



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 25, 2022

The following committee meetings will be held on **Tuesday, October 25, 2022** prior to the City Council Meeting:

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

Committee Room #1 OR <https://us02web.zoom.us/j/84358322416> OR (312)626-6799 ID: 843 5832 2416

To Discuss: (a) RWU Monthly Report

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

Committee Room #2 OR <https://us02web.zoom.us/j/85494700327> OR (312)626-6799 ID: 854 9470 0327

- To Discuss:
- (a) A Resolution Amending The City Of Rogers 2022 Budget To Recognize Insurance Proceeds In The Amount Of \$21,169.00 Into Account #200-25-49195 Insurance Reimbursement; Appropriating That Same Amount Into Account #200-25-70154 Trails Maintenance; Appropriating \$17,600.00 From General Fund Reserves Into Account #100-08-70154 Trails Maintenance
 - (b) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Navigation Electronics, Inc. Of Lafayette, Louisiana For The Purchase Of Upgraded GPS Equipment; Amending The 2022 Budget To Appropriate \$15,000.00 From General Fund Reserves Into Account #100-18-80100 Capital Expenditures

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

Committee Room #1 OR <https://us02web.zoom.us/j/84358322416> OR (312)626-6799 ID: 843 5832 2416

- To Discuss:
- (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To U-COM – SJC Ventures, S. Promenade Blvd & W. Seneca Rd. [Staff Report](#)
 - (b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-DP To NBT – Elkhead, 318 N. C Street [Staff Report](#)
 - (b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 And R-DP To I-1 – Montgomery, East of N. 8th Street between W. Hudson Rd. & W. Roselawn Dr. [Staff Report](#)



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ROGERS CITY COUNCIL **AGENDA**

OCTOBER 25, 2022

6:30 PM

City Council Chambers OR virtually via
ZOOM <https://us02web.zoom.us/j/83615207831>
OR (312)626-6799 ID: 836 1520 7831

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. October 11, 2022

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
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| 1. | RES. Re: | Amending The City Of Rogers 2022 Budget To Recognize Insurance Proceeds In The Amount Of \$21,169.00 Into Account #200-25-49195 Insurance Reimbursement; Appropriating That Same Amount Into Account #200-25-70154 Trails Maintenance; Appropriating \$17,600.00 From General Fund Reserves Into Account #100-08-70154 Trails Maintenance | FINANCE
COMMITTEE |
| 2. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into An Agreement With Navigation Electronics, Inc. Of Lafayette, Louisiana For The Purchase Of Upgraded GPS Equipment; Amending The 2022 Budget To Appropriate \$15,000.00 From General Fund Reserves Into Account #100-18-80100 Capital Expenditures | FINANCE
COMMITTEE |
| 3. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To U-COM – SJC Ventures, S. Promenade Blvd & W. Seneca Rd. | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |

- | | | | |
|----|----------|---|--|
| 4. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning
Certain Lands From R-DP To NBT – Elkhead, 318 N. C
Street | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |
| 5. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning
Certain Lands From C-2 And R-DP To I-1 – Montgomery
Family Trust, East of N. 8 th Street between W. Hudson Rd.
& W. Roselawn Dr. | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |

OLD BUSINESS:

- | | | |
|----|----------|--|
| 1. | ORD. Re: | Amending The City Of Rogers’ Code Of Ordinances Section 52-4 – Emergency
And Experimental Regulations |
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NEW BUSINESS:

- | | | |
|----|----------|---|
| 1. | ORD. Re: | Accepting The Final Plat Of Cottonwood Place, Rogers, Benton County,
Arkansas, The Dedication Of Utility Easements And Other Public Ways Therein |
|----|----------|---|

