



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: January 10, 2023

The following committee meetings will be held on **Tuesday, January 10, 2023** prior to the City Council Meeting:

05:50 p.m. - COMMUNITY SERVICES COMMITTEE: (Brashear*, Hayes, Kruger)

Committee Room #1 OR <https://us02web.zoom.us/j/88515159087> OR (312)626-6799 ID: 885 1515 9087

- To Discuss:
- (a) An Ordinance Establishing An Entertainment District To Be Known As The Bellview Entertainment District
 - (b) A Resolution Waiving Competitive Bidding For The Purchase Of A Dodge Ram Truck From Superior Dodge Of Siloam Springs, Arkansas For Use By The City Of Rogers Parks Department

06:00 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Legere*, Townzen, Hayes)

Committee Room #1 OR <https://us02web.zoom.us/j/88515159087> OR (312)626-6799 ID: 885 1515 9087

- To Discuss:
- (a) An Ordinance Adopting Changes To The Schedule Of Uses Promulgated By The Rogers Planning Commission In 2022
 - (b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-DP To NBT (Adame – E. Spring St.) [Staff Report](#)
 - (b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-SF To U-NBT (Coello – 1210 S. 45th St.) [Staff Report](#)

06:15 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Kruger, Legere)

Committee Room #1 OR <https://us02web.zoom.us/j/86092130123> OR (312)626-6799 ID: 860 9213 0123

- To Discuss:
- (a) A Resolution Waiving Competitive Bidding For The Purchase Of Thirteen Vehicles From Superior Chevrolet Of Siloam Springs, Arkansas For Use By The City Of Rogers Police Department

06:15 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)

Committee Room #2 OR <https://us02web.zoom.us/j/88515159087> OR (312)626-6799 ID: 885 1515 9087

- To Discuss:
- (a) A Resolution Designating An Electronic Bidding Service Vendor And Website For Public Works Projects And Renovation Of Historic Sites For Calendar Year 2023



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ROGERS CITY COUNCIL **AGENDA**

JANUARY 10, 2023
6:30 PM

City Council Chambers OR virtually via
ZOOM <https://us02web.zoom.us/j/86092130123>
OR (312)626-6799 ID: 860 9213 0123

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. December 13, 2022

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|--|---|
| 1. | ORD. Re: | Establishing An Entertainment District To Be Known As The Bellview Entertainment District | COMMUNITY SERVICES COMMITTEE |
| 2. | RES. Re: | Waiving Competitive Bidding For The Purchase Of A Dodge Ram Truck From Superior Dodge Of Siloam Springs, Arkansas For Use By The City Of Rogers Parks Department | COMMUNITY SERVICES COMMITTEE |
| 3. | ORD. Re: | Adopting Changes To The Schedule Of Uses Promulgated By The Rogers Planning Commission In 2022 | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 4. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-DP To NBT (Adame – E. Spring St.) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |

- | | | | |
|----|----------|---|---|
| 5. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-SF To U-NBT (Coello – 1210 S. 45 th St.) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 6. | RES. Re: | Waiving Competitive Bidding For The Purchase Of Thirteen Vehicles From Superior Chevrolet Of Siloam Springs, Arkansas For Use By The City Of Rogers Police Department | PUBLIC SAFETY COMMITTEE |
| 7. | RES. Re: | Designating An Electronic Bidding Service Vendor And Website For Public Works Projects And Renovation Of Historic Sites For Calendar Year 2023 | PUBLIC WORKS COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

1. ORD. Re: Accepting The Final Plat Of Pinnacle Village, Rogers, Benton County, Arkansas

APPOINTMENTS:

ANNOUNCEMENTS:

ORDINANCE NO. 23-_____

AN ORDINANCE ESTABLISHING AN ENTERTAINMENT DISTRICT TO BE KNOWN AS THE BELLVIEW ENTERTAINMENT DISTRICT; ESTABLISHING THE STANDARDS FOR THE BELLVIEW ENTERTAINMENT DISTRICT; AMENDING THE REGULATIONS OF THE RAILYARD ENTERTAINMENT DISTRICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Act 812 of 2019, codified at Ark. Code Ann. §14-54-1412, authorizes cities, collecting a gross receipts tax on prepared food or hotel and motel accommodation and located in a county authorized to sell alcoholic beverages, to create a designated entertainment district in contiguous areas zoned for or customarily used for commercial purposes;

WHEREAS, Said Act also allows cities to set reasonable standards for the regulation of alcohol possession within the boundaries of the district;

WHEREAS, the creation of this district is intended to promote tourism within the City, to highlight restaurant, nightlife, entertainment, and hospitality options; and

WHEREAS, the City Council finds that it is in the best interest of the City and its residents to create permanent designated entertainment district to be known as the “Bellview Entertainment District”, subject to the regulations set forth in this Ordinance.

