



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 24, 2023

The following committee meetings will be held on **Tuesday, January 24, 2023** prior to the City Council Meeting:

05:50 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Legere, Townzen)

Committee Room #1 OR <https://us02web.zoom.us/j/88205681409> OR (312)626-6799 ID: 882 0568 1409

- To Discuss:
- (a) Street Closure Request for Shakey Grounds Production [Map Request](#)
 - (b) A Resolution Amending The 2023 Budget By Establishing Capital Project Account #315-15-81143 Reconstruct Taxiway Lighting And Airfield Electrical Vault; Appropriating Ninety-Eight Thousand One Hundred Twenty-Five Dollars (\$98,125.00) From Airport Fund Reserves Into Account #315-15-81143

06:00 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Kruger, Legere)

Committee Room #1 OR <https://us02web.zoom.us/j/88205681409> OR (312)626-6799 ID: 882 0568 1409

- To Discuss:
- (a) An Ordinance Declaring A Nuisance Structure On Certain Property Located In Rogers, Arkansas; Ordering The Razing And Removal Of Said Structure

06:00 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)

Committee Room #2 OR <https://us02web.zoom.us/j/88186131250> OR (312)626-6799 ID: 881 8613 1250

- To Discuss:
- (a) RWU Monthly Report

06:10 p.m. - COMMUNITY SERVICES COMMITTEE: (Brashear*, Hayes, Kruger)

Committee Room #1 OR <https://us02web.zoom.us/j/88205681409> OR (312)626-6799 ID: 882 0568 1409

- To Discuss:
- (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Contract With Crowne Group, LLC Of Fayetteville, Arkansas, For Event Marketing, Promotion, And Programming Services Of Butterfield Stage And The Victory Theater
 - (b) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Play By Design, Inc. Of Tulsa, Oklahoma For The Purchase Of Park Benches And Trash Containers; Waiving Competitive Bidding For This Purchase

06:10 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)

Committee Room #2 OR <https://us02web.zoom.us/j/88186131250> OR (312)626-6799 ID: 881 8613 1250

- To Discuss:
- (a) A Resolution Amending The 2023 Budget To Appropriate \$56,217.00 From

Ice Fund Reserves Into Account #355-55-84002 Fleet Expenditures; Appropriating \$56,217.00 From Federal Sharing Fund Reserves Into Account #340-40-84002 Fleet Expenditures; Waiving Competitive Bidding For The Purchase Of Two 2023 Chevrolet Tahoes 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

- (b) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Burns And McDonnell Of Springdale, Arkansas To Provide Permeable Paver Guidelines; Amending The 2023 Budget To Appropriate Thirty Thousand Dollars (\$30,000.00) From General Fund Reserves Into Account #100-18-70830 Contract Services
-



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ROGERS CITY COUNCIL **AGENDA**

JANUARY 24, 2023
6:30 PM

City Council Chambers OR virtually via
ZOOM <https://us02web.zoom.us/j/85269304208>
OR (312)626-6799 ID: 852 6930 4208

PUBLIC HEARING: An Ordinance Declaring A Nuisance Structure On Certain Property
Located In Rogers, Arkansas; Ordering The Razing And Removal Of Said Structure

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. January 10, 2023

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|---|----------------------------|
| 1. | ORD. Re: | Declaring A Nuisance Structure On Certain Property
Located In Rogers, Arkansas; Ordering The Razing And
Removal Of Said Structure | PUBLIC SAFETY
COMMITTEE |
| 2. | RES. Re: | Amending The 2023 Budget To Appropriate \$56,217.00
From Ice Fund Reserves Into Account #355-55-84002
Fleet Expenditures; Appropriating \$56,217.00 From
Federal Sharing Fund Reserves Into Account #340-40-
84002 Fleet Expenditures; Waiving Competitive Bidding
For The Purchase Of Two 2023 Chevrolet Tahoes 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 | FINANCE
COMMITTEE |

