



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
479-621-1117
www.rogersar.gov

*** AMENDED * COMMITTEE SCHEDULE**

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: April 11, 2023

The following committee meetings will be held on **Tuesday, April 11, 2023** prior to the City Council Meeting:

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

Committee Room #2 OR <https://us02web.zoom.us/j/87179382545> OR (312)626-6799 ID: 871 7938 2545

To Discuss: (a) Discussion regarding virtual attendance

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

Committee Room #1 OR <https://us02web.zoom.us/j/83235021546> OR (312)626-6799 ID: 832 3502 1546

- To Discuss:
- (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Real Estate Agreement For The Purchase Of Certain Real Property Owned By The Weiser Family Revocable Trust
 - (b) A Resolution Expressing The Willingness Of The City Of Rogers To Utilize Federal-Aid Funds For Highway 265 And West Pleasant Grove Road Intersection Improvements
 - (c) A Resolution Expressing The Willingness Of The City Of Rogers To Utilize Federal-Aid Funds For Highway 94 And Highway 265 Intersection Improvements
 - (d) A Resolution Amending The 2023 Budget To Appropriate \$870,000.00 From Street Fund Reserves Into Account #200-25-85089 Will Rogers Drive For The Construction Of Will Rogers Drive At Northwest Park
 - (e) A Resolution Amending The 2023 Budget To Appropriate Street Fund Reserves In The Amount Of \$7,500.00 Into Account #200-25-84529 Razorback Greenway Trail
 - (f) Street Closure Request – PANcan Purple Stride Race [Map & Request](#)
-

06:00 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)

Committee Room #2 OR <https://us02web.zoom.us/j/87179382545> OR (312)626-6799 ID: 871 7938 2545

- To Discuss:
- (a) A Resolution Approving The 2023-2027 Consolidated Plan And 2023 Action Plan For The Use Of 2023 Community Development Block Grant Funds
 - (c) A Resolution Amending The 2023 Budget To Appropriate \$55,000.00 From General Fund Reserves Into Account #100-09-70268 Professional Services
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ROGERS CITY COUNCIL
***AMENDED* AGENDA**

APRIL 11, 2023
6:30 PM

In Person Rogers City Council Chambers

OR via ZOOM <https://us02web.zoom.us/j/89269380398> OR By Phone (312) 626-6799 ID: 892 6938 0398

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. March 28, 2023

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|---|--------------------------|
| 1. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into A Real Estate Agreement For The Purchase Of Certain Real Property Owned By The Weiser Family Revocable Trust | TRANSPORTATION COMMITTEE |
| 2. | RES. Re: | Expressing The Willingness Of The City Of Rogers To Utilize Federal-Aid Funds For Highway 265 And West Pleasant Grove Road Intersection Improvements | TRANSPORTATION COMMITTEE |
| 3. | RES. Re: | Expressing The Willingness Of The City Of Rogers To Utilize Federal-Aid Funds For Highway 94 And Highway 265 Intersection Improvements | TRANSPORTATION COMMITTEE |
| 4. | RES. Re: | Amending The 2023 Budget To Appropriate \$870,000.00 From Street Fund Reserves Into Account #200-25-85089 Will Rogers Drive For The Construction Of Will Rogers Drive At Northwest Park | TRANSPORTATION COMMITTEE |
| 5. | RES. Re: | Amending The 2023 Budget To Appropriate Street Fund Reserves In The Amount Of \$7,500.00 Into Account #200-25-84529 Razorback Greenway Trail | TRANSPORTATION COMMITTEE |
| 6. | RES. Re: | Approving The 2023-2027 Consolidated Plan And 2023 | FINANCE |

Action Plan For The Use Of 2023 Community
Development Block Grant Funds

COMMITTEE

7. RES. Re: Amending The 2023 Budget To Appropriate \$55,000.00
From General Fund Reserves Into Account #100-09-
70268 Professional Services

FINANCE
COMMITTEE

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

1. The reappointment of Aaron Jackson to the Civil Service Commission;
term to expire April 11, 2029.

ANNOUNCEMENTS:

RESOLUTION NO. R23-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A REAL ESTATE AGREEMENT FOR THE PURCHASE OF CERTAIN REAL PROPERTY OWNED BY THE WEISER FAMILY REVOCABLE TRUST; TO AMEND THE 2023 BUDGET TO APPROPRIATE TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT #315-15-81144 WEST SIDE ACQUISITIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to purchase 4.36 acres adjacent to the west side of the Rogers Executive Airport, near Etris Drive, from the Weiser Family Revocable Trust U/T/A Dated April 21, 1994;

WHEREAS, the property to be purchased has been appraised by an Arkansas licensed appraiser for two hundred twenty-five thousand dollars (\$225,000.00);

WHEREAS, the Airport is requesting approximately twenty five thousand dollars (\$25,000.00) in additional funds for incidental expenses that will be associated with the land purchase and closing; and

WHEREAS, the Airport plans to use funds allocated under the Bipartisan Infrastructure Law for this project.

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 real estate contract, and execute all necessary documents, with the Weiser Family Revocable Trust for the purchase of the land described below for a purchase price of two hundred twenty-five thousand dollars (\$225,000.00). The legal description for the property being purchased is:

Part of the Southwest Quarter of the Southwest Quarter of Section Thirty (30), Township Twenty (20) North, Range Twentynine (29) West, City of Rogers, Benton County, Arkansas, being more particularly described as follows:

COMMENCING at the Southwest corner of said Section Thirty (30);
thence N 02°30'31" E along the West line of said Section 30 a distance of 330.17 feet;
thence leaving said West line S 87°41'48" E a distance of 411.09 feet to the POINT OF BEGINNING;
thence S 87°41'48" E a distance of 573.12 feet;
thence S 02°30'54" W a distance of 331.66 feet;
thence N 87°36'39" W a distance of 572.46 feet;
thence N 02°24'08" E a distance of 330.80 feet to the POINT OF BEGINNING, containing 4.36 acres, more or less.

Parcel: 02-000642-000

Section 2: The City of Rogers' 2023 budget is amended to appropriate two hundred fifty thousand dollars (\$250,000.00) from Airport Fund Reserves into Account #315-15-81144 West Side Acquisitions for the purchase of the above described property, including fees and closing costs;

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, 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: David Krutsch, Rogers Executive Airport Director

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF ROGERS TO
UTILIZE FEDERAL-AID FUNDS FOR HIGHWAY 265 AND WEST PLEASANT
GROVE ROAD INTERSECTION IMPROVEMENTS; AND FOR OTHER PURPOSES.**

WHEREAS, the Northwest Arkansas Regional Planning Commission has approved Federal-aid Surface Transportation Block Grant Program-Attributable funds for the project at the following Federal and City participating ratios, up to the maximum federal aid available:

	Work Phase	Federal %	City %
Projects that reach construction	Preliminary Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering	80	20
Projects that never progress to construction	All Phases	-0-	100

WHEREAS, the City wishes to apply for these funds and will commit to providing twenty percent (20%) of the funding, with eighty percent (80%) of the funding to be reimbursed to the City through the Arkansas Department of Transportation.

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

Section 1: The City will participate in accordance with its designated responsibilities in this project and will allocate funding for the twenty percent (20%) commitment requirement to Highway 265 and West Pleasant Grove Road intersection improvements;

Section 2: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this City project;

Section 3: The City pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project;

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 of _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Community Development Director

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF ROGERS TO
UTILIZE FEDERAL-AID FUNDS FOR HIGHWAY 94 AND HIGHWAY 265
INTERSECTION IMPROVEMENTS; AND FOR OTHER PURPOSES.**

WHEREAS, the Northwest Arkansas Regional Planning Commission has approved Federal-aid Surface Transportation Block Grant Program-Attributable funds for the project at the following Federal and City participating ratios, up to the maximum federal aid available:

	Work Phase	Federal %	City %
Projects that reach construction	Preliminary Engineering	80	20
	Right-of-Way	80	20
	Utilities	80	20
	Construction	80	20
	Construction Engineering	80	20
Projects that never progress to construction	All Phases	-0-	100

WHEREAS, the City wishes to apply for these funds and will commit to providing twenty percent (20%) of the funding, with eighty percent (80%) of the funding to be reimbursed to the City through the Arkansas Department of Transportation.

