



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 23, 2023

The following committee meetings will be held on **Tuesday, May 23, 2023** prior to the City Council Meeting:

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

Community Room #1 OR <https://us02web.zoom.us/j/83877336530> OR (312)626-6799 ID: 838 7733 6530

- To Discuss:
- (a) A Resolution Amending The 2023 Budget To Appropriate \$131,400.00 From Street Fund Reserves Into Account #200-16-70935 Drainage Construction For The Purchase Of Box Culverts
 - (b) A Resolution Authorizing The City Of Rogers To Utilize Federal-Aid Transportation Alternatives Program Funds For Highway 94 Sidewalk Improvements Phase II (Addition Of Sidewalks On The East Side Of North 8th Street Between West Walnut Street And West Easy Street, Rogers, Arkansas)
 - (c) A Resolution Authorizing The City Of Rogers To Utilize Federal-Aid Transportation Alternatives Program Funds For Highway 12 Sidewalk Improvements (Addition Of Sidewalks On The West Side Of North 2nd Street Between West Olive Street And West Hudson Road, Rogers, Arkansas)
 - (d) A Resolution Authorizing The City Of Rogers To Utilize Federal-Aid Transportation Alternatives Program Funds For Hudson Road Sidewalk Improvements Phase II (Addition Of Sidewalks On The North Side Of West Hudson Road Between North 26th Street And North Water Tower Road, Rogers, Arkansas)

05:50 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)

Community Room #1 OR <https://us02web.zoom.us/j/83877336530> OR (312)626-6799 ID: 838 7733 6530

- To Discuss:
- (a) RWU Monthly Report

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

Community Room #1 OR <https://us02web.zoom.us/j/83877336530> OR (312)626-6799 ID: 838 7733 6530

- To Discuss:
- (a) A Resolution Amending The 2023 Budget To Recognize Settlement Proceeds In The Amount Of \$2,921.28 Into Account #100-68-49195 Insurance Reimbursement
 - (b) A Resolution Amending The 2023 Budget To Appropriate \$37,500.00 From General Fund Reserves Into Account #100-68-70160 Equipment Maintenance For The Repair, Shipping, And Installation Of The Rogers Recycling Center's Baler Equipment
-

06:10 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Legere*, Townzen, Hayes)

Community Room #1 OR <https://us02web.zoom.us/j/83877336530> OR (312)626-6799 ID: 838 7733 6530

- To Discuss:
- (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To I-1 (Northbridge Realty; NE corner of N. 8th Street and W. Roselawn Drive)
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ROGERS CITY COUNCIL **AGENDA**

MAY 23, 2023
6:30 PM

In Person Rogers City Council Chambers

OR via [ZOOM LINK](#) OR By Phone (312) 626-6799 ID: 852 6930 4208

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.

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. May 09, 2023
2. May 15, 2023
3. May 16, 2023

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Amending The 2023 Budget To Appropriate \$131,400.00 From Street Fund Reserves Into Account #200-16-70935 Drainage Construction For The Purchase Of Box Culverts TRANSPORTATION COMMITTEE
2. RES. Re: Authorizing The City Of Rogers To Utilize Federal-Aid Transportation Alternatives Program Funds For Highway 94 Sidewalk Improvements Phase II (Addition Of Sidewalks On The East Side Of North 8th Street Between West Walnut Street And West Easy Street, Rogers, Arkansas) TRANSPORTATION COMMITTEE

- | | | | |
|----|----------|---|--|
| 3. | RES. Re: | Authorizing The City Of Rogers To Utilize Federal-Aid Transportation Alternatives Program Funds For Highway 12 Sidewalk Improvements (Addition Of Sidewalks On The West Side Of North 2nd Street Between West Olive Street And West Hudson Road, Rogers, Arkansas) | TRANSPORTATION
COMMITTEE |
| 4. | RES. Re: | Authorizing The City Of Rogers To Utilize Federal-Aid Transportation Alternatives Program Funds For Hudson Road Sidewalk Improvements Phase II (Addition Of Sidewalks On The North Side Of West Hudson Road Between North 26th Street And North Water Tower Road, Rogers, Arkansas) | TRANSPORTATION
COMMITTEE |
| 5. | RES. Re: | Amending The 2023 Budget To Recognize Settlement Proceeds In The Amount Of \$2,921.28 Into Account #100-68-49195 Insurance Reimbursement | FINANCE
COMMITTEE |
| 6. | RES. Re: | Amending The 2023 Budget To Appropriate \$37,500.00 From General Fund Reserves Into Account #100-68-70160 Equipment Maintenance For The Repair, Shipping, And Installation Of The Rogers Recycling Center's Baler Equipment | FINANCE
COMMITTEE |
| 7. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To I-1 (Northbridge Realty; NE corner of N. 8th Street and W. Roselawn Drive) | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

1. Declaration of vacancy in Ward IV, Position II

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO APPROPRIATE ONE HUNDRED THIRTY-ONE THOUSAND FOUR HUNDRED DOLLARS (\$131,400.00) FROM STREET FUND RESERVES INTO ACCOUNT #200-16-70935 DRAINAGE CONSTRUCTION FOR THE PURCHASE OF BOX CULVERTS; AND FOR OTHER PURPOSES.

