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: August 23, 2022

The following committee meetings will be held on **Tuesday, August 23, 2022** prior to the City Council Meeting:

05:20 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)
Committee Room #1 OR https://us02web.zoom.us/j/85785383368 OR (312) 626-6799 ID: 857 8538 3368

To Discuss:
(a) RWU Monthly Report

05:30 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Legere, Townzen)
Committee Room #1 OR https://us02web.zoom.us/j/85785383368 OR (312) 626-6799 ID: 857 8538 3368

To Discuss:
(a) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Signal System Management, Inc. Of Oklahoma City, Oklahoma For The Purchase And Installation Of Traffic Signal Programming Equipment
(b) Street Closure Request - Bikes, Blues, & BBQ **Event Map**
(c) Street Closure Request - Komen **Event Map**
(d) Street Closure Request - Fincher **Event Map**
(e) Street Closure Request - Ozark Oktoberfest **Event Map**
(f) Street Closure Request - Rotary Oktoberfest **Event Map**

05:45 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)
Committee Room #2 OR https://us02web.zoom.us/j/88209821923 OR (312) 626-6799 ID: 882 0982 1923

To Discuss:
(a) An Ordinance Authorizing The Issuance Of Sales And Use Tax Bonds For The Purpose Of Financing The Cost Of Capital Improvements

05:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Legere*, Townzen, Hayes)
Committee Room #1 OR https://us02web.zoom.us/j/85785383368 OR (312) 626-6799 ID: 857 8538 3368

To Discuss:
(a) An Ordinance Amending The City Of Rogers Code Of Ordinances Section 14-260 - Access Management Standards And Section 14-1005 – Commercial Driveway Detail
(b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To RMF-5.5B (Three Rivers Holdings, South Rainbow Road) **Staff Report**

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ROGERS CITY COUNCIL AGENDA

AUGUST 23, 2022
6:30 PM

City Council Chambers OR virtually via
ZOOM https://us02web.zoom.us/j/84202012438
OR (312)626-6799 ID: 842 0201 2438

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. August 09, 2022

REPORTS OF BOARDS AND STANDING COMMITTEES:

1.	ORD. Re:	Authorizing The Issuance Of Sales And Use Tax Bonds For The Purpose Of Financing The Cost Of Capital Improvements	FINANCE COMMITTEE
2.	RES. Re:	Authorizing The Mayor And City Clerk To Enter Into An Agreement With Signal System Management, Inc. Of Oklahoma City, Oklahoma For The Purchase And Installation Of Traffic Signal Programming Equipment	TRANSPORTATION COMMITTEE
3.	ORD. Re:	Amending The City Of Rogers Code Of Ordinances Section 14-260 - Access Management Standards And Section 14-1005 – Commercial Driveway Detail	COMMUNITY ENVIRONMENT & WELFARE COMMITTEE
4.	ORD. Re:	Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To RMF-5.5B (Three Rivers Holdings, South Rainbow Road)	COMMUNITY ENVIRONMENT & WELFARE

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

ORDINANCE NO.22-______

AN ORDINANCE AUTHORIZING THE ISSUANCE OF SALES AND USE TAX BONDS FOR THE PURPOSE OF FINANCING THE COST OF CAPITAL IMPROVEMENTS; PLEDGING A 1% SALES AND USE TAX TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, there was submitted to the qualified electors of the City of Rogers, Arkansas (the "City") the questions of issuing, under Amendment No. 62 to the Constitution of the State of Arkansas (the "State") and under Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation"), capital improvement bonds in the maximum aggregate principal amount of $59,500,000 for the purpose of refunding the City's outstanding Sales and Use Tax Refunding and Improvement Bonds, Series 2011 and the City's outstanding Sales and Use Tax Bonds, Series 2015 (collectively, the "Bonds Refunded"); capital improvement bonds in the maximum aggregate principal amount of $178,000,000 for the purpose of financing all or a portion of the costs of streets, roads, trails and bridges, including any curb, gutter, drainage, flood control and other related improvements, equipment and land acquisition to accomplish such improvements, and street lighting, utility adjustments, sidewalks and traffic signals related thereto (the "Street Improvements"); capital improvement bonds in the maximum principal aggregate amount $41,000,000 for the purpose of financing all or a portion of the costs of new, and improvements to existing, park and recreational facilities and any necessary land acquisition and parking, furnishings, equipment, drainage, flood control, lighting, road, trail, and utility improvements therefor and maintenance facilities therefor that may be relocated outside of a park (the "Park and Recreational Improvements"); capital improvement bonds in the maximum aggregate principal amount $9,500,000 for the purpose of financing all or a portion of the costs of fire department facilities, radio communications and other equipment and apparatus, including particularly, without limitation, a new fire station, and any necessary land acquisition and parking, furnishings, drainage, flood control, lighting, road, and utility improvements therefor (the "Fire Improvements"); and capital improvement bonds in the maximum aggregate principal amount of $11,500,000 for the purpose of financing all or a portion of the costs of new, and improvements to existing, police department facilities, including particularly, without limitation, radio communications and other equipment and apparatus, and police station and communications improvements and any necessary land acquisition and parking, furnishings, drainage, flood control, lighting, road, and utility improvements therefor (the "Police Improvements"); and

WHEREAS, at the special election held August 14, 2018, a majority of the electors voting on the questions approved the issuance of such bonds; and

WHEREAS, pursuant to Ordinance No. 18-64 of the City duly adopted on October 23, 2018 ("Ordinance No. 18-64"), the City has issued its Sales and Use Tax Bonds, Refunding Taxable Series 2018A (the "Series 2018A Bonds") to refund the Bonds Refunded (the "Refunding") and Sales and Use Tax Bonds, Improvement Series 2018B (the "Series 2018B Bonds") to finance all or a portion of the costs of the Street Improvements, the Police Improvements, the Fire Improvements, and the Park and Recreational Improvements; and

WHEREAS, of the authority granted for the issuance of bonds at the August 14, 2018 special election, all of the bonds for the Police Improvements, the Fire Improvements and the Refunding have been issued and there remains unissued $73,066,286.35 in principal amount of bonds approved for Street Improvements and $14,760,888.35 in principal amount of bonds approved for Park and Recreational Improvements; and

WHEREAS, the City Council is prepared to proceed with the issuance of another series of bonds in the aggregate principal amount of $__________ designated as "City of Rogers, Arkansas Sales and Use Tax Bonds, Series 2022" (the "Series 2022 Bonds"); and

WHEREAS, the Series 2022 Bonds are being issued pursuant to Ordinance No. 18-64 as "Additional Parity Bonds" thereunder; and

