189601050

To Discuss: (a) Family Day - Rogers Historical Museum [Closure Request](#)

05:55 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)

Committee Room #1 OR <https://us02web.zoom.us/j/81927084727> OR (312)626-6799 ID: 819 2708 4727

To Discuss: (a) Introduction Session To Council Wards Redistricting



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ROGERS CITY COUNCIL *AMENDED* AGENDA

APRIL 26, 2022

6:30 PM

Connect in person OR virtually via ZOOM <https://us02web.zoom.us/j/83576038380>
OR (312) 626-6799 ID: 835 7603 8380

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. April 12, 2022

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. ORD. Re: Adopting Changes To The Comprehensive Growth Map COMMUNITY
Promulgated By The Rogers Planning Commission Since February ENVIRONMENT &
Of 2019 WELFARE
2. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain COMMUNITY
Lands From C-3 To C-3, Accepting Density Concept Plan (Willow ENVIRONMENT &
Creek) WELFARE
3. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain COMMUNITY
Lands From C-2 To R-SF (Arando) ENVIRONMENT &
WELFARE
4. RES. Re: Adopting A Revised Personnel Policy Manual For The City Of INTERNAL
Rogers, Arkansas AFFAIRS

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

ORDINANCE NO. 22-_____

**AN ORDINANCE ADOPTING CHANGES TO THE COMPREHENSIVE GROWTH MAP
PROMULGATED BY THE ROGERS PLANNING COMMISSION SINCE FEBRUARY OF
2019; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, the Planning Commission periodically reviews and approves minor updates to the Comprehensive Growth Map for the City of Rogers; and

WHEREAS, the Planning Commission has approved several minor updates to the Comprehensive Growth Map for the City of Rogers that need ratification by the City Council;

WHEREAS, in regard to municipal planning, pursuant to Ark. Code Ann. §14-56-423, after adoption of plans, ordinances, and regulations and proper filing in the offices of city clerk and county recorder, amendments to plans, ordinances, or regulations may be made by a majority vote of the city council.

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

Section 1: As approved by the Planning Commission on April 5, 2022, parcels 02-13660-000, 02-13659-000, 02-13657-000, 02-13655-000, 02-13653-000, 02-13649-000, 02-13648-000, 02-13652-000, 02-13654-000, 02-13656-000, 02-13663-000, 02-13665-000, 02-13667-000, 02-13669-000, 02-13639-000, 02-13647-000, 02-13647-001, 02-13646-002, 02-13646-001, 02-13646-003, 02-13646-006, 02-13646-004, 02-13646-000, 02-13673-000, 02-01671-012, 02-01671-023, 18-06569-000, 15-15340-000, 02-14765-000, 02-14764-000, 02-14766-000, 02-01671-013, 02-01671-216, 02-01671-011, 02-13643-000, 02-13642-000, 02-13640-000, 02-13640-001, 02-13668-000, 02-13666-000, 02-13662-000, 02-13661-000, 02-19286-000, 02-19281-000, 02-19282-000, 02-19287-002, 02-19284-000, 02-19284-001, 02-19284-002, 02-19285-000, 02-19287-000, 02-19287-001, 02-19287-004, 02-19287-003, 02-19287-007, and 02-19283-000, located East and West of Interstate 49 Highway, are changed to the Regional Center Growth Designation; and parcel 02-19281-000, located East of S. Promenade Boulevard, is changed to U-NBT on the Uptown Rogers Zoning Plan;

Section 2: Emergency Clause: The need to adopt these changes is immediate in order to protect the public peace, health, safety, and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 3: 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 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.

PASSED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Prepared by: John McCurdy, Director of Community Development
Reviewed by: John M. Pesek, Senior Staff Attorney
For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 22-_____

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM C-3 TO C-3, ACCEPTING THE DENSITY CONCEPT PLAN, PROVIDING
FOR THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES**

WHEREAS, pursuant to the provisions of 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 April 19, 2022, the City Council has found that certain lands hereinafter described are better suited for C-3 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 C-3 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT MARKING THE NORTH RIGHT-OF-WAY OF ARKANSAS STATE HWY #94 WHICH IS N03°04'05"E 39.06' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG THE EAST LINE OF SUNNY ACRES SUBDIVISION N03°04'05"E 538.16' TO THE SOUTH LINE OF QUAIL RUN ADDITION PHASE I, THENCE ALONG SAID SOUTH LINE S86°23'29"E 753.14', THENCE LEAVING SAID SOUTH LINE S02°31'38"W 531.08' TO AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT MARKING THE NORTH RIGHT-OF-WAY OF ARKANSAS STATE HWY #94, THENCE ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING" N87°00'41"W 441.71' TO AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT, N63°12'16"W 38.10' TO AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT, N86°24'50"W 40.01' TO AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT, S54°50'58"W 32.03' TO AN EXISTING SLUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT, N85°40'41"W 216.42' TO THE POINT OF BEGINNING, CONTAINING 9.27 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

LAYMAN'S DESCRIPTION:

Parcel 02-01495-000

SECTION 3: Zoning. That the above described lands are better suited for C-3 than C-3 zoning and same should be and are hereby zoned C-3.

