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 28, 2022

The following committee meetings will be held on **Tuesday, June 28, 2022** prior to the City Council Meeting:

05:30 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)
Committee Room #1 OR https://us02web.zoom.us/j/83723143397 OR (312)626-6799 ID: 837 2314 3397

To Discuss:
(a) RWU Monthly Report
(b) A Resolution Authorizing The Rogers Water Utilities To Accept A Recommendation For Funding Administered By The Arkansas Natural Resources Commission

05:45 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)
Committee Room #1 OR https://us02web.zoom.us/j/83723143397 OR (312)626-6799 ID: 837 2314 3397

To Discuss:
(a) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With J-Quad And Associates, Inc. Of Plano, Texas For Developing The City Of Rogers Analysis Of Impediments To Fair Housing As Required By U.S. Housing And Urban Development Regulations

06:00 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)
Committee Room #2 OR https://us02web.zoom.us/j/84213145110 OR (312)626-6799 ID: 842 1314 5110

To Discuss:
(a) A Resolution Amending The 2022 Budget To Recognize Revenue From The Arkansas Full-Time Law Enforcement Officer Salary Stipend Act Of 2022 In The Amount Of $667,430.00 Into Account #100-03-45305 State Grant Revenue

06:00 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Legere*, Townzen, Hayes)
Committee Room #1 OR https://us02web.zoom.us/j/83723143397 OR (312)626-6799 ID: 837 2314 3397

To Discuss:
(a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To U-NBT (Corona) **Staff Report**

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ROGERS CITY COUNCIL
AMENDED AGENDA

JUNE 28, 2022
6:30 PM

City Council Chambers OR virtually via
ZOOM https://us02web.zoom.us/j/85936671514
OR (312) 626-6799 ID: 859 3667 1514

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. June 14, 2022

REPORTS OF BOARDS AND STANDING COMMITTEES:

1.	RES. Re:	Authorizing The Rogers Water Utilities To Accept A Recommendation For Funding Administered By The Arkansas Natural Resources Commission	PUBLIC WORKS COMMITTEE
2.	RES. Re:	Authorizing The Mayor And City Clerk To Enter Into An Agreement With J-Quad And Associates, Inc. Of Plano, Texas For Developing The City Of Rogers Analysis Of Impediments To Fair Housing As Required By U.S. Housing And Urban Development Regulations	RESOURCES & POLICY COMMITTEE
3.	RES. Re:	Amending The 2022 Budget To Recognize Revenue From The Arkansas Full-Time Law Enforcement Officer Salary Stipend Act Of 2022 In The Amount Of $667,430.00 Into Account #100-03-45305 State Grant Revenue	FINANCE COMMITTEE
4.	ORD. Re:	Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To U-NBT (Corona)	COMMUNITY ENVIRONMENT & WELFARE COMMITTEE

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R22-_

A RESOLUTION AUTHORIZING THE ROGERS WATER UTILITIES TO ACCEPT A RECOMMENDATION FOR FUNDING ADMINISTERED BY THE ARKANSAS NATURAL RESOURCES COMMISSION; AND FOR OTHER PURPOSES.

WHEREAS on May 24, 2022, the City Council, by duly passed Resolution, authorized the Mayor to sign an application for funding from the Arkansas Natural Resources Commission ("ANRC") for a project known as the "Rogers Pollution Control Facility Solids Handling Improvements, Phase II;" and

WHEREAS staff at the Arkansas Department of Agriculture have offered to recommend to the ANRC funding for the project in the form of a loan from the Arkansas Clean Water State Revolving Loan Fund in the amount of $31,246,250 with an anticipated term of twenty years at a combined interest rate of 1.50% per annum ("the funding recommendation"); and

WHEREAS the Rogers Waterworks and Sewer Commission ("the Commission") has, by duly passed Resolution, recommended to the City Council that the funding recommendation be accepted, subject to the performance of all necessary due diligence concerning the terms and conditions of the funding recommendation and proposed loan; and

WHEREAS the City Council has determined that it is in the best interest of the City and its inhabitants to accept the funding recommendation, subject to the performance of all necessary due diligence.

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

Section 1. The Superintendent of the Rogers Water Utilities is authorized, but not directed, to accept the funding recommendation, after performing all necessary due diligence on the terms and conditions of the funding recommendation and proposed loan. The Superintendent is authorized, but not directed, to negotiate the terms and conditions of the funding recommendation and proposed loan, including without limitation, the amount of the funding, interest rate, repayment schedule, and the like, subject to final approval of the transaction by the Commission and the City Council. The Superintendent, or his designee, is authorized, but not directed, to execute, any documents necessary to accept the funding recommendation.

Section 2. Nothing herein shall authorize, and nothing herein shall be construed as authorizing, the Rogers Water Utilities, the Rogers Waterworks and Sewer Commission, or the City of Rogers to enter into any agreements that would violate existing bond agreements, bond

ordinances, or other existing obligations of the Rogers Water Utilities, the Commission, or the City of Rogers.

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 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 _____ 2022.

