



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: June 14, 2022

The following committee meetings will be held on **Tuesday, June 14, 2022** prior to the City Council Meeting:

05:30 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Legere, Townzen)

Committee Room #2 OR <https://us02web.zoom.us/j/88940100512> OR (312)626-6799 ID: 889 1010 0512

To Discuss: (a) Parking Lot Closure Request: Mercy Trailhead Parking Lot, Monday, July 4, 6am-10pm, for 4th of July Fireworks display.

05:30 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)

Committee Room #1 OR <https://us02web.zoom.us/j/83151438706> OR (312)626-6799 ID: 831 5143 8706

To Discuss: (a) A Resolution Authorizing The Rogers Recycling Center To Dispose Of Obsolete Property No Longer Used By The City Through Internet Auction Or Other Available Means
(b) A Resolution Authorizing The Rogers Recycling Center To Dispose Of Certain Property In The Landfill

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

Committee Room #2 OR <https://us02web.zoom.us/j/88940100512> OR (312)626-6799 ID: 889 1010 0512

To Discuss: (a) A Resolution Amending The 2022 Budget To Provide For Additional Compensation To City Employees
(b) A Resolution Amending The 2022 Budget To Appropriate Thirty Three Thousand Dollars (\$33,000.00) From General Fund Reserves Into Account #100-08-70154 Trails Maintenance For Repairs To Osage Creek

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

Committee Room #1 OR <https://us02web.zoom.us/j/83151438706> OR (312)626-6799 ID: 831 5143 8706

To Discuss: (a) A Resolution Expressing The Willingness Of The City Of Rogers To Utilize Surface Transportation Block Grant Program Funds For Various Road And Intersection Improvements Along First Street
(b) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With DPZ Codesign Of Portland, Oregon For Consulting Services For Municipal Planning, Urban Design, And Land Regulation
(c) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2, C-4, And I-1 To I-1 (Superior – 2386 S. 8th Street) [Staff Report](#)
(d) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To U-COM (SJC – Pinnacle Springs) [Staff Report](#)

- (e) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To R-SF (Hickman – 1624 Dixieland Road) [Staff Report](#)
 - (F) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From COM To NBT (Curry – 124 N. 5th Street) [Staff Report](#)
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ROGERS CITY COUNCIL **AGENDA**

JUNE 14, 2022

6:30 PM

City Council Chambers OR virtually via ZOOM

<https://us02web.zoom.us/j/87037666076>

OR (312) 626-6799 ID: 780 3766 6076

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. May 24, 2022

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|---|------------------------------------|
| 1. | RES. Re: | Amending The 2022 Budget To Provide For Additional Compensation To City Employees | FINANCE
COMMITTEE |
| 2. | RES. Re: | Amending The 2022 Budget To Appropriate Thirty Three Thousand Dollars (\$33,000.00) From General Fund Reserves Into Account #100-08-70154 Trails Maintenance For Repairs To Osage Creek | FINANCE
COMMITTEE |
| 3. | RES. Re: | Authorizing The Rogers Recycling Center To Dispose Of Obsolete Property No Longer Used By The City Through Internet Auction Or Other Available Means | RESOURCES &
POLICY
COMMITTEE |
| 4. | RES. Re: | Authorizing The Rogers Recycling Center To Dispose Of Certain Property In The Landfill | RESOURCES &
POLICY
COMMITTEE |
| 5. | RES. Re: | Expressing The Willingness Of The City Of Rogers To Utilize Surface Transportation Block Grant Program | COMMUNITY
ENVIRONMENT & |

- | | | |
|-----|--|---|
| | Funds For Various Road And Intersection Improvements Along First Street | WELFARE COMMITTEE |
| 6. | RES. Re: Authorizing The Mayor And City Clerk To Enter Into An Agreement With DPZ Codesign Of Portland, Oregon For Consulting Services For Municipal Planning, Urban Design, And Land Regulation | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 7. | ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2, C-4, And I-1 To I-1 (Superior – 2386 S. 8 th Street) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 8. | ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To U-COM (SJC – Pinnacle Springs) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 9. | ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To R-SF (Hickman – 1624 Dixieland Road) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 10. | ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From COM To NBT (Curry – 124 N. 5 th Street) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R22- _____

**A RESOLUTION AMENDING THE 2022 BUDGET
TO PROVIDE FOR ADDITIONAL COMPENSATION TO CITY EMPLOYEES;
APPROPRIATING THE FUNDS FROM GENERAL, STREET, AND AIRPORT
RESERVES TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.**

WHEREAS, the Mayor and City Council appreciate the hard work and dedication of each employee of the City of Rogers as this commitment has contributed greatly to the continued economic and social advancement of the City and its citizens;

WHEREAS, the Consumer Price Index within the Arkansas region advanced 9.2 percent for the 12 months ending in May 2022, putting great inflationary pressure on the City's workforce during a period of historically low unemployment; and

WHEREAS, it is in the best interest of the City of Rogers to recruit and retain the most productive workforce, rewarding their hard work and dedication.

