



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: October 11, 2022

The following committee meetings will be held on **Tuesday, October 11, 2022** prior to the City Council Meeting:

05:45 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Legere, Townzen)

Committee Room #2 OR <https://us02web.zoom.us/j/84891953350> OR (312)626-6799 ID: 848 9195 3350

To Discuss: (a) Street Closure Request: Sheep Dog Turkey Trot **Request & Map**

(b) Street Closure Request: American Heart Association **Request & Map**

05:45p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)

Committee Room #1 OR <https://us02web.zoom.us/j/86314042446> OR (312) 626-6799 ID: 863 1404 2446

To Discuss: (a) A Resolution Authorizing The Mayor And City Clerk To Execute A Quitclaim Deed With KLS Leasing II, LLC For The Acquisition Of Certain Real Property Located In Rogers

(b) An Ordinance Amending The City Of Rogers' Code Of Ordinances Section 52-4 – Emergency And Experimental Regulations

05:55 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)

Committee Room #2 OR <https://us02web.zoom.us/j/84891953350> OR (312)626-6799 ID: 848 9195 3350

To Discuss: (a) A Resolution Authorizing The Mayor And City Clerk To Accept A 2022 Community Development Block Grant In The Amount Of \$469,130.00; Amending The 2022 Budget To Recognize Revenue In That Amount Into Account #342-42-45110 Federal Revenue

(b) Presentation of 2021 Audit

05:55 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Legere*, Townzen, Hayes)

Committee Room #1 OR <https://us02web.zoom.us/j/86314042446> OR (312) 626-6799 ID: 863 1404 2446

To Discuss: (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-SF To R-MF-5.3A, Accepting The Density Concept Plan (Pine Street) **Staff Report**



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ROGERS CITY COUNCIL **AGENDA**

OCTOBER 11, 2022

6:30 PM

City Council Chambers OR virtually via
ZOOM <https://us02web.zoom.us/j/85780882662>
OR (312)626-6799 ID: 857 8088 2662

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. September 27, 2022

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|--|---|
| 1. | RES. Re: | Authorizing The Mayor And City Clerk To Execute A Quitclaim Deed With KLS Leasing II, LLC For The Acquisition Of Certain Real Property Located In Rogers | RESOURCES & POLICY COMMITTEE |
| 2. | ORD. Re: | Amending The City Of Rogers' Code Of Ordinances Section 52-4 – Emergency And Experimental Regulations | RESOURCES & POLICY COMMITTEE |
| 3. | RES. Re: | Authorizing The Mayor And City Clerk To Accept A 2022 Community Development Block Grant In The Amount Of \$469,130.00; Amending The 2022 Budget To Recognize Revenue In That Amount Into Account #342-42-45110 Federal Revenue | FINANCE COMMITTEE |
| 4. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-SF To R-MF-5.3A, Accepting The Density Concept Plan (Pine Street) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

1. Appointment of Jerry Walton to the Northwest Arkansas Regional Airport Authority Board of Directors; term to begin January 1, 2023 and expire December 31, 2028.

Appointment of Martine Pollard to the Northwest Arkansas Regional Airport Authority Board of Directors; term to begin January 1, 2023 and expire December 31, 2028.

ANNOUNCEMENTS:

RESOLUTION NO. R22-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A QUITCLAIM DEED WITH KLS LEASING II, LLC FOR THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED IN ROGERS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers and KLS Leasing II, LLC have agreed for the City to acquire, for no cost to the City, land adjacent to the LISA Academy; and

WHEREAS, this agreement for the City to acquire this land was proposed during the large scale development process for LISA Academy.