_____
C. GREG HINES, Mayor

ATTEST:

_____
JESSICA RUSH, City Clerk

Requested by: Rogers Water Utilities and Rogers Waterworks and Sewer Commission
Prepared by: Robert A. Frazier, Legal Counsel, Rogers Water Utilities and Rogers Waterworks and Sewer Commission
Reviewed by: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Works Committee

RESOLUTION NO. R22-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH J-QUAD AND ASSOCIATES, INC. OF PLANO, TEXAS FOR DEVELOPING THE CITY OF ROGERS ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING AS REQUIRED BY U.S. HOUSING AND URBAN DEVELOPMENT REGULATIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City is required to perform an Analysis of Impediments to Fair Housing in accordance with U.S. Housing and Urban Development (HUD) Regulations in order to continue receiving Community Development Block Grant funding; and

WHEREAS, the City advertised for Statements of Qualifications, received proposals, and selected J-Quad and Associates, Inc. of Plano, Texas to perform the required Analysis of Impediments.

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 into an agreement with J-Quad and Associates, Inc., of Plano, Texas for developing the City's Analysis of Impediments to Fair Housing as required by the U.S. Housing and Urban Development Regulations. Said agreement shall not exceed an amount of fourteen thousand eight hundred seventy-five dollars ($14,875.00);

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

RESOLVED this _____ day of _____, 2020.

APPROVED:

_____
C. GREG HINES, Mayor

Attest:

_____
JESSICA RUSH, City Clerk

Requested by: Donna Johnston, CDBG Administrator
Prepared by: Bailey Crossett, Staff Attorney
For Consideration By: Resources & Policy Committee

RESOLUTION NO. R22-____

A RESOLUTION AMENDING THE 2022 BUDGET TO RECOGNIZE REVENUE FROM THE ARKANSAS FULL-TIME LAW ENFORCEMENT OFFICER SALARY STIPEND ACT OF 2022 IN THE AMOUNT OF SIX HUNDRED SIXTY-SEVEN THOUSAND FOUR HUNDRED THIRTY DOLLARS ($667,430.00) INTO ACCOUNT #100-03-45305 STATE GRANT REVENUE; APPROPRIATING SIX HUNDRED TWENTY THOUSAND DOLLARS ($620,000.00) INTO ACCOUNT #100-03-60105 SALARIES AND WAGES; APPROPRIATING FOURTY-SEVEN THOUSAND FOUR HUNDRED THIRTY DOLLARS ($47,430.00) INTO ACCOUNT #100-03-61150 FICA EXPENSE; AND FOR OTHER PURPOSES.

WHEREAS, the 93rd General Assembly of the State of Arkansas passed Act 224 of 2022 also known as the "Arkansas Full-Time Law Enforcement Officer Salary Stipend Act of 2022;" and

WHEREAS, this Act provides eligible full-time law enforcement officer a one-time salary stipend of $5,000.00.

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

Section 1: The 2022 Budget is amended to recognize revenue from the Arkansas Full-Time Law Enforcement Officer Salary Stipend Act of 2022 in the amount of six hundred sixty-seven thousand four hundred thirty dollars ($667,430.00) into Account #100-03-45305 State Grant Revenue;

Section 2: The 2022 Budget is amended to appropriate six hundred twenty thousand dollars ($620,000.00) into Account #100-03-60105 Salaries and Wages;

Section 3: The 2022 Budget is amended to appropriate forty-severn thousand four hundred thirty dollars ($47,430.00) into Account #100-03-61150 FICA Expense;

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 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: Jonathan Best, Police Chief
Prepared By: John M. Pesek, Senior Staff Attorney
For consideration By: Finance Committee

ORDINANCE NO. 22-_____

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM C-2 TO U-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 June 28, 2022, the City Council has found that certain lands hereinafter described are better suited for U-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 U-NBT and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:
ALL OF LOT TRACT ONE, ALLIED SUBDIVISION, PLAT BOOK P2, PAGE 713, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, BEING PART OF THE NE1/4, SW1/4, SECTION 11, TOWNSHIP 19, RANGE 30 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND 5/8-INCH REBAR WITH CAP PLS 992 AT THE NORTHEAST CORNER OF LOT 3A OF SAID ALLIED SUBDIVISION THENCE S02°39'37"W 505.96 FEET TO A FOUND 5/8-INCH REBAR FOR THE POINT OF BEGINNING; THENCE S02°39'37"W 331.61 FEET TO A FOUND 1" PIPE AT THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT TWO;THENCE N87°09'54"W 105.02 FEET TO A SET MAG NAIL WITH WASHER PLS 1759 ON THE EAST RIGHT OF WAY OF SOUTH 21 ST. STREET; THENCE N02°39'44"E 331.81 FEET TO A FOUND 5/8-INCH REBAR AT THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT TWO; THENCE S87°03'28"E 105.01 FEET TO THE POINT OF BEGINNING, CONTAINING 34,833 SQUARE FEET OR 0.80 ACRES, MORE OR LESS, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

LAYMAN'S DESCRIPTION:
Parcel 02-01034-001

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

ROGERS, ARKANSAS

ATTEST: APPROVED:

_____ _____

JESSICA RUSH, CLERK C. GREG HINES, MAYOR

Requested by: Jaime Corona
Prepared by: Dept. of Community Development
Reviewed by: Bailey Crossett, Staff Attorney
For Consideration by: Community Environment & Welfare Committee