WHEREAS, the principal amount of the Series 2022 Bonds is allocated in Section 14 of this Ordinance; and

WHEREAS, the City has made arrangements for the sale of the Series 2022 Bonds to Crews & Associates, Inc. and Stephens Inc. (collectively, the "Purchaser"), at a price of $_____________ (principal amount less underwriters' discount of $_________ plus net original issue premium of $______________) (the "Purchase Price"), pursuant to a Bond Purchase Agreement between the Purchaser and the City (the "Agreement"), which has been presented to and is before this meeting; and

WHEREAS, the Preliminary Official Statement, dated August 16, 2022, offering the Series 2022 Bonds for sale (the "Preliminary Official Statement"), has been presented to and is before this meeting; and

WHEREAS, the Continuing Disclosure Agreement between the City and Simmons Bank, in its respective capacities as Dissemination Agent (as defined therein) and as Trustee (as defined below) (the "Disclosure Agreement"), providing for the ongoing disclosure obligations of the City with respect to the Series 2022 Bonds, has been presented to and is before this meeting;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rogers, Arkansas:

Section 1. The offer of the Purchaser for the purchase of the Series 2022 Bonds from the City at the Purchase Price, for Series 2022 Bonds bearing interest at the rates per annum, maturing and otherwise subject to the terms and provisions hereafter in this Ordinance set forth in detail be, and is hereby accepted and the Agreement, in substantially the form submitted to this meeting, is approved and the Series 2022 Bonds are hereby sold to the Purchaser. The Mayor is hereby authorized and directed to execute and deliver the Agreement on behalf of the City and to take all action required on the part of the City to fulfill its obligations under the Agreement.

Section 2. The Preliminary Official Statement is hereby approved and the previous use of the Preliminary Official Statement by the Purchaser in connection with the sale of the Series 2022 Bonds is hereby in all respects approved and confirmed, and the Mayor be and he is hereby authorized and directed, for and on behalf of the City, to execute the Preliminary Official Statement and the final Official Statement in the name of the City as set forth in the Agreement.

Section 3. The Disclosure Agreement, in substantially the form submitted to this meeting, is approved, and the Mayor is hereby authorized and directed to execute and deliver the Disclosure Agreement on behalf of the City. The Mayor and Director of Finance of the City are each authorized and directed to take all action required on the part of the City to fulfill the City's obligations under the Disclosure Agreement. Any legal fees and other administrative costs incurred by the City in connection with making the annual report pursuant to the Disclosure Agreement (except audit fees) shall be considered administrative charges that may be payable from moneys in the Sales and Use Tax Bond Fund established by Ordinance No. 18-64 (the "Bond Fund").

Section 4. Under the authority of the Constitution and laws of the State, including particularly Amendment No. 62 to the Constitution of the State and the Authorizing Legislation, the Series 2022 Bonds are hereby authorized and ordered issued in the total principal amount of $__________, the proceeds of the sale of which are necessary to provide funds for the Street Improvements and the Park and Recreational Improvements (collectively, the "2022 Improvements"), for the funding of a debt service reserve and for the payment of expenses of issuing the Series 2022 Bonds.

The Series 2022 Bonds shall bear interest at the rates and shall mature on November 1 in the principal amounts and in the years as follows:

Year (November 1)	Amount	Interest Rate

____
*Term Bond

The Series 2022 Bonds shall be issuable only as fully registered bonds without coupons in the denomination of $5,000 or any integral multiple thereof. Unless the City shall otherwise direct, the Series 2022 Bonds shall be numbered from 1 upward in order of issuance. Each Series 2022 Bond shall have a CUSIP number but the failure of a CUSIP number to appear on any Series 2022 Bond shall not affect its validity.

Each Series 2022 Bond shall be dated as of the date of the delivery of the Series 2022

Bonds to the Purchaser. Interest on the Series 2022 Bonds shall be payable on May 1, 2023, and semiannually thereafter on May 1 and November 1 of each year. Payment of each installment of interest shall be made to the person in whose name the Series 2022 Bond is registered on the registration books of the City maintained by Simmons Bank, Pine Bluff, Arkansas, as Trustee and Paying Agent (the "Trustee"), at the close of business on the fifteenth day of the month (whether or not a business day) next preceding each interest payment date (the "Record Date"), irrespective of any transfer or exchange of any such bond subsequent to such Record Date and prior to such interest payment date, by check or draft mailed by the Trustee to such owner at his address on such registration books. Principal of the Series 2022 Bonds shall be payable at the principal corporate trust office of the Trustee.

Each Series 2022 Bond shall bear interest from the payment date next preceding the date on which it is authenticated unless it is authenticated on an interest payment date, in which event it shall bear interest from such date, or unless it is authenticated prior to the first interest payment date, in which event it shall bear interest from the dated date of the Series 2022 Bonds, or unless it is authenticated during the period from the Record Date to the next interest payment date, in which case it shall bear interest from such interest payment date, or unless at the time of authentication thereof interest is in default thereon, in which event it shall bear interest from the date to which interest has been paid.

Only such Series 2022 Bonds as shall have endorsed thereon a Certificate of Authentication substantially in the form set forth in Section 6 hereof (the "Certificate") duly executed by the Trustee shall be entitled to any right or benefit under this Ordinance. No Series 2022 Bond shall be valid and obligatory for any purpose unless and until the Certificate shall have been duly executed by the Trustee, and the Certificate of the Trustee upon any such Series 2022 Bond shall be conclusive evidence that such bond has been authenticated and delivered under this Ordinance. The Certificate on any Series 2022 Bond shall be deemed to have been executed if signed by an authorized officer of the Trustee, but it shall not be necessary that the same officer sign the Certificate on all of the Series 2022 Bonds.

Section 5. The Series 2022 Bonds shall be registered initially in the name of Cede & Co., as nominee for the Depository Trust Company ("DTC"), which shall be considered to be the registered owner of the Series 2022 Bonds for all purposes under this Ordinance, including, without limitation, payment by the City of principal of, redemption price, premium, if any, and interest on the Series 2022 Bonds, and receipt of notices and exercise of rights of registered owners. There shall be one certificated, typewritten Series 2022 Bond for each stated maturity date which shall be immobilized in the custody of or on behalf of DTC with the beneficial owners having no right to receive the Series 2022 Bonds in the form of physical securities or certificates. DTC and its participants shall be responsible for maintenance of records of the ownership of beneficial interests in the Series 2022 Bonds by book-entry on the system maintained and operated by DTC and its participants, and transfers of ownership of beneficial interests shall be made only by DTC and its participants, by book-entry, the City having no responsibility therefor. DTC is expected to maintain records of the positions of participants in the Series 2022 Bonds, and the participants and persons acting through participants are expected to maintain records of the purchasers of beneficial interests in the Series 2022 Bonds. The Series 2022 Bonds as such shall not be transferable or exchangeable, except for transfer to another securities depository or to another nominee of a securities depository, without further action by the City.