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 a quitclaim deed, and sign all necessary documents, with KLS Leasing II, LLC for the acquisition of land adjacent to the LISA Academy. The legal description for the property being quitclaimed is:

PART OF THE S 1/2 OF THE SE 1/4 OF THE SE 1/4 OF SECTION 8,
TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY
ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SE 1/4 OF
THE SE 1/4 OF SAID SECTION 8;
THENCE ALONG THE SOUTH LINE THEREOF N87°13'52"W 1323.58
FEET TO THE SOUTHWEST CORNER OF THE SE 1/4 OF THE SE 1/4
OF SAID SECTION 8;
THENCE ALONG THE WEST LINE THEREOF N02°31'49"E 70.00
FEET;
THENCE LEAVING SAID WEST LINE S87°13'52"E 919.12 FEET TO
THE POINT OF BEGINNING;
THENCE N04°36'40"E 91.41 FEET;
THENCE N33°21'30"E 348.38 FEET;
THENCE N02°29'20"E 106.02 FEET;
THENCE S87°30'40"E 214.38 FEET;
THENCE S02°42'07"W 498.35 FEET;
THENCE N87°13'52"W 394.67 FEET TO THE POINT OF BEGINNING,
CONTAINING 3.43 ACRES MORE OR LESS.;

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, Community Development Department

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Resources & Policy Committee

ORDINANCE NO. 22-_____

**AN ORDINANCE AMENDING THE CITY OF ROGERS' CODE OF ORDINANCES
SECTION 52-4 – EMERGENCY AND EXPERIMENTAL REGULATIONS; 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 52-4 of the City of Rogers Code of Ordinances regarding emergency and experimental regulations; and

WHEREAS, the proposed amendments will provide clarity around the process for the closing of public streets and parking lots through an administrative process.

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

Section 1: Chapter 52, Article I, Section 52-4 – Emergency and experimental regulations shall be amended in the City of Rogers, Code of Ordinances and shall read as shown to delete subsections (b) through (d) of that section and Municode Corporation is hereby instructed to make said amendments;

Section 2: 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 3: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Provisions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: C. Greg Hines, Mayor
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Resources & Policy Committee

RESOLUTION NO. R22_____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO ACCEPT A 2022 COMMUNITY DEVELOPMENT BLOCK GRANT
IN THE AMOUNT OF FOUR HUNDRED SIXTY-NINE THOUSAND ONE HUNDRED
THIRTY DOLLARS (\$469,130.00); AMENDING THE 2022 BUDGET TO RECOGNIZE
REVENUE IN THAT AMOUNT INTO ACCOUNT #342-42-45110 FEDERAL REVENUE;
APPROPRIATING THE GRANT REVENUE TO VARIOUS EXPENDITURE ACCOUNTS;
AND FOR OTHER PURPOSES**

WHEREAS, the City has received federal funding to its Community Development Block Grant and needs to appropriate that money to the appropriate accounts.

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

Section 1: That the Mayor and City Clerk are hereby authorized to accept a 2022 Community Development Block Grant from the U. S. Department of Housing and Urban Development in the sum amount of four hundred sixty-nine thousand one hundred thirty dollars (\$469,130.00);

Section 2: The 2022 Budget is hereby amended to recognize grant funds in the sum of four hundred sixty-nine thousand one hundred thirty dollars (\$469,130.00) into Account #341-42-45110 Federal Revenue;

Section 3: The 2022 Budget is amended to appropriate fifty-seven thousand two hundred thirty dollars (\$57,230.00) into Account #342-42-70969 Administration;

Section 4: The 2022 Budget is amended to appropriate fifty-six thousand dollars (\$56,000.00) into Account #342-42-70296 Public Service Projects;

Section 5: The 2022 Budget is amended to appropriate three hundred fifty-five thousand nine hundred dollars (\$355,900.00) into Account #342-42-79010 Public Facility Projects;

Section 6: 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 7: 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.

C. GREG HINES, Mayor

ATTEST:

JESSICA RUSH, City Clerk

Requested by: Donna Johnston, CDBG Administrator
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration by: Finance Committee

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM R-SF TO R-MF-5.3A, ACCEPTING THE DENSITY CONCEPT
PLAN, 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 October 4, 2022, the City Council has found that certain lands hereinafter described are better suited for R-MF-5.3A 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-MF-5.3A (Residential Multifamily) and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Parcel Number: 02-04412-005