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

Section 1: That pursuant to the authority granted by Act 812 of 2019, an entertainment district to be known as the Bellview Entertainment District (“District”) is hereby created and established within the boundaries as set forth and designated on the map that is attached as Exhibit A and incorporated by reference;

Section 2: That the following regulations shall apply to and within the Bellview Entertainment District as well as the previously established Railyard Entertainment District:

- (a) Restaurants, bars, and breweries within the District’s boundaries, as well as vendors at special events within the District’s boundaries, may serve alcoholic beverages (pursuant to all applicable laws, regulations, licensing, and permits) that may be carried out of the establishment and consumed within the designated boundaries of the District Monday – Friday between the hours of 4:00 p.m. and 12:00 a.m. and Saturday – Sunday between the hours of 10:00 a.m. and 12:00 a.m., as long as the beverage is contained in a designated District cup which shall not exceed 16 oz. in size and shall be provided by a participating business within the District;
- (b) Participating businesses within the District will be required to provide wristbands verifying that the individual has shown valid identification that they are of legal age to consume alcoholic beverages. Individuals without wristbands will not be permitted to

- consume alcoholic beverages outside the establishment where the beverage was purchased.
- (c) The boundaries of the District will be designated by signage placed within the District;
 - (d) Waste and recycling receptacles will be placed at District boundaries and high traffic areas as needed;
 - (e) An informational document will be prepared showing the boundaries of the District, participating bars and restaurants, the regulation of the District, and frequently asked questions. This document will be available on the City of Rogers, Rogers Lowell Area Chamber of Commerce, and Visit Rogers websites as well as other platforms;
 - (f) Participating businesses shall not allow alcoholic beverages to be removed from the premises in glass containers and it shall be a violation for any person to possess alcoholic beverages in glass containers on the streets, sidewalks, rights-of-way, and parking lots located within the District;
 - (g) No alcoholic beverages purchased outside the District are allowed in open containers in the District;
 - (h) Consumption of alcoholic beverages in a motor vehicle is prohibited. It shall be unlawful for any person to consume any alcoholic beverage while in the confines of a motor vehicle that is located upon any public street, parking lot, or other place in which the public has or is permitted to have access within the District;
 - (i) No person shall be permitted to leave the District with an open alcoholic beverage container. All unfinished quantities of alcoholic beverages must be properly disposed of prior to the individual leaving the District;
 - (j) Establishments within the boundaries of the District, including those that do not serve alcoholic beverages, shall clearly indicate their participation in the District with prominently displayed window signage. No individual possessing an alcoholic beverage shall enter an establishment that does not indicate its participation in the District. By failing to display window signage indicating participation, a business within the boundaries of the District is acknowledging that it does not allow District beverages within its premises;
 - (k) The City of Rogers Arts & Culture Office shall create, keep, and distribute the official logos and designs for all District cups, wristbands, signage, etc. Establishments within the boundaries of the District shall procure District cups, wristbands, and signage by coordinating with the City of Rogers Arts & Culture Office.

Section 3: This Ordinance does not diminish the requirements or authority of the Alcoholic Beverage Control Division of the Department of Finance and Administration concerning permits issued within the designated entertainment district, including special event permits;

Section 4: Pursuant to Ark. Code. Ann. §14-54-1412(b)(4), the City Clerk shall, within ten (10) days from the passage of this Ordinance, provide notice of the creation of these Entertainment Districts to the Alcoholic Beverage Control Division of the Department of Finance and Administration;

Section 5: Emergency Clause: The need to make use of the provisions of Act 812 of 2019 and create a permanent Entertainment District, in order to promote the uptown area of the City of Rogers and provide entertainment, hospitality, and dining opportunities to the citizens, is

immediate and an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after the date of its passage;

Section 6: 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 7: 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 _____, 2023