- | | | | |
|----|----------|---|------------------------------------|
| 3. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into An Agreement With Burns And McDonnell Of Springdale, Arkansas To Provide Permeable Paver Guidelines; Amending The 2023 Budget To Appropriate Thirty Thousand Dollars (\$30,000.00) From General Fund Reserves Into Account #100-18-70830 Contract Services | FINANCE
COMMITTEE |
| 4. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into A Contract With Crowne Group, LLC Of Fayetteville, Arkansas, For Event Marketing, Promotion, And Programming Services Of Butterfield Stage And The Victory Theater | COMMUNITY
SERVICES
COMMITTEE |
| 5. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into An Agreement With Play By Design, Inc. Of Tulsa, Oklahoma For The Purchase Of Park Benches And Trash Containers; Waiving Competitive Bidding For This Purchase | COMMUNITY
SERVICES
COMMITTEE |
| 6. | RES. Re: | Amending The 2023 Budget By Establishing Capital Project Account #315-15-81143 Reconstruct Taxiway Lighting And Airfield Electrical Vault; Appropriating Ninety-Eight Thousand One Hundred Twenty-Five Dollars (\$98,125.00) From Airport Fund Reserves Into Account #315-15-81143 | TRANSPORTATION
COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

1. Reappointment of Nancy Swearingen to the Museum Commission; term to expire December 31, 2026.
2. Reappointment of Richard Bland to the Library Board of Trustees; term to expire December 31, 2028.

ANNOUNCEMENTS:

ORDINANCE NO. 23-_____

AN ORDINANCE DECLARING A NUISANCE STRUCTURE ON CERTAIN PROPERTY LOCATED IN ROGERS, ARKANSAS; ORDERING THE RAZING AND REMOVAL OF SAID STRUCTURE; AND FOR OTHER PURPOSES.

WHEREAS, Mary Anne Rush and Elizabeth Anne Rush are the owners of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

LEGAL DESCRIPTION:

A part of the SE1/4 of the NE1/4 of Section 10, Township 19 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas and being described as follows: beginning at the SE corner of the SE1/4 of the NE1/4 of Section 10 Township 19 North, Range 30 West, said point being in the Roadway of Walnut Street (U.S. Highway 71 Business) to the City of Rogers and also being the TRUE POINT OF BEGINNING; Thence along the roadway of said Walnut Street, North 89°52'18" West, 200.00 feet to a found iron pin; Thence leaving said roadway, North 00°38'46" West, 345.02 feet to a set iron pin, Thence South 89°52'41" East, 200.00 feet to a found iron pin; Thence South 00°38'45" East, 345.10 feet to the true point of beginning, as shown in Plat Record "19" at Page 297.

LESS AND EXCEPT:

Part of the Southeast Quarter of the Northeast Quarter of Section 10, Township 19 North, Range 30 West, Benton County, Arkansas, more particularly described as follows:

Starting at the Northeast Corner of the Southeast Quarter of the Northeast Quarter of Section 10; Thence South 02°30'57" West, along the East line thereof a distance of 1,282.36 feet to a point on the Northerly proposed right of way line of U.S. Highway 71 for the POINT OF BEGINNING; Thence continue South 02°30'57" West, along the East line of the Southeast Quarter of the Northeast Quarter of Section 10 a distance of 5.00 feet to a point on the Northerly existing right of way line of U.S. Highway 71B; Thence North 87°02'20" West, along said existing right of way line a distance of 19822 feet to a point; Thence North 02°13'24" East, a distance of 5.00 feet to a point on the Northerly proposed right of way line of U.S. Highway 71B; Thence South 87°02'20" East, along said proposed right of way line a distance of 198.25 feet to the point of beginning and containing 0.02 acre more or less.