If any securities depository determines not to continue to act as a securities depository for the Series 2022 Bonds for use in a book-entry system, the City may establish a securities depository/book-entry system relationship with another securities depository. If the City does not or is unable to do so, or upon request of the owners of all outstanding Series 2022 Bonds, the City and the Trustee, after the Trustee has made provision for notification of the beneficial owners by the then securities depository, shall permit withdrawal of the Series 2022 Bonds from the securities depository, and authenticate and deliver Series 2022 Bond certificates in fully registered form (in denominations of $5,000 or integral multiples thereof) to the assigns of the securities depository or its nominee, all at the cost and expense (including costs of printing definitive Series 2022 Bonds) of the City or of the beneficial owners of the Series 2022 Bonds.

Prior to issuance of the Series 2022 Bonds, the City shall have executed and delivered to DTC a written agreement (the "Representation Letter") setting forth (or incorporating therein by reference) certain undertakings and responsibilities of the City with respect to the Series 2022 Bonds so long as the Series 2022 Bonds or a portion thereof are registered in the name of Cede & Co. (or a substitute nominee) and held by DTC. Notwithstanding such execution and delivery of the Representation Letter, the terms thereof shall not in any way limit the provisions of this Section or in any other way impose upon the City any obligation whatsoever with respect to persons having interests in the Series 2022 Bonds other than the registered owners, as shown on the registration books kept by the Trustee. The Trustee shall take all action necessary for all representations of the City in the Representation Letter with respect to the Trustee to at all times be complied with.

The authorized officers of the Trustee and the City shall do or perform such acts and execute all such certificates, documents and other instruments as they or any of them deem necessary or advisable to facilitate the efficient use of a securities depository for all or any portion of the Series 2022 Bonds; provided that neither the Trustee nor the City may assume any obligations to such securities depository or beneficial owners of Series 2022 Bonds that are inconsistent with their obligations to any registered owner under this Ordinance.

Section 6. The Series 2022 Bonds and the Trustee's Certificate shall be in substantially the following form and the Mayor and City Clerk are hereby expressly authorized and directed to make all recitals contained therein:

(Form of Series 2022 Bond)

REGISTERED No. _____	REGISTERED $___________

UNITED STATES OF AMERICA
STATE OF ARKANSAS
COUNTY OF BENTON
CITY OF ROGERS
SALES AND USE TAX BOND
SERIES 2022

Interest Rate: ______%	Maturity Date: November 1, _____
Dated Date: _______________, 2022	CUSIP No.: ____________

Registered Owner: Cede & Co.
Principal Amount: ____ Dollars

KNOW ALL MEN BY THESE PRESENTS:

That the City of Rogers, County of Benton, State of Arkansas (the "City"), for value received, hereby promises to pay to the Registered Owner shown above upon the presentation and surrender hereof at the principal corporate trust office of Simmons Bank, Pine Bluff, Arkansas, or its successor or successors, as Trustee and Paying Agent (the "Trustee"), on the Maturity Date shown above, the Principal Amount shown above, in such coin or currency of the United States of America as at the time of payment shall be legal tender for the payment of public and private debts and to pay by check or draft to the Registered Owner shown above interest thereon, in like coin or currency from the interest commencement date described below at the Interest Rate per annum shown above, payable on May 1, 2023 and on each May 1 and November 1 thereafter, until payment of such Principal Amount or, if this bond or a portion hereof shall be duly called for redemption, until the date fixed for redemption, and to pay interest on overdue principal and interest (to the extent legally enforceable) at the rate borne by this bond. Payment of each installment of interest shall be made to the person in whose name this bond is registered on the registration books of the City maintained by the Trustee at the close of business on the fifteenth day of the month (whether or not a business day) next preceding each interest payment date (the "Record Date"), irrespective of any transfer or exchange of this bond subsequent to such Record Date and prior to such interest payment date.

Unless this bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Trustee for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is required by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

This bond shall bear interest from the payment date next preceding the date on which it is authenticated unless it is authenticated on an interest payment date, in which event it shall bear interest from such date, or unless it is authenticated during the period from the Record Date to the next interest payment date, in which case it shall bear interest from such interest payment date, or unless it is authenticated prior to the first interest payment date, in which event it shall bear interest from the Dated Date shown above, or unless at the time of authentication hereof interest is in default hereon, in which event it shall bear interest from the date to which interest has been paid.

This bond is one of an issue of City of Rogers, Arkansas Sales and Use Tax Bonds, Series 2022, aggregating ________________________________ Thousand Dollars ($__________) in aggregate principal amount (the "bonds"), and is issued for the purpose of financing the costs of accomplishing street improvements and park and recreational improvements, paying necessary expenses incidental thereto, funding a debt service reserve, and paying expenses of authorizing and issuing the bonds.

The bonds are issued pursuant to and in full compliance with the Constitution and laws of the State of Arkansas (the "State"), particularly Amendment No. 62 to the Constitution of the State and Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation"), and pursuant to Ordinance No. 18-64 of the City duly adopted on October 23, 2018, as supplemented by Ordinance No. _____ of the City duly adopted on __________, 2022 (collectively, the "Authorizing Ordinance"), and an election duly held at which the majority of the legal voters of the City voting on the questions approved the issuance of the bonds. Reference is hereby made to the Authorizing Ordinance for the details of the nature and extent of the security and of the rights and obligations of the City, the Trustee and the registered owners of the bonds. The bonds are special obligations of the City, payable from the proceeds derived by the City from a 1% sales and use tax (the "Tax") levied by the City under the Authorizing Legislation and Ordinance No. 18-26 of the City duly adopted on May 22, 2018, and the City hereby pledges its collections of the Tax for the payment of this bond on a parity of security with the City's Sales and Use Tax Bonds, Refunding Taxable Series 2018A (the "Series 2018A Bonds") and Improvement Series 2018B Bonds (the "Series 2018B Bonds").

The bonds are subject to extraordinary, optional and mandatory sinking fund redemption prior to maturity as follows:

(1) The bonds shall be redeemed by the City from proceeds of the bonds not needed for the intended purposes and Surplus Tax Receipts (defined below), in whole at any time or in part on any interest payment date, at a redemption price equal to the principal amount being redeemed plus accrued interest to the redemption date.