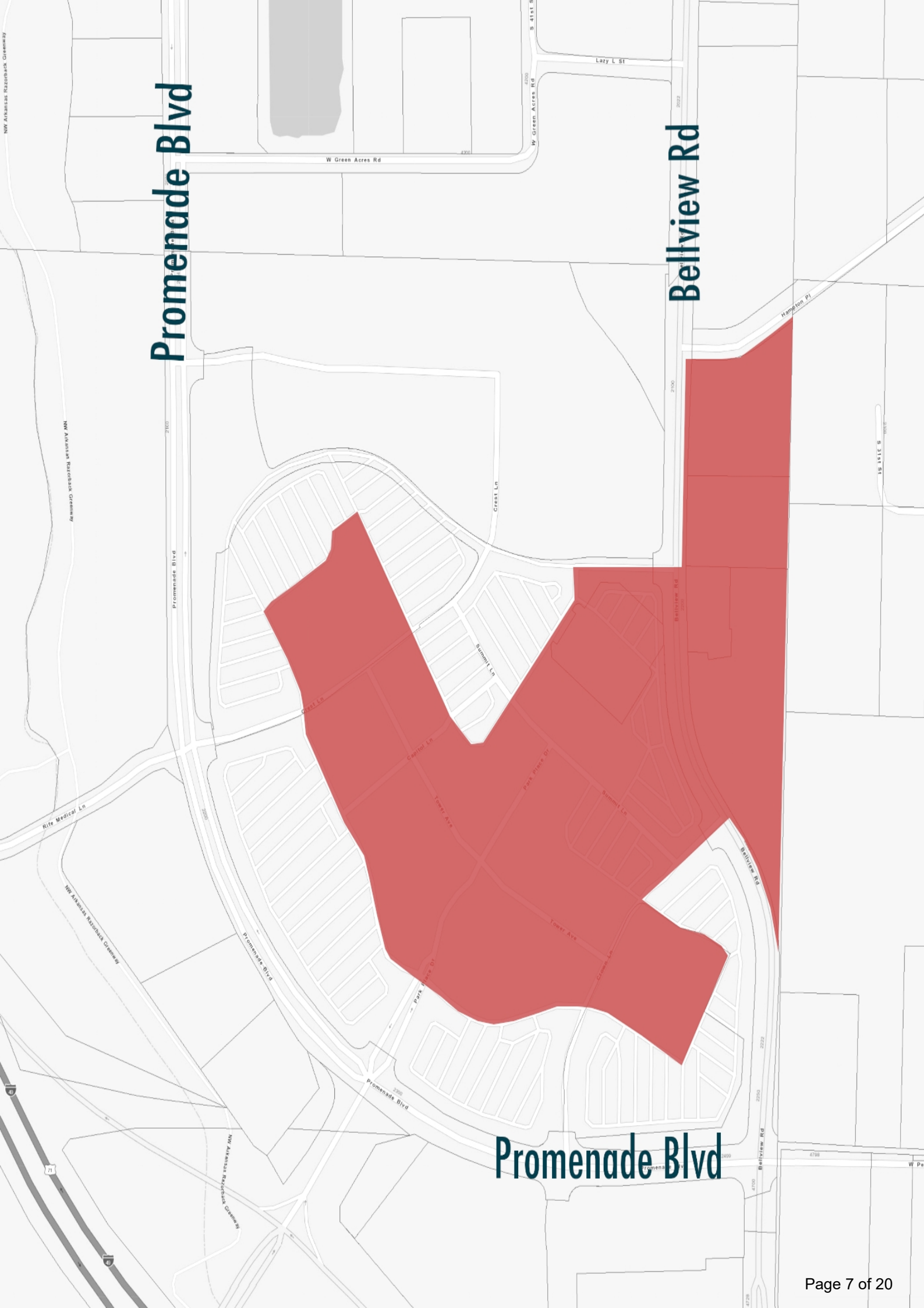
APPROVED:

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: Community Services Committee



Promenade Blvd

Bellview Rd

Promenade Blvd

RESOLUTION NO. R23-_____

**A RESOLUTION WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF A
DODGE RAM TRUCK FROM SUPERIOR DODGE OF SILOAM SPRINGS,
ARKANSAS FOR USE BY THE CITY OF ROGERS PARKS DEPARTMENT;
ALLOWING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR
SAID PURCHASE; AND FOR OTHER PURPOSES.**

WHEREAS, the Rogers Parks Department desires to purchase a Dodge Ram 1500 Crew Cab 4x4 Truck for forty thousand eight hundred ten dollars (\$40,810.00) for use by that department;

WHEREAS, this purchase was budgeted in the City of Rogers' 2023 Budget; and

WHEREAS, Superior Dodge of Siloam Springs, Arkansas, can provide the vehicle with the specifications necessary to the Rogers Parks Department, and has agreed to give the City of Rogers the pricing set by the State of Arkansas procurement guidelines for state purchases.