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

Section 1: The Mayor may make an adjustment to the base pay of each permanent full time employee of the City effective June 26th, 2022, equaling \$1,560 on an annual basis. The amount is to be prorated to permanent part-time employees based on annual hours worked;

Section 2: The funds shall be appropriated from General Reserves, Street Reserves, and Airport Fund Reserves to the following accounts as shown in Exhibit "A."

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 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: C. Greg Hines, Mayor
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. 22-_____

Exhibit "A"

Salaries and Wages	100-01-60105	22,620	Salaries and Wages	100-13-60105	10,036
FICA Expense	100-01-61150	1,730	FICA Expense	100-13-61150	768
Retirement APERS	100-01-61155	3,465	Retirement APERS	100-13-61155	1,538
Salaries and Wages	100-02-60105	7,020	Salaries and Wages	100-18-60105	24,305
FICA Expense	100-02-61150	537	FICA Expense	100-18-61150	1,859
Retirement APERS	100-02-61155	1,075	Retirement APERS	100-18-61155	3,723
Salaries and Wages	100-03-60105	134,661	Salaries and Wages	100-68-60105	4,680
FICA Expense	100-03-61150	10,301	FICA Expense	100-68-61150	358
Retirement APERS	100-03-61155	22,827	Retirement APERS	100-68-61155	717
Retirement LOPFI	100-03-61165	5,748			
Salaries and Wages	100-04-60105	113,402	Salaries and Wages	100-68-60105	(6,500)
FICA Expense	100-04-61150	1,935	Contract Services	100-68-70830	6,500
Retirement APERS	100-04-61155	717			
Retirement LOPFI	100-04-61165	25,550			
			GENERAL FUND TOTAL		521,330
Salaries and Wages	100-06-60105	29,553			
FICA Expense	100-06-61150	2,261	Salaries and Wages	200-16-60105	48,360
Retirement APERS	100-06-61155	4,498	FICA Expense	200-16-61150	3,700
			Retirement APERS	200-16-61155	7,409
Salaries and Wages	100-07-60105	1,560	STREET FUND TOTAL		59,469
FICA Expense	100-07-61150	119			
Retirement APERS	100-07-61155	239	Salaries and Wages	315-15-60105	8,102
			FICA Expense	315-15-61150	620
Salaries and Wages	100-08-60105	41,340	Retirement APERS	315-15-61155	1,241
FICA Expense	100-08-61150	3,163	AIRPORT FUND TOTAL		9,963
Retirement APERS	100-08-61155	6,333			
Salaries and Wages	100-09-60105	3,900			
FICA Expense	100-09-61150	298			
Retirement APERS	100-09-61155	597			
Salaries and Wages	100-10-60105	7,205	TOTAL		590,762
FICA Expense	100-10-61150	551			
Retirement APERS	100-10-61155	1,046			
Salaries and Wages	100-11-60105	8,005			
FICA Expense	100-11-61150	612			
Retirement APERS	100-11-61155	886			
Salaries and Wages	100-12-60105	7,800			
FICA Expense	100-12-61150	597			
Retirement APERS	100-12-61155	1,195			

RESOLUTION NO. R22-_____

A RESOLUTION AMENDING THE 2022 BUDGET TO APPROPRIATE THIRTY THREE THOUSAND DOLLARS (\$33,000.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-08-70154 TRAILS MAINTENANCE FOR REPAIRS TO OSAGE CREEK; AND FOR OTHER PURPOSES.

WHEREAS, this City Council passed Resolution R22-09 that appropriated funds for repairs to Osage Creek in the amount of forty three thousand eight hundred dollars (\$43,800.00); and

WHEREAS, the City undervalued the amount needed to complete the mitigation repairs and seeks an additional appropriation of thirty three thousand dollars (\$33,000.00) to finalize these repair costs.