The City has covenanted in the Authorizing Ordinance that Surplus Tax Receipts, being collections from the Tax in excess of the amount necessary to (1) insure the prompt payment of the principal of, interest on and Trustee's fees and expenses and administrative charges in connection with the bonds, the Series 2018A Bonds and the Series 2018B Bonds as the same become due, (2) maintain the debt service reserve in the required amount, and (3) pay any arbitrage rebate due under Section 148(f) of the Internal Revenue Code of 1986, as amended, must be used from time to time, at least annually, as and to the extent available to redeem outstanding bonds, Series 2018A Bonds and Series 2018B Bonds prior to maturity in the order of priority set forth below.

While the Series 2018B Bonds are outstanding, the City shall apply 100% of the Surplus Tax Receipts to the redemption of the Series 2018B Bonds. Thereafter, Surplus Tax Receipts shall be applied to the redemption of the bonds. If there are no bonds outstanding, Surplus Tax Receipts shall be applied to the redemption of the Series 2018A Bonds. In the event of a redemption from Surplus Tax Receipts, the bonds of a particular series shall be redeemed in inverse order of maturity and by lot within a maturity in such manner as the Trustee shall determine.

(2) The bonds may be redeemed at the option of the City from funds from any source, on and after November 1, 2026, in whole or in part at any time, at a redemption price equal to the principal amount being redeemed, plus accrued interest to the redemption date. If fewer than all of the bonds shall be called for redemption, the particular maturities of the bonds to be redeemed shall be selected by the City in its discretion. If fewer than all of the bonds of any one maturity shall be called for redemption, the particular bonds or portion thereof to be redeemed from such

maturity shall be selected by lot by the Trustee.

(3) To the extent not previously redeemed, the bonds maturing on November 1 in the years 20__ and 20__ are subject to mandatory sinking fund redemption by lot in such manner as the Trustee shall determine, on November 1 in the years and in the amounts set forth below, at a redemption price equal to the principal amount being redeemed plus accrued interest to the date of redemption:

Bonds Due November 1, 20_

Year (November 1)	Principal Amount

Bonds Due November 1, 20_

Year (November 1)	Principal Amount

In the case of any defeasance of the bonds, redemption of defeased bonds shall be scheduled on the basis of the mandatory redemption requirements set forth above and assuming collections of the Tax in an amount equal to receipts for the most recent twelve-month period.

In case any outstanding bond is in a denomination greater than $5,000, each $5,000 of face value of such bond shall be treated as a separate bond of the denomination of $5,000.

Notice of redemption identifying the bonds or portions thereof (which shall be $5,000 or a multiple thereof) to be redeemed and the date they shall be presented for payment shall be given by the Trustee, not less than 30 nor more than 60 days prior to the date fixed for redemption, by sending a copy of the redemption notice by first class mail, postage prepaid, or other acceptable standard means of delivery, including facsimile or electronic communication, to all registered owners of bonds to be redeemed. Failure to send an appropriate notice or any such notice to one or more registered owners of bonds to be redeemed shall not affect the validity of the proceedings for redemption of other bonds as to which notice of redemption is duly given in proper and timely fashion. All such bonds or portions thereof thus called for redemption and for the retirement of which funds are duly provided in accordance with the Authorizing Ordinance prior to the date fixed for redemption will cease to bear interest on such redemption date.

This bond is transferable by the Registered Owner shown above in person or by his attorney-in-fact duly authorized in writing at the principal corporate trust office of the Trustee, but only in the manner, subject to the limitations and upon payment of the charges provided in the Authorizing Ordinance, and upon surrender and cancellation of this bond. Upon such transfer a new fully registered bond or bonds of the same maturity and interest rate, of authorized denomination or denominations, for the same aggregate principal amount, will be issued to the transferee in exchange therefor. This bond is issued with the intent that the laws of the State shall govern its construction.

The City and the Trustee may deem and treat the Registered Owner shown above as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and neither the City nor the Trustee shall be affected by any notice to the contrary.

The bonds are issuable only as fully registered bonds in the denomination of $5,000, and any integral multiple thereof. Subject to the limitations and upon payment of the charges provided in the Authorizing Ordinance, fully registered bonds may be exchanged for a like aggregate principal amount of fully registered bonds of the same maturity and interest rate of other authorized denominations.

This bond shall not be valid until it shall have been authenticated by the Certificate hereon duly signed by the Trustee.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed, under the Constitution and laws of the State, particularly Amendment No. 62 to the Constitution of the State and the Authorizing Legislation, precedent to and in the issuance of this bond have existed, have happened and have been performed in due time, form and manner as required by law; that the indebtedness represented by this bond and the issue of which it forms a part does not exceed any constitutional or statutory limitation; and that a tax sufficient to pay the bonds and interest thereon has been duly levied in accordance with the Authorizing Legislation and made payable until all of the bonds and interest thereon have been fully paid and discharged.

IN WITNESS WHEREOF, the City of Rogers, Arkansas has caused this bond to be executed by its Mayor and City Clerk and its corporate seal to be impressed or imprinted on this bond, all as of the Dated Date shown above.

ATTEST: CITY OF ROGERS, ARKANSAS

_________________________________ By _________________________________

City Clerk Mayor

(SEAL)

(Form of Trustee's Certificate)

TRUSTEE'S CERTIFICATE OF AUTHENTICATION

This bond is one of the Series 2022 Bonds issued under the provisions of the within mentioned Authorizing Ordinance.

Date of Authentication: ______________________.

SIMMONS BANK
Pine Bluff, Arkansas

TRUS TEE

By ___________________________________
Authorized Signature

(A form of assignment shall be attached to each Series 2022 Bond.)

Section 7. The City hereby expressly pledges and appropriates all of the revenues derived by the City from the 1% sales and use tax (the "Tax") levied by Ordinance No. 18-26 of the City, adopted May 22, 2018 (the "Pledged Revenues") to the payment of the principal of and interest on the Series 2022 Bonds on a parity with the Series 2018A Bonds and the Series 2018B Bonds.

The Series 2022 Bonds are being issued as Additional Parity Bonds under Ordinance No. 18-64 and shall be a part of "the bonds" within the meaning of such ordinance. In this regard, all provisions of Ordinance No. 18-64 pertaining to "the bonds" shall inure and appertain to the Series 2022 Bonds to the same extent and with like force and effect as if herein set out in full. The effect of the above provisions shall be to continue the applicable provisions of Ordinance No. 18-64 in full force and effect after the Series 2018A Bonds and Series 2018B Bonds are paid or provision is made therefor.