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

Section 1: The Mayor and City Clerk are authorized to enter into an agreement with Superior Dodge of Siloam Springs, Arkansas, in an amount not to exceed forty thousand eight hundred ten dollars (\$40,810.00), for the purchase of a Dodge Truck;

Section 2: 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 a Dodge Truck for use by the Rogers Parks Department;

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

Section 4: Repeal of Conflicting Provisions: All resolutions of the City Council, or part of resolutions of the City Council in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Jim White, Director, Parks & Recreation

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Services Committee

ORDINANCE NO. 23-_____

**AN ORDINANCE ADOPTING CHANGES TO THE SCHEDULE OF USES
PROMULGATED BY THE ROGERS PLANNING COMMISSION IN 2022; AMENDING
CERTAIN PROVISIONS RELATED TO THE SCHEDULE OF USES; PROVIDING
FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, under the Code of Ordinances, City of Rogers, Arkansas §14-721(g) the Planning Commission may update the schedule of uses throughout the year; and

WHEREAS, the Planning Commission has approved an update to the schedule of uses that need ratification by the City Council to be codified in the City of Rogers Code of Ordinances.

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

Section 1: The use classification “Wholesale Trade Establishment/Warehouse and Storage Services” is adopted as a permitted by right use in the URDC/DRDC zoning districts of COM (Commercial Mixed Use) and U-COM (Uptown Commercial Mixed Use);

Section 2: The Municipal Code Corporation is directed to codify Sections 1 of this Ordinance by making the appropriate changes to the use classification tables and related code sections contained within Chapter 14, Article 6, Division 2 of the City of Rogers, Arkansas Code of Ordinances;

Section 3 – Emergency Clause: The need to adopt these changes is immediate and in order to protect the public peace, health, safety, and welfare and emergency is declared to exist and this Ordinance shall be in full force and effect from the date of its 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 _____, 2023.

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

ORDINANCE NO. 23-_____

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, and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

PARCEL 02-00284-000

PART OF THE NE/4 OF THE SW/4 OF SECTION 07, TOWNSHIP 19 NORTH, RANGE 29 WEST, AND A PART OF BLOCK 2 OF ALLEN'S ADDITION TO ROGERS, ARKANSAS, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH CORNER OF WATER TOWER LOT, LOCATED ON THE EAST RIGHT-OF-WAY LINE OF EAST SPRING STREET; THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE, SOUTH 34°17'31" EAST 300.57 FEET TO A SET 5/8" REBAR CAPPED "AR PLS 1659", BEING THE TRUE POINT OF BEGINNING; THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE, NORTH 55°41'45" EAST 139.61 FEET TO A FOUND IRON STAKE; THENCE, SOUTH 34°43'13" EAST 49.36 FEET TO A FOUND 1/2" REBAR CAPPED "1532"; THENCE, SOUTH 55°41'45" WEST 139.98 FEET TO A FOUND 1 1/2" PINCH PIPE MARKING THE EAST RIGHT-OF-WAY OF EAST SPRING STREET; THENCE, ALONG SAID EAST RIGHT-OF-WAY, NORTH 34°17'31" WEST 49.36 FEET TO THE POINT OF BEGINNING. CONTAINING 0.158 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

PARCEL 02-02366-001

PART OF THE NE/4 OF THE SW/4 OF SECTION 07, TOWNSHIP 19 NORTH, RANGE 29 WEST, AND A PART OF BLOCK 2 OF ALLEN'S ADDITION TO ROGERS, ARKANSAS, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH CORNER OF WATER TOWER LOT, LOCATED ON THE EAST RIGHT-OF-WAY LINE OF EAST SPRING STREET; THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE, SOUTH 34°17'31" EAST 300.57 FEET TO A SET 5/8" REBAR CAPPED "AR PLS 1659"; THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE, NORTH 55°41'45" EAST 139.61 FEET TO A FOUND IRON STAKE BEING THE TRUE POINT OF