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R22-_____

A RESOLUTION AMENDING THE CITY OF ROGERS 2022 BUDGET TO RECOGNIZE INSURANCE PROCEEDS IN THE AMOUNT OF TWENTY-ONE THOUSAND ONE HUNDRED SIXTY-NINE DOLLARS (\$21,169.00) INTO ACCOUNT #200-25-49195 INSURANCE REIMBURSEMENT; APPROPRIATING THAT SAME AMOUNT INTO ACCOUNT #200-25-70154 TRAILS MAINTENANCE; APPROPRIATING SEVENTEEN THOUSAND SIX HUNDRED DOLLARS (\$17,600.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-08-70154 TRAILS MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers received twenty-one thousand one hundred sixty-nine dollars (\$21,169.00) in insurance proceeds for repairs to the Pleasant Ridge Bridge after damage caused by flooding in 2020; and

WHEREAS, the City of Rogers received an initial amount of seventeen thousand six hundred dollars (\$17,600.00) in insurance proceeds for repairs to the bridge in 2021, totaling thirty-eight thousand seven hundred sixty-nine dollars (\$38,769.00) in insurance proceeds for the Pleasant Ridge Bridge.

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

Section 1: The City of Rogers 2022 Budget is amended to recognize an insurance reimbursement in the amount of twenty-one thousand one hundred sixty-nine dollars (\$21,169.00) into Account #200-25-49195 Insurance Reimbursement;

Section 2: The City of Rogers 2022 Budget is amended to appropriate insurance proceeds received in 2022 in the amount of twenty-one thousand one hundred sixty-nine dollars (\$21,169.00) into Account #200-25-70154 Trails Maintenance;

Section 3: The City of Rogers 2022 Budget is amended to appropriate the insurance proceeds received in 2021 in the amount of seventeen thousand six hundred dollars (\$17,600.00) from General Fund Reserves into Account #100-08-70154 Trails Maintenance;

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: Casey Wilhelm, Director of Finance
Prepared By: John M. Pesek, Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. R22-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH NAVIGATION ELECTRONICS, INC. OF LAFAYETTE, LOUISIANA FOR THE PURCHASE OF UPGRADED GPS EQUIPMENT; AMENDING THE 2022 BUDGET TO APPROPRIATE FIFTEEN THOUSAND DOLLARS (\$15,000.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-18-80100 CAPITAL EXPENDITURES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers' Department of Community Development desires to purchase upgrades to the City's GPS equipment from Navigation Electronics, Inc. of Lafayette, Louisiana;

WHEREAS, the City will cover fifty percent (50%) of the cost to upgrade the base station at two thousand five hundred thirty-five dollars (\$2,535.00) whereas Rogers Water Utilities will cover the remaining expense; and

WHEREAS, the remainder of the funds totaling twelve thousand four hundred sixty-five dollars (\$12,465.00) will be used to purchase the City's survey rover unit and necessary accessories.

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 Navigation Electronics, Inc. of Lafayette, Louisiana for an amount not to exceed fifteen thousand dollars (\$15,000.00);

Section 2: The City of Rogers' 2022 Budget is amended to appropriate fifteen thousand dollars (\$15,000.00) from General Fund Reserves into Account #100-18-80100 Capital Expenditures;

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

Section 4: Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2022.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director of Community Development

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-COM; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code Section 14-725, et seq., and upon 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 U-COM 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 U-COM, and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

LOT 11 OF PINNACLE SPRINGS, ROGERS, BENTON COUNTY, ARKANSAS, AS SHOWN ON LOT LINE ADJUSTMENT AND LOT SPLIT FILED FOR RECORD IN PLAT BOOK 2013 AT PAGES 371 AND 372, OF THE RECORDS OF BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SAID LOT 11, SAID POINT ALSO BEING LOCATED ON THE

WESTERN RIGHT OF WAY OF SOUTH PROMENADE BOULEVARD, AND RUNNING ALONG SAID RIGHT OF WAY S02°34'51"W 488.32 FEET AND ALONG A CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 766.20 FEET, AND WHOSE LONG CHORD BEARS S06°06'25"E 231.70 FEET; THENCE LEAVING SAID RIGHT OF WAY S78°02'09"W 521.18 FEET; THENCE N08°03'46"W 273.81 FEET; THENCE N18°21'27"E 44.64 FEET; THENCE N08°06'26"W 397.66 FEET; THENCE N82°10'38"E 90.90 FEET; THENCE N81°56'37"E 100.48 FEET; THENCE N82°00'01"E 108.09 FEET; THENCE N78°40'21"E 97.90 FEET; THENCE N75°45'55"E 89.73 FEET; THENCE N71°25'55"E 114.01 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 8.67 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