Section 8. The Series 2022 Bonds shall be callable for payment prior to maturity in accordance with the terms set out in the face of the bond form set forth in Section 6 of this Ordinance. The City hereby covenants to use Series 2022 Bond proceeds not necessary for the purposes intended to redeem Series 2022 Bonds on the first available interest payment date.

Section 9. When the Series 2022 Bonds have been executed and sealed as herein provided, they shall be delivered to the Trustee, which shall authenticate them and deliver them to the Purchaser upon payment of the Purchase Price. The expenses of issuing the Series 2022 Bonds as set forth in the delivery instructions to the Trustee signed by the Mayor and City Clerk (the "Delivery Instructions") shall be paid from the Purchase Price.

The amount necessary from the Purchase Price to increase the amount in the Debt Service Reserve Account established by Ordinance No. 18-64 to its required level as set forth in the Delivery Instructions shall be deposited therein.

The balance of the Purchase Price shall be deposited in two special funds of the City in a bank or trust company selected by the City hereby created and designated "2022 Street Construction Fund" and "2022 Park and Recreational Construction Fund," (each a "2022 Construction Fund" and collectively, the "2022 Construction Funds"). The proceeds of the Series 2022 Bonds to be deposited into the 2022 Construction Funds shall be allocated among the 2022 Improvements in proportion to the principal amount of Series 2022 Bonds allocated for each purpose. The moneys in each 2022 Construction Fund shall be used for accomplishing the 2022 Improvements for which the fund was created, paying expenses incidental thereto and paying the expenses of issuing the Series 2022 Bonds. Issuance costs and other expenses not specific to one purpose shall be joint obligations to be paid from each 2022 Construction Fund in proportion to the initial moneys credited thereto. Disbursements shall be made from each 2022 Construction Fund on the basis of checks or requisitions which shall specify: the name of the person, firm or corporation to whom payment is to be made; the amount of the payment; the purpose of the payment; the account from which the payment is to be made; and that the payment is a proper charge on the respective 2022 Construction Fund. Each requisition must be signed by the Mayor or his designee. The depository bank shall issue its check to the person, firm or corporation designated in the requisition. The depository bank shall keep records as to all payments made from each 2022 Construction Fund based upon requisitions.

When the 2022 Improvements of a particular type (e.g., Park and Recreational Improvements) have been completed and all required expenses have been paid and expenditures made from the 2022 Construction Fund established to accomplish such 2022 Improvements and the financing thereof, this fact shall, if moneys remain in such 2022 Construction Fund, be evidenced by a certificate signed by the Mayor, which certificate shall state, among other things, the date of the completion and that all obligations payable from such 2022 Construction Fund have been discharged. A copy of the certificate shall be filed with the depository or depositories of the 2022 Construction Funds, and a copy with the Trustee, and upon receipt thereof the depository or depositories of the 2022 Construction Funds shall transfer any remaining balance to the Trustee for deposit into the Special Redemption Account in the Bond Fund. Proceeds of the Series 2022 Bonds not needed for the purposes intended shall only be used to redeem Series 2022 Bonds.

Section 10. (a) Moneys held for the credit of the 2022 Construction Funds may be invested and reinvested in Permitted Investments (as defined in Ordinance No. 18-64) or other investments permitted by Arkansas law which shall mature, or which shall be subject to redemption by the holder thereof, at the option of such holder, not later than the date or dates when such money will be required for the purposes intended.

(b) Interest earnings and profits realized from the investment of moneys in either 2022 Construction Fund account shall be credited to a separate account hereby created and designated "2022 General Account." Moneys credited to the 2022 General Account shall be expended for either Street Improvements or Park and Recreational Improvements, at such times and in such amounts as hereafter designated by the City Council. The City Council will not be obligated to expend 2022 General Account moneys proportionately.

Section 11. (a) The City covenants that it shall not take any action or suffer or permit any action to be taken or condition to exist which causes or may cause the interest payable on the Series 2022 Bonds to be included in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the City covenants that the proceeds of the sale of the Series 2022 Bonds and the Pledged Revenues will not be used directly or indirectly in such manner as to cause the Series 2022 Bonds to be treated as "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code").

(b) The City represents that it has not used or permitted the use of, and covenants that it will not use or permit the use of the 2022 Improvements or the proceeds of the Series 2022 Bonds, in such manner as to cause the Series 2022 Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. In this regard, the City covenants that (i) it will not use (directly or indirectly) the proceeds of the Series 2022 Bonds to make or finance loans to any person, and (ii) that while the bonds are outstanding the 2022 Improvements will only be used by state or local governmental entities or persons on a basis as members of the general public.

(c) The City covenants that it will not reimburse itself from proceeds of the Series 2022 Bonds for any costs paid prior to the date the Series 2022 Bonds are issued except in compliance with United States Treasury Regulation § 1.150-2 (the "Regulation"). This Ordinance shall be considered an "official intent" for purposes of the Regulation.

(d) The City will retain all documents and records pertaining to the Series 2022 Bonds and the 2022 Improvements for the life of the Series 2022 Bonds plus an additional three years.

<u>Section 12</u>. The City covenants that it will take no action which would cause the Series 2022 Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code. The City further covenants that it will submit to the Secretary of the Treasury of the United States, not later than the 15th day of the second calendar month after the close of the calendar quarter in which the Series 2022 Bonds are issued, a statement concerning the Series 2022 Bonds which contains the information required by Section 149(e) of the Code.

<u>Section 13</u>. The Mayor, and other officers of the City in accordance with their offices, are authorized to execute such writings and take such action as may be appropriate to cause the 2022 Bonds to be issued.

<u>Section 14</u>. The principal amount of the Series 2022 Bonds plus any net original issue premium will be allocated as follows: (a) $______________ for the Street Improvements; and (b) $______________ for the Park and Recreational Improvements.

<u>Section 15</u>. Notice of the adoption of this Ordinance shall be posted at Rogers Public Library, Rogers City Hall, Rogers Activity Center, Rogers Adult Wellness Center and Rogers Police Department, being five of the most public places in the City.

<u>Section 16</u>. The provisions of this Ordinance are separable and in the event that any section or part hereof shall be held to be invalid, such invalidity shall not affect the remainder of this Ordinance.

<u>Section 17</u>. All ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 18. It is hereby ascertained and declared that the 2022 Improvements are immediately needed for the preservation of the public peace, health and safety and to remove existing hazards thereto. The 2022 Improvements cannot be accomplished without the issuance of the 2022 Bonds, which cannot be sold at the interest rates specified herein unless this Ordinance is immediately effective. Therefore, it is declared that an emergency exists and this Ordinance being necessary for the preservation of the public peace, health and safety shall be in force and take effect immediately upon and after its passage.