BEGINNING; THENCE, NORTH 66°54'24" EAST 177.16 FEET TO A SET 5/8" REBAR CAPPED "AR PLS 1659"; THENCE, SOUTH 43°46'43" EAST 151.00 FEET TO A FOUND 1 1/2" PIPE; THENCE, SOUTH 65°29'00" WEST 200.47 FEET TO A FOUND 5/8" REBAR; THENCE, NORTH 34°43'13" WEST 99.95 FEET TO A FOUND 1/2" REBAR CAPPED "1532"; THENCE, NORTH 34°43'13" WEST 49.36 FEET TO THE POINT OF BEGINNING. CONTAINING 0.625 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

LAYMAN'S DESCRIPTION:

E Spring St. (Parcels 02-00284-000 & 02-02366-001)

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 _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director, Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Kyle Belt, Planner I

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 23-_____

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM R-SF TO U-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 U-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 U-NBT, and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

COMMENCING AT THE RAILROAD SPIKE FOUND FOR IN THE ROADWAY OF SOUTH H45TH STREET, SAID POINT BEING THE SE CORNER OF THE NE/4 OF THE NW/4 OF SECTION 16, TOWNSHIP 19 NORTH RANGE 30 WEST BENTON COUNTY ARKANSAS, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID ROADWAY NORTH 88 DEGREES 50 MINUTES 09 SECONDS WEST 278.09 FEET TO A SET IRON PIN THENCE NORTH 00 DEGREES 31 MINUTES 24 SECONDS EAST 271.25 FEET TO A SET IRON PIN THENCE SOUTH 88 DEGREES 29 MINUTES 34 SECONDS EAST 277.46 FEET TO A POINT IN THE ROADWAY OF SOUTH 45TH STREET; THENCE ALONG SAID ROADWAY, SOUTH 00 DEGREES 23 MINUTES 10 SECONDS WEST 269.60 FEET TO THE TRUE POINT OF BEGINNING AND SUBJECT TO THE RIGHT OF WAY OF SAID SOUTH 45TH STREET ON THE EASTSIDE THEREOF, AS SHOWN ON PLAT RECORD 18 AT PAGE 126;.

LAYMAN'S DESCRIPTION:

1210 s 45TH Street, Rogers, AR 72758

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

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Christina Moore, Planner I

For Consideration By: Community Environment & Welfare Committee

RESOLUTION NO. R23-_____

A RESOLUTION WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF THIRTEEN VEHICLES FROM SUPERIOR CHEVROLET OF SILOAM SPRINGS, ARKANSAS FOR USE BY THE CITY OF ROGERS POLICE DEPARTMENT; ALLOWING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR SAID PURCHASE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Police Department desires to purchase nine (9) 2023 two-wheel drive Chevrolet Tahoes, two (2) 2023 four-wheel drive Chevrolet Tahoes, and two (2) 2023 Chevrolet Traverses for use by that department;

WHEREAS, the purchase price for the nine (9) 2023 two-wheel drive Chevrolet Tahoes totals five hundred eighty-three thousand five hundred sixty-seven dollars (\$583,567.00), the purchase price for the two (2) 2023 four-wheel drive Chevrolet Tahoes totals one hundred thirty-four thousand nine hundred six dollars (\$134,906.00), and the purchase price for the two (2) 2023 Chevrolet Traverses totals seventy-three thousand two hundred fifty-two dollars (\$73,252.00); and

WHEREAS, Superior Chevrolet of Siloam Springs, Arkansas, can provide the vehicles with the specifications and warranties necessary for the Rogers Police Department, and has agreed to give the City of Rogers the pricing set by the State of Arkansas procurement guidelines for sate purchases.

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

Section 1: The Mayor and City Clerk are authorized to enter into a contract with Superior Chevrolet of Siloam Springs, Arkansas to purchase nine (9) two-wheel drive Chevrolet Tahoes, two (2) four-wheel drive Chevrolet Tahoes, and two (2) Chevrolet Traverses for the total purchase price not to exceed seven hundred ninety-one thousand seven hundred twenty-five dollars (\$791,725.00);

Section 2: 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 these thirteen (13) vehicles for use by the City of Rogers Police Department;

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

Section 4: Repeal of Conflicting Provisions: All resolutions of the City Council, or part of resolutions of the City Council in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Jonathan Best, Chief of Police
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R23-_____

**A RESOLUTION DESIGNATING AN ELECTRONIC BIDDING SERVICE VENDOR
AND WEBSITE FOR PUBLIC WORKS PROJECTS AND RENOVATION OF
HISTORIC SITES FOR CALENDAR YEAR 2023; DIRECTING PUBLICATION OF
THE DESIGNATIONS; AND FOR OTHER PURPOSES.**