SECTION 4: Density Concept Plan. That the Density Concept Plan entered into by and between Landmarc Custom Homes, LLC and the City of Rogers, as approved by the Rogers Planning Commission on April 19, 2022, is hereby approved and made binding upon future development of the property described above, unless otherwise modified or amended by this Council, and the Mayor of the City of Rogers is authorized and directed to execute same.

SECTION 5: Emergency Clause. That because the City is herein zoning property which is subject to a present use and said use should be brought into conformity with the zoning laws of the City of Rogers, Arkansas, 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 _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Geoff Bates

Reviewed by: Nick Little

For Consideration By: Community Environment & Welfare Committee

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM C-2 TO R-SF, PROVIDING FOR
THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES**

WHEREAS, pursuant to the provisions of 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 April 19, 2022, the City Council has found that certain lands hereinafter described are better suited for R-SF 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 R-SF and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Lots 12 and 13, Block 14, Duckworth's Revised Addition, to the City of Rogers, Benton County, Arkansas, as shown on Plat Record "B" at page 119.

LAYMAN'S DESCRIPTION:

901 W Cypress Street

SECTION 3: Zoning. That the above described lands are better suited for R-SF than C-2 zoning and same should be and are hereby zoned R-SF.

SECTION 4: 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 5: 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 6: 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 _____, 2022.

APPROVED:

Attest:

C. GREG HINES, Mayor

JESSICA RUSH, City Clerk

Requested by: Laura Arando

Prepared by: Christina Moore

For Consideration By: Community Environment & Welfare Committee

RESOLUTION NO. R22-_____

**A RESOLUTION ADOPTING A REVISED PERSONNEL POLICY MANUAL FOR THE
CITY OF ROGERS, ARKANSAS; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Rogers desires to adopt a revised Personnel Policy Manual in order to provide an up-to-date set of guidelines and policies intended to enhance understanding and cooperation among the employees of the City and to set forth rules and procedures to enhance the services of the City to its citizens; and

WHEREAS, it is in the best interest of the City and its employees to adopt revised written policies to establish a safe, efficient, and cooperative working environment, to establish the responsibilities and level of performance expected of all City employees, and to explain the benefits provided for by the City.

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

Section 1: The City's Employee Policy Manual Section 9(F), effective June 12, 2022, for the City of Rogers, Arkansas, is hereby adopted. The revised Section 9(F) of the City's Employee Policy Manual is attached as Exhibit "A;"

Section 2: That once adopted, the changes as reflected in Exhibit "A" will be edited into a final format, with no substantive changes, and incorporated into the Employee Policy Manual before being disseminated;

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 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: Thomas Dunlap, Director of Human Resources
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Internal Affairs Committee

Exhibit "A" - Replaces Section 9(F) of the City's Employee Manual

- (1) It is the Mayor's sole authority to order an Emergency Closing of City offices due to extreme weather conditions or other emergency conditions impacting the local community. Upon an Emergency Closing, the City will continue to operate *Essential* services.
- (2) The designation of an *Essential* employee is made by the Department Director or Chief, and is presumed to include Sworn Police, Sworn Fire (Shift), 911 Communications, Street, Airport, and designated Animal Shelter employees. *Essential* employees are expected to report or remain on duty in the event of a City-wide closure. While other civilian employees may be designated as *Essential* during an active emergency, a civilian employee who self-deploys during an emergency closing is not presumed to be *Essential*.
- (3) When all business offices of the City of Rogers are declared closed by the Mayor, employees who are presumed or designated to be *Essential*, and report working emergency or other duties related to the purpose of the closure, will be paid up to eight (8) hours of Emergency Closing leave concurrent to any hours worked in the ensuing 24 hour period ending at 8am the next day.
- (4) During a City-wide Emergency Closing, non-essential employees who are able to work in a virtual environment are expected to remain on duty. Non-essential hourly employees unable to work virtually during a closure, and previously scheduled to work, will be paid up to eight (8) hours of Emergency Closing leave in place of any previously scheduled hours missed in the ensuing 24 hour period ending at 8am the next day.
- (5) When the Mayor authorizes Emergency Closing leave for a single department or office, or an isolated group of employees, only those employees are eligible for Emergency Closing leave.
- (6) Employees designated as FLSA Exempt under Section 9(H) are not eligible for Emergency Closing leave.
- (7) Emergency Closing leave shall not exceed five (5) business days, or forty (40) paid hours, unless further authorized by the City Council.
- (8) Hours provided for Emergency Closings shall not be included in the hours worked calculation for determining overtime pay. Employees previously scheduled and approved for other forms of personal leave may not substitute Emergency Closing leave provided during emergencies.
- (9) When City offices are open during emergent events, employees unable to report to work due to weather or local emergencies may use accrued comp-time, PTO, or vacation.