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

Section 1: The City will participate in accordance with its designated responsibilities in this project and will allocate funding for the twenty percent (20%) commitment requirement to Highway 94 and Highway 265 intersection improvements;

Section 2: The Mayor or his designated representative is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this City project;

Section 3: The City pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project;

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 of _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Community Development Director

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO APPROPRIATE EIGHT HUNDRED SEVENTY THOUSAND DOLLARS (\$870,000.00) FROM STREET FUND RESERVES INTO ACCOUNT #200-25-85089 WILL ROGERS DRIVE FOR THE CONSTRUCTION OF WILL ROGERS DRIVE AT NORTHWEST PARK; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers, through an RFQ process, selected Nabholz Construction of Rogers, Arkansas to be the construction manager for the construction of Northwest Park and Will Rogers Drive;

WHEREAS, the City Council, through Resolution 22-87, previously appropriated one million dollars (\$1,000,000.00) in addition to the project's 2018 bond amount;

WHEREAS, Will Rogers Drive will be extended through Northwest Park to connect to 13th Street and will require at least an additional eight hundred seventy thousand dollars (\$870,000.00) for construction costs of the street outside the project's 2018 bond amount and previous appropriation; and

WHEREAS, the City Council intends to affirm its commitment to the Northwest Park project by funding additional construction costs through necessary appropriations over the course of the construction process.

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 amended to appropriate eight hundred seventy thousand dollars (\$870,000.00) from Street Fund Reserves into Account #200-25-85089 Will Rogers Drive;

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 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: David Hook, Facilities Manager

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO APPROPRIATE STREET FUND RESERVES IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) INTO ACCOUNT #200-25-84529 RAZORBACK GREENWAY TRAIL; AND FOR OTHER PURPOSES.

WHEREAS, a coding error was identified in the 2022 general ledger that relates to an expense charged to the Razorback Greenway Trail grant; and

WHEREAS, After correction of this posting error, the appropriated amount carried over pursuant to Resolution 23-21 from the 2022 budget to the 2023 budget and did not include this error.

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

Section 1: The 2023 Budget is amended to appropriate seven thousand five hundred dollars (\$7,500.00) from Street Fund Reserves into Account #200-25-84529 Razorback Greenway Trail for carryover projects;

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 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/Treasurer

Requested By: John McCurdy, Community Development Director
Drafted By: Casey Wilhelm, Director of Finance
Reviewed By: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION APPROVING THE 2023-2027 CONSOLIDATED PLAN AND 2023 ACTION PLAN FOR THE USE OF 2023 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; AND FOR OTHER PURPOSES.

WHEREAS, in accordance with the guidelines established by the Department of Housing & Urban Development for the use of Community Development Block Grant Funds a 2023-2027 Consolidated Plan and a 2023 Action Plan have been developed; and

WHEREAS, in accordance with the same, a final Public Hearing on the matter was held on March 27, 2023.

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

Section 1: The 2023-2027 Consolidated Plan and 2023 Action Plan for the use of Community Development Block Grant Funds in the amount of five hundred three thousand five hundred seventy-two dollars (\$503,572.00) is approved and authorized for submission to the Department of Housing and Urban Development for approval;

Section 2: Mayor Greg Hines is hereby designated as the authorized official to execute all official documents pertaining to the Community Development Block Grant Program;

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, 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: Donna Johnston, CDBG Administrator

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO APPROPRIATE FIFTY-FIVE THOUSAND DOLLARS (\$55,000.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-09-70268 PROFESSIONAL SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, a change order with Timmons Group for the implementation of the CityWorks project is needed to provide for custom reports for various departments in the City that will be utilizing CityWorks; and

WHEREAS, this change will cost fifty-five thousand dollars (\$55,000.00) to implement the appropriate change order into the CityWorks project.

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

Section 1: The 2023 Budget is amended to appropriate fifty-five thousand dollars (\$55,000.00) from General Fund Reserves into Account #100-09-70268 Professional Services;

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;

Section 3: 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: Casey Wilhelm, Director of Finance
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Finance Committee