LAYMAN'S DESCRIPTION: 2701 W Walnut Street, Rogers, AR 72756

PARCEL NO.: 02-00884-001

WHEREAS, the structure on the property is unfit for human habitation, constitutes a fire hazard, and is otherwise a dangerous to human life, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, and further is unsightly, and is considered an unsafe and unsightly structure in violation of City of Rogers Code of Ordinance, Sections 18-55 through 18-68; more specifically, the following violations have been found to exist:

2012 IPMC - §302.1 – Sanitation: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition. Inspection findings: There is trash and debris strewn throughout the property.

2012 IPMC - §302.4 – Weeds: All premises and exterior property shall be maintained free from weeds or plant growth. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Inspection findings: There is overgrowth of trees and weeds around the building.

2012 IPMC - §302.5 – Rodent harborage: All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation. Inspection findings: There is vegetation growing up the exterior of the property. Squirrels were seen entering the building through voids in the exterior.

2012 IPMC - §302.8 – Motor Vehicles: Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Inspection Findings: A gold colored GMC SUV is on blocks on the east side of the building.

2012 IPMC - §304.6 – Exterior walls: All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration. Inspection findings: The exterior of this structure is not being maintained in good repair as there are multiple places where the structure's siding is deteriorating.

2012 IPMC - §304.9 – Overhang extensions: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment. Inspection findings: Eaves and overhangs are damaged.

2012 IPMC - §304.15 - Doors: All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3. Inspection Findings: It appears as the door(s) have been breached as human activity has been witnessed inside the structure.

2012 IPMC - §308.1 – Accumulation of rubbish or garbage: All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. Inspection findings: The property owner has allowed for the accumulation of garbage on the property.

2012 IPMC - §604.3 – Electrical system hazards: Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing,

insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard. Inspection findings: There are loose wires exposed on the exterior.

WHEREAS, the owners were given proper notice of numerous violations of the standards provided for in the Rogers' Code of Ordinances, including the International Property Maintenance Code ("IPMC") as adopted by reference in Rogers' Code of Ordinances §§ 10-32 and 10-33, which constitute life, health, or safety violations, located on the property described above, and were instructed to abate the nuisance in accordance with § 18-58 of the Code of Ordinances;

WHEREAS, pursuant to City of Rogers Code of Ordinances Section 18-59(d); a follow up compliance inspection was conducted by the Office of Building Inspections on January 24, 2023, which concluded that violations do currently exist, the structure constitutes a hazard to health and safety, and the structure requires condemnation and razing to protect the health, safety, and welfare of the public;

WHEREAS, the owner has failed, neglected, or refused to comply with the Notice to correct the documented violations, and as such, the matter of condemning, razing, and removing the building may be referred to the Rogers City Council; and

WHEREAS, pursuant to Arkansas Code Annotated § 14-56-203, if repair or removal is not done within the required time frame, the City shall have the power to order the removal or razing of, or to remove or raze any buildings that in the opinion of the Council have become dilapidated, unsightly, unsafe, unsanitary, obnoxious, or detrimental to the public welfare.

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

Section 1: The structure located at 2701 W. Walnut St, Rogers, Arkansas, is dilapidated, unsightly, and unsafe; and it is in the best interest of the City of Rogers to proceed with the removal of this dilapidated, unsightly, and unsafe structure;

Section 2: That the owner is hereby ordered to raze (demolish) and remove the dilapidated, unsightly, and unsafe structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be completed within thirty (30) days from the passage of this ordinance. The manner of razing (demolishing) and removing said structure shall be to dismantle by hand or bulldoze and then dispose of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner consistent with City of Rogers Code of Ordinances Chapters 10, 18, and 20, and all other state laws and regulations pertaining to the demolition or removal of residential structures;

Section 3: If the aforesaid work is not completed within thirty (30) days, the Mayor, or the Mayor's authorized representative, is hereby directed to cause the aforesaid structure to be razed (demolished) and removed; and the unsafe, unsanitary and unsightly conditions abated; and the City of Rogers shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing said structure and abating said aforementioned conditions, said costs to be determined at a hearing before the City Council;

