



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

COMMITTEE SCHEDULE

DISCLAIMER: The City of Rogers makes no claims, promises, or guarantees regarding the participants ability to attend any public meeting virtually. Technology resources, virtual meeting platforms, and the Internet may occasionally be interrupted or made unavailable by causes beyond the City's reasonable control. The City cannot guarantee that participants will have the opportunity to participate virtually at all times. Public Forums, Public Hearings, and scheduled items of business will not be tabled or postponed due to technological issues. If you are representing a published item of business or wish to speak at a public hearing, in person attendance is required.

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: May 9, 2023

The following committee meetings will be held on **Tuesday, May 9, 2023** prior to the City Council Meeting:

06:10 p.m. - TRANSPORTATION COMMITTEE: (Legere, Townzen)

Committee Room # 1 OR <https://us02web.zoom.us/j/89391220754> OR **(312)626-6799 ID: 893 9122 0754**

To Discuss: (a) A Resolution Amending The 2023 Budget To Recognize A Federal Grant In The Amount Of \$400,000.00 Into Account #315-15-48050 Federal Grant Revenue

06:15 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)

Committee Room # 1 OR <https://us02web.zoom.us/j/89391220754> OR **(312)626-6799 ID: 893 9122 0754**

To Discuss: (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Turn-Key Mobile Of Jefferson City, Missouri; Amending The 2023 Budget To Recognize State Grant Funds In The Amount Of \$47,502.00 Into Account #100-03-45305 State Revenue



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ROGERS CITY COUNCIL **AGENDA**

MAY 9, 2023
6:30 PM

In Person Rogers City Council Chambers

OR via [ZOOM LINK](#) OR By Phone (312) 626-6799 ID: 892 6938 0398

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PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. April 25, 2023

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Amending The 2023 Budget To Recognize A Federal Grant In The Amount Of \$400,000.00 Into Account #315-15-48050 Federal Grant Revenue TRANSPORTATION COMMITTEE
2. RES. Re: Authorizing The Mayor And City Clerk To Enter Into An Agreement With Turn-Key Mobile Of Jefferson City, Missouri; Amending The 2023 Budget To Recognize State Grant Funds In The Amount Of \$47,502.00 Into Account #100-03-45305 State Revenue FINANCE COMMITTEE

OLD BUSINESS:

NEW BUSINESS:

1. ORD. Re: Accepting The Final Plat Of Shadow Valley Phase Eleven, Rogers, Benton County, Arkansas, The Dedication Of Utility Easements And Other Public Ways Therein
2. ORD. Re: Accepting The Final Plat Of Willow Creek Phase Two, Rogers, Benton County, Arkansas, The Dedication Of Utility Easements And Other Public Ways Therein
3. Declaration of vacancy in Ward 1, Position II

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO RECOGNIZE A FEDERAL GRANT IN THE AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00) INTO ACCOUNT #315-15-48050 FEDERAL GRANT REVENUE; ESTABLISHING CAPITAL PROJECT ACCOUNT #315-15-81144.003 REPLACE ATC EQUIPMENT; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A FEDERAL GRANT AGREEMENT FOR ACQUISITION OF ATC EQUIPMENT; APPROPRIATING FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT #315-15-81144.003 REPLACE ATC EQUIPMENT; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH AJT ENGINEERING, INC. OF COCOA, FLORIDA, FOR DESIGN, BIDDING, AND INSTALLATION SUPPORT SERVICES IN AN AMOUNT NOT TO EXCEED TWENTY EIGHT THOUSAND EIGHT HUNDRED SIXTY FOUR DOLLARS (\$28,864.00); AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers anticipates receipt of grant funds from the Federal Aviation Administration for the Replace ATC Equipment project at the Rogers Executive Airport; and

WHEREAS, the City of Rogers desires to enter into a contract amendment with AJT Engineering, Inc. of Cocoa, Florida, for design, bidding, and installation support services for the replacement of air traffic control equipment; 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: That the 2023 Budget is amended to recognize federal grant revenue in the amount of Four Hundred Thousand Dollars (\$400,000.00) into Account #315-15-48050 Federal Grant Revenue;