WHEREAS, the Fair Notice and Efficiency in Public Works Act, Ark. Code. Ann. § 22-9-901 *et seq.*, allows public agencies to designate an approved electronic bidding service vendor for posting advertisements of notices of an intention to receive bids for public works projects under Ark. Code Ann § 22-9-203 and renovation of historic sites under Ark. Code. Ann § 22-9-209; and

WHEREAS, the City designates that Central Bidding be its electronic bidding service vendor for the City of Rogers for calendar year 2023.

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

Section 1: Central Bidding is hereby designated as an electronic bidding service vendor for the City of Rogers and all of its departments, agencies, boards, bureaus, commissions, committees and any other authority of the City, however organized and titled, for notices of intention to receive bids under Ark. Code Ann. § 22-9-203 and Ark. Code. Ann. § 22-9-209 for calendar year 2023, subject to Central Bidding continuing to be approved by the Office of State Procurement as an electronic bidding service vendor;

Section 2: Central Bidding's website, centrallauctionhouse.com, is hereby designated as a website for the City of Rogers and all of its departments, agencies, boards, bureaus, commissions, committees and any other authority of the City, however organized and titled, for posting of advertisements for notices of intention to receive bids under Ark. Code Ann. § 22-9-203 and Ark. Code. Ann. § 22-9-209 for calendar year 2023, subject to Central Bidding continuing to be approved by the Office of State Procurement as an electronic bidding service vendor;

Section 3: Publication of these designations will be made in accordance with Ark. Code. Ann. § 22-9-906(e);

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

RESOLVED this _____ day _____ 2023.

C. GREG HINES, Mayor

ATTEST:

JESSICA RUSH, City Clerk

Requested by: Rogers Water Utilities and Rogers Waterworks and Sewer Commission

Prepared by: Robert A. Frazier, Legal Counsel, Rogers Water Utilities and Rogers Waterworks and Sewer Commission

Review by: John Pesek, Senior Staff Attorney

For Consideration By: Public Works Committee

ORDINANCE NO. 23-_____

AN ORDINANCE ACCEPTING THE FINAL PLAT OF PINNACLE VILLAGE, 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 PINNACLE VILLAGE, Rogers, Benton County Arkansas which is more particularly described as follows:

RECORD DESCRIPTION OF PARENT TRACT

PER DEED L202050808:

A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) AND PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4), ALL IN SECTION 28, TOWNSHIP 19 NORTH, RANGE 30 WEST, ROGERS, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 28, THENCE N87°41'23"W 625.97' TO THE EAST RIGHT-OF-WAY LINE OF PINNACLE HILLS PARKWAY, THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING COURSES: N05°29'22"E 529.95 FEET, THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1148.00 FEET, AN ARC LENGTH OF 154.25 FEET, A CENTRAL ANGLE OF 07°41'54", AND A CHORD BEARING AND DISTANCE OF N09°20'19"E 154.13 FEET, THENCE N13°03'55"E 402.88 FEET, THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1391.19 FEET, AN ARC LENGTH OF 241.34 FEET, A CENTRAL ANGLE OF 09°56'23", AND A CHORD BEARING AND DISTANCE OF N07°08'17"E 241.04 FEET, THENCE N01°52'20"E 8.59 FEET, THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE S87°41'55"E 462.30 FEET, THENCE S87°08'48"E 333.56 FEET, THENCE S01°34'34"W 1324.12 FEET, THENCE N87°37'03"W 330.49 FEET TO THE POINT OF BEGINNING.

SURVEY DESCRIPTION OF PARENT TRACT

PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) AND PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4), ALL IN SECTION 28, TOWNSHIP 19 NORTH, RANGE 30 WEST, FIFTH PRINCIPAL MERIDIAN, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 5/8-INCH REBAR WITH CAP AT THE SOUTHEAST CORNER OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 28; THENCE ALONG THE SOUTH LINE OF SAID SW1/4 OF THE NW1/4, N87°14'56"W 625.86 FEET TO A FOUND 5/8-INCH REBAR WITH CAP MARKED "PLS 1642" ON THE EAST RIGHT OF WAY OF SOUTH PINNACLE HILLS PARKWAY; THENCE DEPARTING SAID SOUTH LINE AND ALONG SAID EAST RIGHT OF WAY, N05°57'46"E 529.17 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY, 149.27 FEET ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 07°26'59", A RADIUS OF 1148.00 FEET, AND A LONG CHORD THAT BEARS N09°41'16"E 149.16 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE CONTINUING ALONG SAID EAST RIGHT OF