Section 4: Emergency Clause: The need to raze and remove a certain structure is immediate and 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 and after its passage and approval;

Section 5: Severability Provision: If any part of this Ordinance is held to be invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Resolutions: 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: William Hyde, Deputy Fire Chief – Risk Reduction
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO APPROPRIATE FIFTY-SIX THOUSAND TWO HUNDRED SEVENTEEN DOLLARS (\$56,217.00) FROM ICE FUND RESERVES INTO ACCOUNT #355-55-84002 FLEET EXPENDITURES; APPROPRIATING FIFTY-SIX THOUSAND TWO HUNDRED SEVENTEEN DOLLARS (\$56,217.00) FROM FEDERAL SHARING FUND RESERVES INTO ACCOUNT #340-40-84002 FLEET EXPENDITURES; WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF TWO 2023 CHEVROLET TAHOES 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 two (2) 2023 Chevrolet Tahoes for use by that department;

WHEREAS, the purchase price for each 2023 Chevrolet Tahoe is fifty-six thousand two hundred seventeen dollars (\$56,217.00) for a total purchase price of one hundred twelve thousand four hundred thirty-four dollars (\$112,434.00); and

WHEREAS, Superior Chevrolet of Siloam Springs, Arkansas, can provide the vehicles with the specifications and warranties necessary for the Rogers Police Department.

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

Section 1: The City of Rogers' 2023 budget is hereby amended to appropriate fifty-six thousand two hundred seventeen dollars (\$56,217.00) from ICE Fund Reserves into Account #355-55-84002 Fleet Expenditures;

Section 2: The City of Rogers' 2023 budget is hereby amended to appropriate fifty-six thousand two hundred seventeen dollars (\$56,217.00) from Federal Sharing Fund Reserves into Account #340-40-84002 Fleet Expenditures;

Section 3: The Mayor and City Clerk are authorized to enter into a contract with Superior Chevrolet of Siloam Springs, Arkansas to purchase two (2) Chevrolet Tahoes from Superior Chevrolet of Siloam Springs, Arkansas for a total purchase price of one hundred twelve thousand four hundred thirty-four dollars (\$112,434.00);

Section 4: 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 two (2) 2023 Chevrolet Tahoes for use by the City of Rogers Police Department;

Section 5: 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 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.

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: Finance Committee

RESOLUTION NO. R23-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH BURNS AND MCDONNELL OF SPRINGDALE, ARKANSAS TO PROVIDE PERMEABLE PAVER GUIDELINES; AMENDING THE 2023 BUDGET TO APPROPRIATE THIRTY THOUSAND DOLLARS (\$30,000.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-18-70830 CONTRACT SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers' Department of Community Development desires to contract with Burns and McDonnell of Springdale, Arkansas to review existing sections of the City of Rogers Code of Ordinances and write code and specification updates to allow for the use of pervious pavers for detention and paving; and

WHEREAS, the contract price will not exceed thirty thousand dollars (\$30,000.00).

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 Burns and McDonnell of Springdale, Arkansas to provide permeable paver guidelines for an amount not to exceed thirty thousand dollars (\$30,000.00);

Section 2: The City of Rogers' 2023 Budget is amended to appropriate thirty thousand dollars (\$30,000.00) from General Fund Reserves into Account #100-18-70830 Contract Services;

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 _____, 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: Finance Committee

RESOLUTION NO. R23-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH CROWNE GROUP, LLC OF FAYETTEVILLE, ARKANSAS, FOR EVENT MARKETING, PROMOTION, AND PROGRAMMING SERVICES OF BUTTERFIELD STAGE AND THE VICTORY THEATER; AND FOR OTHER PURPOSES.