Section 2: That the Mayor and City Clerk are authorized to accept and enter into a grant agreement with the Federal Aviation Administration for the Replace ATC Equipment project;

Section 3: That the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00) is appropriated from Airport Fund Reserves into Account #315-15-81144.003 Replace ATC Equipment;

Section 4: That the Mayor and City Clerk are authorized to enter into a contract amendment with AJT Engineering of Cocoa, Florida, for design, bidding, and installation support services at the Rogers Executive Airport in the amount not to exceed Twenty-Eight Thousand Eight Hundred Sixty-Four Dollars (\$28,864.00), plus applicable taxes, if any;

Section 5: That execution of said contract amendment with AJT Engineering, Inc. shall be contingent upon the approval of the Federal Aviation Administration, as may be required;

Section 6: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 7: Repeal of Conflicting 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, Senior Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH TURN-KEY MOBILE OF JEFFERSON CITY, MISSOURI; AMENDING THE 2023 BUDGET TO RECOGNIZE STATE GRANT FUNDS IN THE AMOUNT OF FORTY-SEVEN THOUSAND FIVE HUNDRED TWO DOLLARS (\$47,502.00) INTO ACCOUNT #100-03-45305 STATE REVENUE; APPROPRIATING THAT SAME AMOUNT INTO ACCOUNT #100-03-70205 SMALL TOOLS & EQUIPMENT; APPROPRIATING FIVE THOUSAND TWO HUNDRED SEVENTY-EIGHT DOLLARS (\$5,278.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-03-70205 SMALL TOOLS & EQUIPMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Police Department was awarded a grant from the Arkansas Highway Safety Office for the purchase of new mobile printers that are compatible with eCite digital ticket writing software for all police units; and

WHEREAS, the awarded grant funds have a ten percent (10%) City match that will utilize General Fund Reserves.

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 Turn-Key Mobile of Jefferson City, Missouri for an amount not to exceed fifty-two thousand seven hundred eighty dollars (\$52,780.00);

Section 2: The 2023 Budget is amended to recognize grant funds in the amount of forty-seven thousand five hundred two dollars (\$47,502.00) into Account #100-03-45305 State Revenue and to appropriate that same amount into Account #100-03-70205 Small Tools and Equipment;

Section 3: The 2023 Budget is amended to appropriate five thousand two hundred seventy-eight dollars (\$5,278.00) from General Fund Reserves into Account #100-03-70205 Small Tools & Equipment;

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 _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Jonathan Best, Police Chief
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Finance Committee

ORDINANCE NO. 23- _____

AN ORDINANCE ACCEPTING THE FINAL PLAT OF SHADOW VALLEY PHASE ELEVEN, 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 Shadow Valley Phase 11, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