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 three thousand dollars (\$33,000.00) from General Reserve Funds 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: John M. Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R22_____

**A RESOLUTION AUTHORIZING THE ROGERS RECYCLING CENTER TO
DISPOSE OF OBSOLETE PROPERTY NO LONGER USED BY THE CITY THROUGH
INTERNET AUCTION OR OTHER AVAILABLE MEANS; AND FOR OTHER
PURPOSES.**

WHEREAS, the City Council of the City of Rogers has determined that the items identified in **Exhibit A** have become obsolete and are no longer used by the City;

WHEREAS, the items identified in **Exhibit A** are to be sold by internet auction or through other means whichever nets the highest value; and

WHEREAS, this Resolution is in accordance with Ark. Code Ann. § 14-54-302(e)(1).

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

Section 1: The Rogers Recycling Center may auction its items identified in **Exhibit A** through internet auction or other means whichever nets the highest value;

Section 2: The Rogers Recycling Center shall maintain a record of all items that are placed and sold through internet auction or by other means;

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 Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

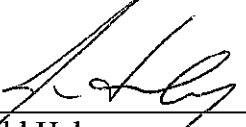
Requested By: Jerrold Haley, Superintendent, Rogers Recycling Center
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Resources & Policy Committee

EXHIBIT "A"

**AFFIDAVIT FOR DISPOSAL OF PROPERTY BY AUCTION OF THE ROGERS
RECYCLING CENTER WHICH HAS BEEN DEEMED OBSOLETE**

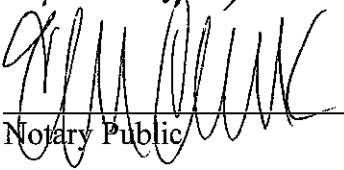
I, Jerrold Haley, Superintendent of the Rogers Recycling Center, do hereby certify that the following property of the Rogers Recycling Center has become obsolete, is no longer used by the City, and it is now appropriate to dispose of said property by public or internet auction as specified under Ark. Code Ann. § 14-54-302(e)(1). I hereby certify that I will be responsible for overseeing that the property is properly sold at public or internet auction. The records listed below contain a description of the property to be disposed of by auction.

1. 2003 Ford F-550, VIN #1EDAF56S44EA09992
2. 2005 Ford F-550, VIN #1FDAF56Y46EB1178



Jerrold Haley

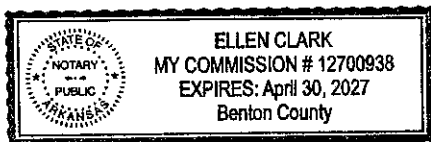
Date: 6/9/2022



Notary Public

Date: 6-9-22

Commission Expires: 4-30-27



RESOLUTION NO. R22_____

A RESOLUTION AUTHORIZING THE ROGERS RECYCLING CENTER TO DISPOSE OF CERTAIN PROPERTY IN THE LANDFILL; RECOGNIZING THAT THE PROPERTY IS RENDERED WORTHLESS; ACKNOWLEDGING THE OVERSIGHT FOR DISPOSAL; AND FOR OTHER PURPOSES.

WHEREAS, the Superintendent of the Rogers Recycling Center has certified that the items listed in the attached **Exhibit A** have been rendered worthless by damage or prolonged use;

WHEREAS, the Superintendent of the Rogers Recycling Center additionally certifies that disposal of said property in the landfill is proper and will be overseen to ensure compliance with Ark. Code Ann. §14-54-302(e)(2)(A); and

WHEREAS, the City Council of the City of Rogers approves the Superintendent's affidavit of certification attached as **Exhibit A** and deems that disposal in the landfill is appropriate.

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

Section 1: The Superintendent of the Rogers Recycling Center may dispose of the items identified in the attached **Exhibit A** in the landfill used by the City pursuant to Ark. Code Ann. §14-54-302 (e)(2)(A);

Section 2: The Rogers Recycling Center shall maintain a record of all items that are sent to the landfill per this Resolution;

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 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: Jerrold Haley, Superintendent, Rogers Recycling Center

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Resources & Policy Committee

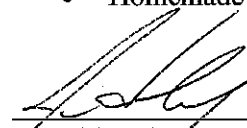
EXHIBIT "A"

**AFFIDAVIT OF LANDFILL DISPOSAL OF CERTAIN PROPERTY OF THE ROGERS
RECYCLING CENTER WHICH HAS BEEN DEEMED OBSOLETE**

I, Jerrold Haley, Superintendent of the Rogers Recycle Center, do hereby certify that the following property of the Rogers Recycle Center has been rendered worthless by damage or prolonged use, is no longer of value, and it is now appropriate to dispose of said property in a landfill as specified under Ark. Code Ann. § 14-54-302(e)(2)(A). I hereby certify that I will be responsible for overseeing that the property is removed for disposal. The records listed below contain a description of the property to be disposed of by landfill.