PASSED: ____________, 2022.

APPROVED:

ATTEST:

____
Mayor

____
City Clerk

(SEAL)

CERTIFICATE

The undersigned, City Clerk of the City of Rogers, Arkansas (the "City"), hereby certifies that the foregoing pages are a true and correct copy of Ordinance No. ___, passed at a regular session of the City Council of the City, held at the regular meeting place of the City Council at 6:30 p.m. on the __ day of ___________, 2022, and that the Ordinance is of record in Ordinance Record Book No. ________ at Page _________, now in my possession.

GIVEN under my hand and seal this _____ day of _________, 2022.

____
City Clerk

(SEAL)

RESOLUTION NO. R22-______________

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH SIGNAL SYSTEM MANAGEMENT, INC. OF OKLAHOMA CITY, OKLAHOMA FOR THE PURCHASE AND INSTALLATION OF TRAFFIC SIGNAL PROGRAMMING EQUIPMENT; WAIVING COMPETITIVE BIDDING FOR THIS PURCHASE; AMENDING THE 2022 BUDGET TO APPROPRIATE TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000.00) FROM STREET FUND RESERVES INTO ACCOUNT #200-25-70930 TRAFFIC CONTROL MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to enter into an agreement with Signal System Management of Oklahoma City, Oklahoma to purchase remote traffic signal programming equipment and software for ninety (90) intersections to be used by the Department of Community Development; and

WHEREAS, the Department of Community Development is requesting that City Council waive the requirements of competitive bidding for this purchase as this is a specialty contract offering a combination of contracting, installation, and engineering unique from other companies in the area.

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 Signal System Management, Inc., of Oklahoma City, Oklahoma for an amount not to exceed two hundred fifty thousand dollars ($250,000.00);

Section 2: The City of Rogers' 2022 Budget is amended to appropriate two hundred fifty thousand dollars ($250,000.00) from Street Fund Reserves into Account #200-25-70930 Traffic Control Maintenance;

Section 3: 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 remote traffic signal programming equipment and software for use by the City of Rogers Department of Community Development;

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 of Community Development
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

ORDINANCE NO. 22-______________

AN ORDINANCE AMENDING THE CITY OF ROGERS CODE OF ORDINANCES SECTION 14-260 - ACCESS MANAGEMENT STANDARDS AND SECTION 14-1005 – COMMERCIAL DRIVEWAY DETAIL; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers' City Council finds it to be in the best interest of the City to amend Section 14-260 of the City of Rogers Code of Ordinances regarding access management standards;

WHEREAS, the City of Rogers' City Council finds it to be in the best interest of the City to amend Section 14-1005 of the City of Rogers Code of Ordinances regarding commercial driveway detail to comply with the new access management standards adopted in this Ordinance; and

WHEREAS, the proposed amendments will implement updated access management standards to apply to new development and construction in the City of Rogers.

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

Section 1: Chapter 14, Article III, Section 14-260 – Access Management Standards shall be amended in the City of Rogers, Code of Ordinances and shall read as shown in the attached Exhibit "A" and Municode Corporation is hereby instructed to make said amendments;

Section 2: Chapter 14, Article III, Section 14-1005 – Commercial Driveway Detail shall be amended in the City of Rogers, Code of Ordinances and shall read as shown in the attached Exhibit "B" and Municode Corporation is hereby instructed to make said amendments;

Section 3: Emergency Clause: The need to amend the City Code 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 4: 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 5: 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, Director Community Development
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Community Environment & Welfare Committee

EXHIBIT A

Sec. 14-260. Access management standards.

This section is intended to implement access management standards of the City as set forth in the City master street plan and growth comprehensive plan. In addition, this section conforms with policies and objectives of the NWARPC metropolitan planning organization's long-range transportation plan, the authority to control access to property as derived from state statutes, the policy and planning directives of the Federal Intermodal Surface Transportation Efficiency Act of 1991, and the Transportation Equity Act for the 21st Century. These regulations apply to all new development and construction:

(1) *Curb cuts.*

a. *City approval.* Property owners desiring curb cuts off of City streets or the ~~state highway and transportation department~~ Arkansas Department of Transportation (~~AHTD~~ ARDOT) highways~~, not associated with an approved large-scale development plan or subdivision,~~ must obtain a ~~letter of approval~~ permit from the Department of Community Development ~~or Arkansas State Highway and Transportation Department~~ and ARDOT prior to installation of said curb cut/driveway.

b. *Width.* Ingress/egress opening in concrete, asphalt, rock or other street curbing, commonly referred to as "curb cuts," shall ~~be not less than 70 feet nor more than 100 feet in width (Including radii)~~ be 18-feet wide for one-way or 24-feet wide for two-way for nonresidential uses unless approved by the Department of Community Development. The construction of three or more lanes for an ingress/egress opening shall require a study justifying the need for more than two lanes. Driveways on state highways shall meet ARDOT standards.

c. *Distance from intersections.* ~~Curb cuts or access points shall be no closer than 100 feet measured from the right-of-way intersecting collector streets to the centerline of the drive, and no closer than 250 feet measured from the right-of-way of an intersection involving a major or minor arterial street to the centerline of the drive.~~

1. Minor Streets. Curb cuts along a Minor Street shall be no closer than 75 feet measured from the intersection right-of-way to the centerline of the drive when intersecting a Collector or Arterial Street.

2. Collector Streets. Curb cuts along a Collector Street shall be no closer than 100 feet measured from the intersection right-of-way to the centerline of the drive.

3. Minor & Major Arterial Streets. Curb cuts along a Minor or Major Arterial Street shall be no closer than 250 feet measured from the intersection right-of-way to the centerline of the drive.

d. *Offset.* Either the centerline of opposing nonresidential or multifamily driveways shall align, or shall be offset no less than 75 feet. This condition shall not apply where a permanent median exists without break for these driveways.

e. *Number of curb cuts permitted.* Unless otherwise specified by this section, the maximum number of curb cuts for each property shall be determined by length of road frontage and the maximum speed limit of the road (as determined by the City master street plan).