PART OF THE SE 1/4 OF THE NE 1/4 AND PART OF THE E 1/2 OF THE SE 1/4 OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE E 1/2 OF THE SE 1/4 OF SAID SECTION 25; THENCE S87°26'15"E 87.11 FEET; THENCE S02°33'45"W 58.24 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF WEST PLEASANT GROVE ROAD AS DESCRIBED IN DEED RECORD 2015-67089; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FOUR COURSES:
THENCE S87°17'38"E 226.38 FEET; THENCE 597.26 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 851.00 FEET AND A LONG CHORD OF N72°36'01"E 585.07 FEET;
THENCE S83°47'05"E 88.97 FEET; THENCE N28°38'23"E 43.51 FEET TO THE WESTERLY LINE OF LOT 127 OF THE FINAL PLAT OF SHADOW VALLEY PHASE 10, PLAT RECORD L202047067; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING FIFTY ONE COURSES: THENCE 13.76 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 44.84 FEET AND A LONG CHORD OF S40°02'55"E 13.71 FEET; THENCE S31°15'23"E 19.93 FEET; THENCE S28°38'07"E 35.81 FEET; THENCE 11.05 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 82.00 FEET AND A LONG CHORD OF S32°29'42"E 11.04 FEET; THENCE S36°21'17"E 52.30 FEET; THENCE 9.03 FEET ALONG A CURVE TO THE LEFT THROUGH WITH A RADIUS OF 20.85 FEET AND A LONG CHORD OF S51°32'50"E 8.96 FEET; THENCE 50.15 FEET ALONG A CURVE TO THE RIGHT THROUGH WITH A RADIUS OF 66.17 FEET AND A LONG CHORD OF S42°44'44"E 48.96 FEET; THENCE 64.67 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 228.25 FEET AND A LONG CHORD OF S03°56'39"E 64.45 FEET; THENCE S03°24'15"W 67.61 FEET; THENCE S06°01'46"W 92.31 FEET; THENCE 17.12 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 118.00 FEET AND A LONG CHORD OF S10°11'11"W 17.11 FEET; THENCE S14°20'36"W 40.18 FEET; THENCE 38.29 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 82.00 FEET AND A LONG CHORD OF S00°57'59"W 37.94 FEET; THENCE S12°24'37"E 86.30 FEET; THENCE 25.34 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 118.00 FEET AND A LONG CHORD OF S06°15'31"E 25.29 FEET; THENCE S04°14'05"E 59.04 FEET; THENCE 75.37 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 103.79 FEET AND A LONG CHORD OF S12°13'02"W 73.72 FEET; THENCE S30°27'51"W 28.05 FEET; THENCE S23°59'45"W 50.86 FEET; THENCE 42.92 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 106.41 FEET AND A LONG CHORD OF S34°49'40"W 42.63 FEET; THENCE S41°38'12"W 21.25 FEET; THENCE 33.94 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 55.05 FEET AND A LONG CHORD OF S27°55'38"W 33.41 FEET; THENCE S05°55'50"W 26.60 FEET;
THENCE 24.74 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 118.00 FEET AND A LONG CHORD OF S11°56'12"W 24.69 FEET;
THENCE S17°56'35"W 50.73 FEET; THENCE S22°20'46"W 53.05 FEET; THENCE 41.03 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 118.00 FEET AND A LONG CHORD OF

S32°18'28"W 40.83 FEET; THENCE S39°25'21"W 5.16 FEET; THENCE 49.26 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 118.00 FEET AND A LONG CHORD OF S51°22'56"W 48.90 FEET; THENCE S63°37'07"W 19.94 FEET; THENCE 41.60 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 82.00 FEET AND A LONG CHORD OF S49°05'04"W 41.16 FEET; THENCE S34°33'02"W 84.00 FEET; THENCE S33°01'47"W 112.54 FEET; THENCE S37°34'53"W 17.90 FEET; THENCE 47.28 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 62.77 FEET AND A LONG CHORD OF S11°14'38"E 46.17 FEET; THENCE 40.33 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 70.31 FEET AND A LONG CHORD OF S49°15'28"E 39.78 FEET; THENCE 54.66 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 58.49 FEET AND A LONG CHORD OF N87°32'04"E 52.70 FEET; THENCE N60°27'13"E 214.09 FEET; THENCE 64.11 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 55.87 FEET AND A LONG CHORD OF S86°40'14"E 60.65 FEET; THENCE S53°47'40"E 58.62 FEET; THENCE 83.58 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 49.92 FEET AND A LONG CHORD OF N78°14'13"E 74.15 FEET; THENCE N30°16'06"E 7.08 FEET; THENCE 66.30 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 792.96 FEET AND A LONG CHORD OF N23°57'07"E 66.28 FEET; THENCE 20.72 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 225.28 FEET AND A LONG CHORD OF N28°23'59"E 20.71 FEET; THENCE N20°55'09"E 2.01 FEET; THENCE N07°37'44"E 73.11 FEET; THENCE N03°36'27"W 29.36 FEET; THENCE N02°09'52"E 63.06 FEET; THENCE N22°03'50"E 98.57 FEET; THENCE N25°01'50"E 49.17 FEET; THENCE 24.15 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 248.75 FEET AND A LONG CHORD OF N22°14'56"E 24.14 FEET; THENCE LEAVING SAID WESTERLY LINE S02°01'13"W 630.13 FEET; THENCE N50°14'27"W 138.79 FEET; THENCE S54°43'27"W 450.75 FEET; THENCE S80°31'30"W 378.42 FEET; THENCE S02°22'52"W 55.00 FEET; THENCE N87°37'08"W 450.00 FEET TO THE EAST RIGHT-OF-WAY OF HIGHWAY 112 AS SHOWN ON PLAT RECORD P1-861; THENCE ALONG SAID RIGHT-OF-WAY N01°49'45"E 983.59 FEET TO THE EAST RIGHT-OF-WAY OF HIGHWAY 112 AS DESCRIBED IN DEED RECORD 2015-67089; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FOUR COURSES:
THENCE S87°02'51"E 10.55 FEET; THENCE N02°57'09"E 201.87 FEET; THENCE N10°09'41"E 117.72 FEET; THENCE N03°03'21"E 248.49 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF WEST PLEASANT GROVE ROAD AS DESCRIBED IN DEED RECORD 2015-67089;
THENCE ALONG SAID RIGHT-OF-WAY N47°52'15"E 39.63 FEET TO THE POINT OF BEGINNING, CONTAINING 37.28 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS 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 Shadow Valley Phase 11, 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 _____, 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