WAY, N13°16'41"E 133.68 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY, N13°24'06"E 273.54 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY, 241.73 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10°58'30", A RADIUS OF 1262.00 FEET, AND A LONG CHORD THAT BEARS N07°54'51"E 241.36 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY, N02°20'05"E 10.66 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337" ON THE NORTH LINE OF SAID SW1/4 OF THE NW1/4; THENCE DEPARTING SAID EAST RIGHT OF WAY AND ALONG SAID NORTH LINE, S87°02'29"E 464.69 FEET TO A FOUND 1/2-INCH REBAR AT THE NE CORNER OF SAID SW1/4 OF THE NW1/4; THENCE ALONG THE NORTH LINE OF AFORESAID SE1/4 OF THE NW1/4, S87°03'25"E 330.31 FEET TO A FOUND 5/8-INCH REBAR; THENCE DEPARTING SAID NORTH LINE, S02°01'17"W 1324.12 FEET TO A FOUND 5/8-INCH REBAR WITH CAP ON THE SOUTH LINE OF SAID SE1/4 OF THE NW1/4; THENCE ALONG SAID SOUTH LINE, N87°24'24"W 330.27 FEET TO THE POINT OF BEGINNING, CONTAINING 1,175,060 SQUARE FEET OR 26.98 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS, COVENANTS, OR RESTRICTIONS OF RECORD OR FACT.

SURVEY DESCRIPTION OF TRAIL RIGHT OF WAY

PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) AND PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4), ALL IN SECTION 28, TOWNSHIP 19 NORTH, RANGE 30 WEST, FIFTH PRINCIPAL MERIDIAN, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2-INCH REBAR AT THE NORTHEAST CORNER OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 28, THE SAME BEING THE NORTHWEST CORNER OF THE SE1/4 OF THE NW1/4 OF SAID SECTION 28; THENCE ALONG THE NORTH LINE OF SAID SE1/4 OF THE NW1/4, S87°03'25"E 17.02 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337" ON THE EAST RIGHT OF WAY OF PINNACLE VILLAGE AVENUE; THENCE DEPARTING SAID NORTH LINE AND ALONG SAID EAST RIGHT OF WAY, 5.83 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 13°21'28", A RADIUS OF 25.00 FEET, AND A LONG CHORD THAT BEARS S35°15'13"E 5.82 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY, S41°55'58"E 151.91 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY, 59.20 FEET ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 45°13'42", A RADIUS OF 75.00 FEET, AND A LONG CHORD THAT BEARS S19°19'06"E 57.68 FEET TO A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337"; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY, S03°17'45"W, PASSING A SET 5/8-INCH REBAR WITH CAP MARKED "PLS 1337" AT THE SOUTHWEST CORNER OF LOT 2 AT A DISTANCE OF 111.21 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 509.42 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY, N86°57'10"W 709.52 FEET TO THE EAST RIGHT OF WAY OF SOUTH PINNACLE HILLS PARKWAY; THENCE ALONG SAID EAST RIGHT OF WAY, 20.29 FEET ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01°00'46", A RADIUS OF 1148.00 FEET, AND A LONG CHORD THAT BEARS N12°47'35"E 20.29 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY, S86°57'10"E 686.17 FEET; THENCE N03°17'45"E 489.50 FEET; THENCE 43.42 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°13'42", A RADIUS OF 55.00 FEET, AND A LONG CHORD THAT

BEARS N19°19'06"W 42.30 FEET; THENCE N41°55'58"W 151.91 FEET; THENCE 21.99 FEET ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 27°59'38", A RADIUS OF 45.00 FEET, AND A LONG CHORD THAT BEARS N27°56'08"W 21.77 FEET TO THE NORTH LINE OF AFORESAID SW1/4 OF THE NW1/4; THENCE ALONG SAID NORTH LINE, S87°02'29"E 4.73 FEET TO THE POINT OF BEGINNING, CONTAINING 28,291 SQUARE FEET OR 0.65 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS 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 PINNACLE VILLAGE, 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 and Bill of Assurances 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 _____, 2023.

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