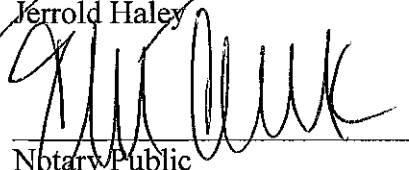
TYPE OF PROPERTY

- Homemade Trailer #1
- Homemade Trailer #2
- Homemade Trailer #3
- Homemade Trailer #4



Jerrold Haley

Date: 6/9/2022



Notary Public

Date: 6-9-22

Commission Expires: 4-30-27



RESOLUTION NO. R22-_____

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF ROGERS TO
UTILIZE SURFACE TRANSPORTATION BLOCK GRANT PROGRAM FUNDS FOR
VARIOUS ROAD AND INTERSECTION IMPROVEMENTS ALONG FIRST STREET;
AND FOR OTHER PURPOSES**

WHEREAS, the City of Rogers understands the Federal-aid Surface Transportation Block Grant Funds are available at 80% federal participation and 20% local match to develop infrastructure improvements;

WHEREAS, with this funding, the City of Rogers intends to improve two existing intersections within the city. The improvements will occur at 1st Street and New Hope Road and 1st Street and Pleasant Grove Road intersections;

WHEREAS, with this funding, the City of Rogers intends to convert two existing signalized intersections to roundabouts to improve safety and traffic operational performance;

WHEREAS, the City of Rogers understands that Federal-aid funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment submitted prior to actual monetary reimbursement;

WHEREAS, if the grant is awarded, the City of Rogers 20% local match for this program will not exceed one million eighty-six thousand two hundred eighty dollars (\$1,086,280.00) and this amount will be paid from 2018 Bond monies; and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

Section 1: The City of Rogers will participate in accordance with its designated responsibility, including maintenance of this project within City right-of-way. All other maintenance will be provided by the Arkansas Department of Transportation;

Section 2: The Mayor, or his designated representative, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of the above stated project;

Section 3: The City Council of the City of Rogers, Arkansas, pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project;

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 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 _____ 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director, Department of Community Development

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Environment & Welfare Committee

RESOLUTION NO. R22-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH DPZ CODESIGN OF PORTLAND, OREGON FOR CONSULTING SERVICES FOR MUNICIPAL PLANNING, URBAN DESIGN, AND LAND REGULATION; AMENDING THE 2022 BUDGET TO APPROPRIATE FOUR HUNDRED FORTY-THREE THOUSAND FIVE HUNDRED TEN DOLLARS (\$443,510.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-18-70335 PLANNING EXPENSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to enter into a consulting agreement with DPZ CoDesign of Portland, Oregon to update the City's development code and zoning map; and

WHEREAS, this agreement is one for professional services of municipal planning, urban design, and land regulation for a contract amount not to exceed four hundred forty-three thousand five hundred ten dollars (\$443,510.00).

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

Section 1: The Mayor and City Clerk are hereby authorized to enter an agreement with DPZ CoDesign of Portland, Oregon for an amount not to exceed four hundred forty-three thousand five hundred ten dollars (\$443,510.00);

Section 2: The City of Rogers' 2022 Budget is amended to appropriate four hundred forty-three thousand five hundred ten dollars (\$443,510.00) from General Fund Reserves into Account #100-18-70335 Planning 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 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 _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director, Community Development Department
Prepared 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-2, C-4, and I-1 TO I-1, 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 June 7, 2022, the City Council has found that certain lands hereinafter described are better suited for I-1 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 I-1 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Tract 1, 71 Storage Center, being a part of the SE ¼ of the NW ¼ and part of the NE ¼ of the NW ¼ of Section 25, Township 19 North, Range 30 West, City of Rogers, Benton County, Arkansas, as shown in Plat Book 2015 at page 563 being described as follows: Commencing at the NW corner of the SE ¼ of the NW ¼, Section 25,