LAYMAN'S DESCRIPTION:

02-19287-002

Section 3: Zoning: The above described lands are better suited for U-COM than C-2 zoning and same should be and are hereby zoned U-COM;

Section 4: Emergency Clause: The need to bring the proposed use of the property into conformance with the Rogers City Zoning Ordinances 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 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

Represented By: Dan Merrill

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 22-_____

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM R-DP TO NBT; 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 NBT 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 NBT (Neighborhood Transition District) and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Part of the Fractional S 1/2 of the NW 1/4 of Section 7, Township 19 North, Range 29 West, described as follows: Beginning 280 feet North of the NE corner of Block 25 in B.F. Sikes Addition to the City of Rogers, run thence North 100 feet, thence West 140 feet, thence South 100 feet, thence East 140.00 feet to the place of beginning, all lines to run on a bearing with the lines of B.F. Sikes Addition to the City of Rogers, Arkansas.

LAYMAN'S DESCRIPTION:

318 N. C Street (Parcel 02-00256-000)

Section 3: Zoning: The above described lands are better suited for NBT than R-DP zoning and same should be and are hereby zoned NBT;

Section 4: Emergency Clause: The need to bring the proposed use of the property into conformance with the Rogers City Zoning Ordinances 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 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

Represented By: Will Kellstrom

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 22-_____

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM C-2 and R-DP TO I-1; 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 interests of the City that certain lands hereinafter described are better suited for I-1 zoning.

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

Section 1: 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 I-1 (Light Industrial) and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

TRACTS 3D, 3E, 3F, 3G, 3H, AND 3I OF THE “BOUNDARY SURVEY – LINDSEY, SEXTON, BALL & MONTGOMERY TRACTS – HIGHWAY 62 & 102 – ROGERS ARKANSAS” AS RECORDED IN BOOK 6, PAGE 271, BENTON COUNTY, ARKANSAS.

LAYMAN'S DESCRIPTION:

East of North 8th Street between West Hudson Road and West Roselawn Drive. Parcels: 02-00744-010, 02-00744-011, 02-00744-012, 02-00744-013, 02-00744-014, and 02-00744-015.

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

Section 4: Emergency Clause: The need to bring the proposed use of the property into conformance with the Rogers City Zoning Ordinances 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 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

Represented By: Daniel Lazenby

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Environment & Welfare 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

ORDINANCE NO. 22- _____

AN ORDINANCE ACCEPTING THE FINAL PLAT OF COTTONWOOD PLACE, ROGERS, BENTON COUNTY, ARKANSAS, THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Final Plat has been submitted for the subdivision of COTTONWOOD PLACE, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

A PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) AND PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) ALL IN SECTION TWENTY-FOUR (24), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY (30) WEST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 24, SAID POINT BEING A FOUND 5/8 INCH REBAR; THENCE ALONG THE WEST LINE OF SAID NE 1/4 OF THE SW 1/4, N02°36'28"E A DISTANCE OF 659.80 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE CONTINUING ALONG SAID WEST LINE, N02°36'28"E A DISTANCE OF 659.99 FEET TO THE NORTHWEST CORNER OF SAID NE 1/4 OF THE SW 1/4 AND A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE ALONG THE WEST LINE OF SAID SE 1/4 OF THE NW 1/4, N02°30'56"E A DISTANCE OF 164.51 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID WEST LINE, S86°51'23"E A DISTANCE OF 664.54 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE S02°23'52"W A DISTANCE OF 826.57 FEET TO A FOUND IRON PIN WITH CAP "PLS 1156"; THENCE N86°40'52"W A DISTANCE OF 667.33 FEET TO THE POINT OF BEGINNING, CONTAINING 12.62 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

WHEREAS, the City Council finds that said Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public ways be accepted and confirmed.

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

Section 1: The Final Plat of COTTONWOOD PLACE, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved, and confirmed;

Section 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat;

Section 3: Emergency Clause: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is 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