WHEREAS, the Railyard Park's Butterfield Stage has become an entertainment destination and attraction to the downtown Rogers area;

WHEREAS, Crowne Group, LLC of Fayetteville, Arkansas has adequately programmed, marketed, and promoted the Butterfield Stage for the previous two years and the City desires to continue and extend the agreement to include the Victory Theater; and

WHEREAS, the cost for this service contract was included in the 2023 budget.

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

Section 1: Crowne Group, LLC of Fayetteville, Arkansas has the knowledge, experience, and local familiarity needed for the City's unique entertainment venues;

Section 2: The Mayor and City Clerk are authorized to enter into a contract with Crowne Group, LLC, for marketing, programming, and promotion services of the Butterfield Stage and the Victory Theater;

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;

Section 4: 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 _____, 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 Services Committee

RESOLUTION NO. R23-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH PLAY BY DESIGN, INC. OF TULSA, OKLAHOMA FOR THE PURCHASE OF PARK BENCHES AND TRASH CONTAINERS; WAIVING COMPETITIVE BIDDING FOR THIS PURCHASE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to enter into an agreement with Play by Design, Inc. of Tulsa, Oklahoma to purchase twelve (12) park benches and ten (10) trash containers to be placed in the City's Railyard Park;

WHEREAS, the Parks Department is requesting that City Council waive the requirements of competitive bidding for this purchase due to the architect's unique design and to ensure the new park benches and trash containers will match existing furnishings at Railyard Park and other city parks; and

WHEREAS, expenses for these items were included in the City of Rogers' 2023 budget.

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 Play by Design, Inc. of Tulsa, Oklahoma for an amount not to exceed eighty-six thousand dollars (\$86,000.00);

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 twelve (12) park benches and ten (10) trash containers to be placed in the City's Railyard Park;

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 _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Jim White, Director, Parks and Recreation Department

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Services Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET BY ESTABLISHING CAPITAL PROJECT ACCOUNT #315-15-81143 RECONSTRUCT TAXIWAY LIGHTING AND AIRFIELD ELECTRICAL VAULT; APPROPRIATING NINETY-EIGHT THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$98,125.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT #315-15-81143; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A MASTER CONSULTING AND ENGINEERING SERVICES CONTRACT AND CONTRACT AMENDMENT WITH GARVER, LLC, OF NORTH LITTLE ROCK, ARKANSAS, FOR DESIGN AND BID PHASE SERVICES ASSOCIATED WITH THE RECONSTRUCTION OF TAXIWAY LIGHTING AND AIRFIELD ELECTRICAL VAULT AT THE ROGERS EXECUTIVE AIRPORT IN AN AMOUNT NOT TO EXCEED EIGHTY-EIGHT THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$88,125); AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to enter into a contract amendment with Garver, LLC, of North Little Rock, Arkansas, for design, bid, and construction phase services that will be used for the reconstruction of taxiway lighting and airfield electrical vault at the Rogers Executive Airport; and

WHEREAS, the Federal Aviation Administration has allocated funding for this project.

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

Section 1: That the sum of ninety-eight thousand one hundred twenty-five dollars (\$98,125.00) is hereby appropriated from Airport Fund Reserves into Account #315-15-81143, Reconstruct Taxiway Lighting and Airfield Electrical Vault;

Section 2: The Mayor and City Clerk are authorized to enter into a Master Consulting and Engineering Services Contract and project specific contract amendment with Garver, LLC, for design and bid phase services associated with the reconstruction of taxiway lighting and the airfield electrical vault at the Rogers Executive Airport in the amount not to exceed eighty-eight thousand one hundred twenty-five dollars (\$88,125.00), plus applicable taxes, if any;

Section 3: That execution of said contract amendments with Garver, LLC shall be contingent upon the approval of the Federal Aviation Administration, as may be required;

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 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.

RESOLVED this _____ day of _____, 2023.

APPROVED:

C, GREG HINES,
Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: David Krutsch, Airport Manager
Prepared by: John M. Pesek, Staff Attorney
For Consideration By: Transportation Committee