Township 19 North, Range 30 West, thence South 87°04'09" East 668.98 feet to the Point of Beginning, thence North 02°05'31" East 92.86 feet to the Southerly right-of-way line of West Post Road and a found ½" rebar; thence South 42°23'23" East along said right-of-way line 126.03 feet to a found rebar and cap and the beginning of a curve to the left having a radius of 170 feet, thence along said curve and right-of-way line a chord bearing and distance of South 64°47'05" East 129.50 feet to a found rebar and cap; thence South 87°10'20" East along said right-of-way 19.20 feet; thence South 05°07'43" West 183.39 feet; thence South 84°52'17" East 258.99 feet to a found 5/8" rebar and the Westerly right-of-way line of AR Highway 71B; thence South 06°32'59" West along said right-of-way 49.70 feet to a found rebar and cap; thence South 06°32'37" West along said right-of-way 362.46 feet to a found rebar and cap; thence North 86°50'53" West 224.55 feet to a found rebar and cap; thence South 05°06'56" West 278.43 feet to a found rebar and cap; thence North 86°10'27" West 217.07 feet to a found ½" rebar; thence North 02°52'36" East 923.36 feet to the Point of Beginning, containing 7.055 acres, more or less.

AND

A tract of land lying in the SE ¼ of the NW ¼ and the NE ¼ of the NW ¼ of Section 25, Township 19 North, Range 30 West, City of Rogers, Benton County, Arkansas, being described as follows: Commencing at the NW corner of the SE ¼, NW ¼, Section 25, Township 19 North, Range 30 West; thence South 87°04'09" East 668.98 feet; thence North 02°05'31" East 92.86 feet to the Southerly right-of-way line of West Post Road and a found ½" rebar; thence South 42°23'23" East along said right-of-way line 126.03 feet to a found rebar and cap and the beginning of a curve to the left having a radius of 170 feet, thence along said curve and right-of-way line by a chord bearing South 64°47'05" East 129.50 feet to a found rebar and cap; thence South 87°10'20" East along said right-of-way 19.20 feet to the Point of Beginning; thence South 87°10'20" East along said right-of-way 257.68 feet to a found 5/8" rebar; thence North 06°28'05" East 45.02 feet; thence South 87°07'40" East 7.79 feet to the Westerly right-of-way line of AR Hwy 71B; thence South 06°52'59" West along said right-of-way 239.17 feet to a found 5/8" rebar; thence North 84°52'17" West 258.99 feet; thence North 05°07'43" East 183.39 feet to the Point of Beginning, containing 1.142 acres, more or less.

LAYMAN'S DESCRIPTION:

2386 S. 8th Street

Parcel Numbers: 02-02066-00; 02-22937-000; 02-22937-001

SECTION 3: Zoning. That the above described lands are better suited for I-1 than C-2, C-4, and I-1 zoning and same should be and are hereby zoned I-1.

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:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Jennifer Watkins

Prepared by: Kyle Belt

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-2 TO U-COM, 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 June 7, 2022, 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:

Lot 12A of a lot line adjustment of lots 12 and 13 of Pinnacle Springs, Rogers, Arkansas, filed for Record in Plat book 2014, pages 171 and 172, less and except all that portion of the above described property lying in the existing new hope road right of way as shown on said plat book 2014, pages 171 and 172; lot 13A of pinnacle springs, Rogers, Arkansas, as shown upon the lot line adjustment, lot split and building setback reduction of lots 12 and 13 filed for record in plat book 2014 at pages 171 and 172; and lot 15 of pinnacle springs, Rogers, Arkansas, as shown upon the lot line adjustment and lot split of lots 12 and 13, filed for record in plat book 2014 at pages 171 and 172, all being records of benton county, Arkansas, and being more particularly described as follows:

Beginning at the southwest corner of lot 12, as shown on lot line adjustment filed for record in plat book 2014, pages 171 and 172, and running thence N00°00'23"W 414.39 feet; thence N85°04'07"E 72.90 feet; thence along a curve turning to the left through an angle of 06°56'04", having a radius of 488.93 feet, and whose long chord bears N81°34'36"E 59.14 feet; thence N78°02'09"E 551.40 feet to the western right of way of promenade boulevard, and running along said right of way the following 6 courses: Along a curve turning the the left through an angle of 05°31'03", having a radius of 766.20 feet, and whose long chord bears S17°35'12"E 73.76 feet; S20°20'44"E 327.22 feet; along a curve turning tho the right through an angle of 24°25'28", having a radius of 650.00 feet , and whose long chord bears S08°07'59"E 274.99 feet; S14°53'14"W 144.10 feet; S08°28'36"W 175.35 feet; along a curve turning to the right through an angle of 103°42'25", having a radius of 40.00 feet, and whose long chord bears S60°19'58"W 62.92 feet to the northern right of way of new hope road (Arkansas State Highway 94), and running along said right of way the following 4 courses: N67°48'41"W 65.08 feet; N67°43'08"W 24.61 feet; N72°05'21"W 25.21 feet; N73°36'40"W 116.11 feet; thence leaving said right of way N29°45'51"E 33.60 feet; thence along a curve turning to the right through an angle of 55°59'56", having a radius of 74.99 feet, and whose long chord bears N57°45'41"E 70.41 feet. Thence N85°45'32"E 17.82 feet; thence along a curve turning to the left through an angle of 75°35'36", having a radius of 25.00 feet, and whose long chord bears N47°57'51"E 30.64 feet; thence S84°47'57"W 95.11 feet; thence N05°12'03"W 46.22 feet; thence N55°06'19"W 435.58 feet; thence S89°59'37"W 170.10 feet to the point of beginning, containing in all 12.25 acres, more or less. Subject to easements and rights of way of record.

LAYMAN'S DESCRIPTION:

Lot 12A of a lot line adjustment of lots 12 and 13 of pinnacle springs; Parcels 02-19283-000, 02-19287-003, and 02-19287-007

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

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:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Justin Jorgensen

Prepared by: Zachary Birdsong

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 A-1 TO R-SF, 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 June 7th, 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:

A PART OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER 9SW1/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID 40 ACRE TRACT: THENCE S03°01'52"W 344.18 FEET ALONG THE EAST LINE OF SAID 40 ACRE TRACT TO THE TRUE POINT OF BEGINNING, SAID POINT BEING IN DIXIELAND ROAD AND FROM WHICH A ½" REFERENCE IRON SET ON THE WEST RIGHT-OF-WAY LINE OF SAID DIXIELAND ROAD BEARS N87°54'53"W 50.00 FEET; THENCE S03° 01'52"W 168.42 FEET ALONG THE EAST LINE OF SAID 40 ACRE TRACT TO A POINT FROM WHICH AN EXISTING ½" REFERENCE IRON ON THE WEST RIGHT-OF-WAY LINE OF SAID ROAD BEARS N87°16'55"W 49.90 FEET; THENCE LEAVING THE EAST LINE OF SAID 40 ACRE TRACT, N87°16'55"W 170.54 FEET TO A SET ½" IRON REBAR; THENCE N02°05'07"E 166.51 FEET TO A SET ½" IRON REBAR; THENCE S87°54'53"E 173.30 FEET TO THE POINT OF BEGINNING, CONTAINING 0.66 ACRES, MORE OR LESS. THE ABOVE DESCRIBED 0.66 ACRE TRACT BEING SUBJECT TO THE RIGHT-OF-WAY OF DIXIELAND ROAD AND ANY OTHER EASEMENTS AND/OR RIGHTS-OF-WAY WHETHER OR NO OF RECORD.

LAYMAN'S DESCRIPTION:

1624 Dixieland Road

SECTION 3: Zoning. That the above described lands are better suited for R-SF than A-1 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:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Alan Reid

Prepared by: Christina Moore

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 COM TO NBT; 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 May 17, 2022, the City Council has found that certain lands hereinafter described are better suited for NBT 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 NBT and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

PART OF LOTS 1 AND 2, BLOCK 1, B.A. RIGGS ADDITION TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT THE NE CORNER OF LOT 1, RUN THENCE WEST 140 FEET, THENCE SOUTH 46 2/3 FEET, THENCE EAST 140 FEET, THENCE NORTH 46 2/3 FEET TO THE POINT OF BEGINNING.

LAYMAN'S DESCRIPTION:
124 NORTH 5TH STREET.

SECTION 3: **Zoning.** That the above described lands are better suited for NBT than COM and the same should be and is hereby zoned NBT.

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:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Kenneth Curry

Prepared by: Justin Couch, Planner I

Reviewed by: John M. Pesek, Senior Staff Attorney

For Consideration by: Community Environment & Welfare Committee