ORDINANCE NO. 23- _____

AN ORDINANCE ACCEPTING THE FINAL PLAT OF WILLOW CREEK PHASE TWO, 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 Willow Creek Phase 2, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER ALL BEING IN SECTION 25, TOWNSHIP 19 NORTH, RANGE 30 WEST OF THE 5TH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25; THENCE NORTH 02° 29' 35" EAST ALONG THE WEST LINE THEREOF, A DISTANCE OF 516.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 02° 29' 35" EAST ALONG SAID WEST LINE, A DISTANCE OF 804.30 FEET TO THE NORTHWEST CORNER OF NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25; THENCE NORTH 02° 32' 55" EAST ALONG THE WEST LINE OF THE AFOREMENTIONED SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25, A DISTANCE OF 174.94 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PHASE 2; THENCE ALONG THE NORTH BOUNDARY OF SAID PHASE 2 FOR THE FOLLOWING THREE (3) CALLS:

- 1) SOUTH 86° 25' 19" EAST A DISTANCE OF 155.49 FEET;
- 2) SOUTH 03° 33' 02" WEST A DISTANCE OF 11.46 FEET;
- 3) SOUTH 86° 25' 19" EAST A DISTANCE OF 659.50 FEET TO THE EAST BOUNDARY OF SAID PHASE 2;

THENCE ALONG SAID EAST BOUNDARY FOR THE FOLLOWING NINE (9) CALLS:

- 1) SOUTH 14° 57' 23" EAST A DISTANCE OF 91.77 FEET;
- 2) SOUTH 04° 22' 34" WEST A DISTANCE OF 84.00 FEET;
- 3) SOUTH 36° 49' 47" WEST A DISTANCE OF 128.57 FEET;
- 4) SOUTH 61° 53' 34" WEST A DISTANCE OF 112.49 FEET;
- 5) SOUTH 83° 37' 29" WEST A DISTANCE OF 76.42 FEET;
- 6) NORTH 53° 16' 42" WEST A DISTANCE OF 66.00 FEET;
- 7) NORTH 86° 26' 58" WEST A DISTANCE OF 239.26 FEET;
- 8) SOUTH 03° 33' 02" WEST A DISTANCE OF 548.33 FEET;
- 9) SOUTH 53° 30' 42" WEST A DISTANCE OF 162.11 FEET TO THE SOUTH LINE OF AFOREMENTIONED PHASE 2;

THENCE NORTH 86° 26' 58" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 164.81 FEET TO THE POINT OF BEGINNING CONTAINING 10.44 ACRES MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS 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 Willow Creek Phase 2, 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 _____, 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