NUMBER OF CURB CUTS

Length of Street Frontage	Maximum Number of Curb Cuts*
600 feet or less	1
601—~~1,000 feet~~ 1,500 feet	2

~~1,001—1,500 feet~~	~~2~~
More than 1,500 feet	3

*Where lots are contiguous, a common ingress/egress drive is encouraged to minimize curb cuts and better facilitate traffic.

f. *Distance between curb cuts.*

Travel Speed Permitted	Minimum Distance Between Curb Cuts
30 mph	100 feet
35 mph	150 feet
40 mph	200 feet
45 mph	250 feet
50 mph	300 feet
55 mph	350 feet

g. *Curb radius.* To ensure safe turn movements, turning radii for commercial drive curb cuts should be at least ~~30~~ 20 feet for curb cuts along streets designated by the City master street plan. Minor street curb radii shall be a minimum of 15 feet. Exceptions may be granted through a waiver from the Planning Commission for shorter radii in the downtown area and for larger radii needed where there may be a need to accommodate truck traffic.

h. *Barriers.* Entrance/exit and parking design landscaping, curbing, or other approved barriers shall be provided along boundaries to control entrance and exit of vehicles or pedestrians. All parking facilities, except those serving single-family detached and two-family dwellings shall be designed so that all existing movements onto a public street are in a forward motion.

i. *Right turn only.* Right turn only site plans for all commercial development and multifamily dwellings on minor arterial and major arterial streets will be required to have exit points that are designated right turn only exiting movements onto a public street.

j. *Acceleration and deceleration lanes.* Site plans for all commercial development, residential subdivisions, and multifamily dwellings on collector, minor arterial, and major arterial streets will be analyzed by the Director of the Department of Community Development or his or her designee for critical traffic conditions for both the initial opening and full development of the site. ~~AHTD~~ ARDOT deceleration lanes are required for single and combined uses that generate driveway volumes (trip ends) of 300 or more vehicles in the peak hour, as determined using standard Institute of Transportation Engineers (ITE) trip generation rates for the subject land use(s). Additional development requiring a building permit, which would generate driveway volumes (trip ends) of 300 or more vehicles in the peak hour, shall require the installation of an ~~AHTD~~ ARDOT -approved deceleration lane. Four hundred feet minimum spacing between drives, measured centerline to centerline or from the right-of-way intersecting lines of public streets to the centerline of a curb cut, is required when deceleration lanes designed in accordance with ~~AHTD~~ ARDOT are required.

(2) *Joint and cross access.*

a. *Major traffic generators.* Adjacent commercial or office properties classified as major traffic generators (i.e., shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites. Major traffic generators are defined as all restaurants and any other commercial development with a total area under roof of 5,000 square feet or greater.

b. *Techniques.* A system of joint use driveways and cross access easements shall be established wherever feasible in commercial and multifamily residential zoning districts along existing or proposed public streets ~~designated on the City Master Street Plan~~, and the building site shall incorporate the following:

1. A continuous service drive or cross access corridor extending the entire length of each property served to provide for driveway separation consistent with the curb cut standards;
2. A design speed of ten mph and sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles;
3. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive; and
4. A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.

c. *Shared parking.* Shared parking areas shall be permitted to reduce required parking if peak demand periods for proposed land uses do not occur at the same time periods (i.e., bank and movie theater).

d. *Documentation.* Pursuant to this section, property owners shall record the following:

1. *Access easement.* Record an easement with the deed allowing cross access to and from other properties served by the joint-use driveways and cross access or service drive.
2. *Access agreement.* Record an agreement with the deed that remaining access rights along the thoroughfare will be dedicated to the City and preexisting driveways will be closed and eliminated after construction of the joint-use driveway.
3. *Maintenance agreement.* Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

e. *Reduction in separation distance.* The City Planning Commission may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:

1. Joint access driveways and cross access easements are provided wherever feasible in accordance with this section;
2. The site plan incorporates a unified access and circulation system in accordance with this section; and
3. The property owner shall enter a written agreement with the City, recorded with the deed, that preexisting connections on the site will be closed and eliminated after construction of each side of the joint-use driveway.

(3) *Sight triangle.* No sign, fence, vegetation, or other obstruction shall constitute a hazard to traffic located within the sight triangle of an intersection.

1. Definition - The sight triangle is defined by a triangular area formed by a diagonal line connecting two points on intersecting street rights-of-way, measured 25' along each right-of-way starting at the intersection point. This is to be considered a minimum distance, and the City Engineer shall have the authority to require additional distances for public safety based on site-specific circumstances.
2. Penalty – If there exists an obstruction inside a sight triangle, the City may remove said obstruction, after providing, at a minimum seventy-two (72) hour notice to the owner of

the obstruction, if the owner of the obstruction is known. If the owner is unknown, the City will post notice on the obstruction for a period of seventy-two (72) hours for it to be removed prior to its removal by the City.

3. Emergency – If the obstruction is declared an emergency by either the City Engineer or the Director of Community Development, the obstruction may be immediately removed from the sight triangle.

(4) *Waivers.* The City Planning Commission may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make development of a unified or shared access and circulation system impractical.

(5) *Nonconforming access features.*

a. *Existing.* Permitted access connections in place as of the date of the adoption of this section that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with applicable standards when one of the following conditions occurs:

1. New access connection permits are requested;

2. Substantial enlargements or improvements are made;

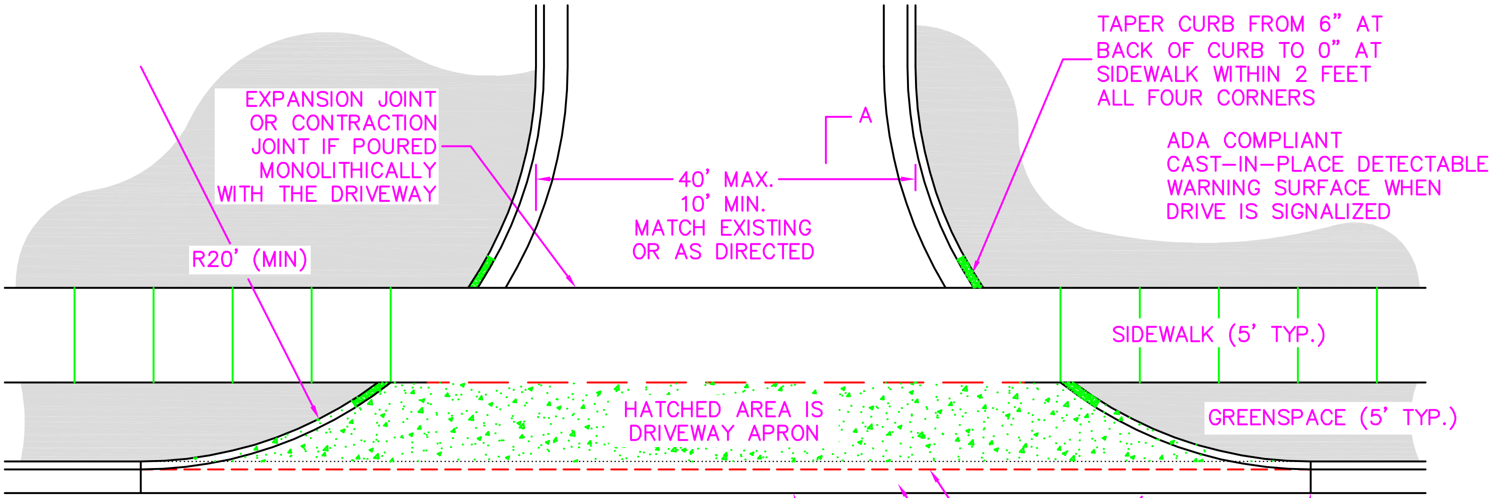
3. As roadway improvements allow; or

4. Significant change in trip generation.

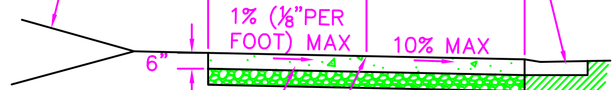
b. *Discontinued use.* If the principal activity on a property with nonconforming access features is discontinued for a consecutive period of 180 days then that property must thereafter be brought into conformity with all applicable connection spacing and design requirements, unless otherwise exempted by the City Planning Commission. For uses that are vacant or discontinued upon the effective date of the ordinance from which this section is derived, the 180-day period begins on the effective date of the ordinance from which this section is derived.

(Code 1997, § 60-45; Ord. No. 04-24, § 1, 3-9-2004; Ord. No. 16-103, § 1(Exh. A), 11-22-2016)

Exhibit B



1. CURB RADII SHALL BE A TYPICALLY BE 30' MEASURED TO BACK OF CURB FOR STREETS CLASSIFIED AS COLLECTOR OR BELOW, 40' FOR MINOR ARTERIALS AND 50' FOR MAJOR ARTERIALS BUT MAY BE AS SMALL AS 20'.
2. DRIVEWAY APRON SHALL BE 6" THICK CONCRETE (MIN.).
3. ASPHALT SHALL BE SURFACE COURSE FOR ASPHALT DRIVEWAYS.
4. IF THERE IS NO SIDEWALK, THE DRIVEWAY APRON SHALL BE 6' AS MEASURED PERPENDICULAR FROM BACK OF CURB OR EDGE OF PAVEMENT.
5. EXPANSION JOINTS SHALL BE A MINIMUM OF ½" AND EXTEND THE FULL DEPTH OF THE CONCRETE. EXPANSION JOINT MATERIAL SHALL MEET AASHTO M213 FOR AN ASPHALTIC FIBER EXPANSION JOINT MATERIAL AND INSTALLED WITH A ZIP STRIP WHICH IS REMOVED AFTER THE CONCRETE HAS CURED AND SEALED WITH A MASTIC SEALER.
6. CONTRACTION JOINTS TO BE PLACED IN CONCRETE DRIVEWAY SO THAT NO SLAB DIMENSION IS MORE THAN 15'.
7. ALL SIDEWALKS AND DRIVEWAYS TO RECEIVE A BROOM FINISH.
8. CITY SHALL INSPECT ALL SIDEWALKS AND DRIVEWAYS IN PUBLIC RIGHT OF WAY PRIOR TO CONCRETE OR ASPHALT PLACEMENT. PROVIDE 24 HOURS NOTICE PRIOR TO PLACEMENT.
9. ALL CONCRETE FOR CURB, SIDEWALKS AND DRIVEWAYS SHALL BE CLASS B CONCRETE (3500 PSI, 4-7% AIR ENTRAINED). CONCRETE MAY NOT BE PLACED IF A FALLING AIR TEMPERATURE FALLS BELOW 40° F NOR RESUMED UNTIL AN ASCENDING AIR TEMPERATURE RISES ABOVE 35° F WITHOUT SPECIFIC AUTHORITY FROM THE CITY REPRESENTATIVE. ALL CONCRETE MATERIALS, HANDLING, PLACING, JOINTING, SAMPLING, FINISHING, AND CURING SHALL BE PER CITY STANDARD SPECIFICATIONS.
10. DRIVEWAY APRON AND MODIFIED CURB SHALL BE PLACED MONOLITHICALLY.
11. REFER TO APPROVED PLANS FOR ACTUAL SIDEWALK AND GREENSPACE WIDTHS OR CONTACT CITY.
12. APRON SHALL BE GRADED SO THAT SIDEWALK CONTINUES WITHOUT GRADE BREAKS ALONG ROADWAY.
13. DRIVEWAY SHALL BE HARD SURFACE FOR ANY SLOP



CITY OF ROGERS
301 WEST CHESTNUT STREET
ROGERS, ARKANSAS 72756
(479) 621-1186

COMMERCIAL DRIVEWAY DETAIL

NOT TO SCALE

AUGUST 23, 2022

ORDINANCE NO. 22-________

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM A-1 TO RMF-5.5B; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code Section 14-725, et seq., and upon consideration of the report and recommendations of the City of Rogers Planning Commission, the City Council finds it to be in the best interest of the City that certain lands hereinafter described are better suited for RMF-5.5B zoning.

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

Section 1: Chapter 14, Article VI, Section 14-675—Zoning shall be amended in the City of Rogers, Code of Ordinances as provided herein;

Section 2: The land described herein shall be zoned as RMF-5.5B (Residential Multi-Family, 5.5 units/acre, Rent), and said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:
Part of the SW 1/4, Section 8, T-19-N, R-30-W, City of Rogers, Benton County, Arkansas, being more particularly described as follows:

Commencing from the SW corner of the SW 1/4, of Section 8, T-19-N, R-30-W; thence N 00°31'05" W, 321.55 feet, to the Point of Beginning (POB); thence continuing N 00°31'05" W, 266.06 feet; thence N 89°40'53" E, 1191.53 feet; thence S 04°49'34" E, 571.20 feet; thence S 89°45'20" W, 530.93 feet; thence N 67°58'42" W, 204.88 feet; thence N 70°41'41" W, 202.99 feet; thence N 61°10'41" W, 325.28 feet, to the POB, containing 13.50 acres, more or less.

LAYMAN'S DESCRIPTION:
South Rainbow Road (Parcel 02-00861-110);

Section 3: Zoning: The above described lands are better suited for RMF-5.5B than A-1 zoning and same are hereby zoned RMF-5.5B;

Section 4: Emergency Clause: The need to bring proposed use of the property into conformance with the Rogers City Zoning Ordinances is immediate in order to protect the public peadce, 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 5: 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 6: 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, Director Community Development
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Community Environment & Welfare Committee