LOT 8, BLOCK 6, FELKER'S SUBDIVISION SURVEY DESCRIPTION: BEING A PART OF THE SW ¼ OF THE SE ¼ OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 30 WEST, FIFTH PRINCIPAL MERIDIAN, SAME BEING A PART OF LOT 6, BLOCK 6, FELKER'S SUBDIVISION TO THE CITY OF ROGERS, AS RECORDED AT INSTRUMENT L202009496 AS RECORDED IN THE OFFICIAL PUBLIC RECORD OF BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A FOUND 58" REBAR W/ CAP "AR1002", BEING THE NORTHEAST CORNER OF LOT 6, BLOCK 6, FELKER'S SUBDIVISION PER PLAT L202009496, AND BEING A POINT IN THE WEST RIGHT-OF-WAY OF S. 15TH ST.; THENCE ALONG SAID WEST RIGHT-OF-WAY, SOUTH 02°22'50" WEST, A DISTANCE OF 50.01 FEET TO A FOUND 58" REBAR W/ CAP "AR 1002"; THENCE DEPARTING SAID WEST RIGHT-OF-WAY, NORTH 86°47'14" WEST A DISTANCE OF 196.76 FEET TO A FOUND 58" REBAR W/ CAP "AR 1002"; THENCE SOUTH 03°12'46" WEST A DISTANCE OF 111.24 FEET TO A FOUND 12" REBAR; THENCE NORTH 87°28'54" WEST A DISTANCE OF 435.11 FEET TO A FOUND 12" REBAR; THENCE SOUTH 02°19'52" WEST A DISTANCE OF 147.08 FEET TO A FOUND FENCE POST; THENCE NORTH 86°18'53" WEST A DISTANCE OF 458.29 FEET TO A SET 58" REBAR W/ CAP "AR 1002"; THENCE NORTH 02°31'33" EAST A DISTANCE OF 148.30 FEET TO A SET 58" REBAR W/CAP "AR 1002"; THENCE SOUTH 86°09'26" EAST A DISTANCE OF 142.99 FEET TO A FOUND 58" REBAR W/ CAP "AR 1002"; THENCE NORTH 2°46'05" EAST A DISTANCE OF 153.91 FEET TO A FOUND 58" REBAR W/ CAP "AR 1002"; THENCE SOUTH 87°03'51" EAST A DISTANCE OF 315.85 FEET TO A FOUND 1" OPEN-TOP PIPE; THENCE NORTH 03°09'11" EAST A DISTANCE OF 7.62 FEET TO A FOUND 58" REBAR W/ CAP "AT 1002"; THENCE SOUTH 86°47'14" EAST A DISTANCE OF 631.28 FEET TO THE POINT OF BEGINNING, CONTAINING 198.085 SQUARE FEET OR 4.55 ACRES, MORE OR LESS. SUBJECT TO ANY CONVENANTS. RESTRICTIONS, EASEMENTS OR RIGHTS-OF-WAY OF RECORD OR FACT.

Parcel Number: 02-04413-002

A PART OF THE SOUTH ONE HALF OF LOT 3, BLOCK 6 OF FELKER'S SUBDIVISION OF THE SE ¼ OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS KNOWN AS TRACT 2-B AND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST (SE) CORNER OF LOT 3, BLOCK 6 OF FELKER'S SUBDIVISION; THENCE NORTH 86°19'45" WEST A DISTANCE OF 347.12 FEET TO A SET 5/8" REBAR PLS 1845; THENCE NORTH 02°34'00" EAST A DISTANCE OF 147.63 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 86°14'38" EAST A DISTANCE OF 346.74 FEET TO A FENCE POST; THENCE SOUTH 02°24'49" WEST A DISTANCE OF 147.12

FEET TO THE POINT OF BEGINNING 1.17 ACRES OR 51,117 SQUARE FEET MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHT-OF-WAYS OF RECORD OR FACT.

LAYMAN'S DESCRIPTION:

Parcel 02-04412-005 & 02-04413-002; Land between Dixieland and 15th, North of Pine Street.

SECTION 3: Zoning. That the above described lands are better suited for R-MF-5.3A than R-SF zoning and same should be and are hereby zoned R-MF-5.3A.

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

SECTION 5: Emergency Clause. That 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 6: Severability Provision. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 7: Repeal of Conflicting Ordinances and Resolutions. All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Phil Swope

For Consideration By: Community Environment & Welfare Committee