WHEREAS, the City Council, through Resolution 21-68, previously accepted the lowest qualified bid to purchase additional box culverts from Scurlock Industries of Fayetteville, Arkansas; and

WHEREAS, the Street Department needs an appropriation of one hundred thirty-one thousand and four hundred dollars (\$131,400.00) to pay the invoice for additional box culverts.

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 one hundred thirty-one thousand and four hundred dollars (\$131,400.00) from Street Fund Reserves into Account #200-16-70935 Drainage Construction;

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 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: Frankie Gyll, Street Department Superintendent
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION AUTHORIZING THE CITY OF ROGERS TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS FOR HIGHWAY 94 SIDEWALK IMPROVEMENTS PHASE II (ADDITION OF SIDEWALKS ON THE EAST SIDE OF NORTH 8TH STREET BETWEEN WEST WALNUT STREET AND WEST EASY STREET, ROGERS, ARKANSAS); AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers understands Federal-aid Transportation Alternatives Program Funds are available at 80% federal participation and 20% local match to develop or improve sidewalks along the east side of North 8th Street between West Walnut Street and W Easy Street;

WHEREAS, the City of Rogers understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement;

WHEREAS, if the grant is awarded, the total estimated project cost for preliminary engineering/design is one hundred and fifteen thousand dollars (\$115,000), of which the City of Rogers has a 20% local match estimated at twenty-three thousand dollars (\$23,000.00). The local match amount will be paid from City of Rogers Street Fund Reserves; and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

Section 1: The City of Rogers will participate in accordance with its designated responsibility, including maintenance of this project;

Section 2: The Mayor and City Clerk are hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the design of the above-stated project;

Section 3: The City Council 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 Provisions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with the Resolution, are repealed to the extent of the conflict.

RESOLVED 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: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION AUTHORIZING THE CITY OF ROGERS TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS FOR HIGHWAY 12 SIDEWALK IMPROVEMENTS (ADDITION OF SIDEWALKS ON THE WEST SIDE OF NORTH 2ND STREET BETWEEN WEST OLIVE STREET AND WEST HUDSON ROAD, ROGERS, ARKANSAS); AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers understands Federal-aid Transportation Alternatives Program Funds are available at 80% federal participation and 20% local match to develop or improve sidewalks along the west side of North 2nd Street between West Olive Street and West Hudson Road;

WHEREAS, the City of Rogers understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement;

WHEREAS, if the grant is awarded, the total estimated project cost for preliminary engineering/design is one hundred and ten thousand dollars (\$110,000), of which the City of Rogers has a 20% local match estimated at twenty-two thousand dollars (\$22,000). The local match amount will be paid from City of Rogers Street Fund Reserves; and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

Section 1: The City of Rogers will participate in accordance with its designated responsibility, including maintenance of this project;

Section 2: The Mayor and City Clerk are hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the design of the above-stated project;

Section 3: The City Council 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 Provisions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with the Resolution, are repealed to the extent of the conflict.

RESOLVED 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: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION AUTHORIZING THE CITY OF ROGERS TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS FOR HUDSON ROAD SIDEWALK IMPROVEMENTS PHASE II (ADDITION OF SIDEWALKS ON THE NORTH SIDE OF WEST HUDSON ROAD BETWEEN NORTH 26TH STREET AND NORTH WATER TOWER ROAD, ROGERS, ARKANSAS); AND FOR OTHER PURPOSES.

WHEREAS, The City of Rogers understands Federal-aid Transportation Alternatives Program Funds are available at 80% federal participation and 20% local match to develop or improve sidewalks along the north side of West Hudson Road between North 26th Street and North Water Tower Road;

WHEREAS, the City of Rogers understands that Federal-aid Funds are available for this project on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement;

WHEREAS, if the grant is awarded, the total estimated project cost for preliminary engineering/design is one hundred thousand dollars (\$100,000), of which the City of Rogers has a 20% local match estimated at twenty thousand dollars (\$20,000) The local match amount will be paid from City of Rogers Street Fund Reserves; and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the applicant for the life of the project.

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

Section 1: The City of Rogers will participate in accordance with its designated responsibility, including maintenance of this project;

Section 2: The Mayor and City Clerk are hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the design of the above-stated project;

Section 3: The City Council 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 Provisions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with the Resolution, are repealed to the extent of the conflict.

RESOLVED 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: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO RECOGNIZE SETTLEMENT PROCEEDS IN THE AMOUNT OF TWO THOUSAND NINE HUNDRED TWENTY-ONE DOLLARS AND TWENTY-EIGHT CENTS (\$2,921.28) INTO ACCOUNT #100-68-49195 INSURANCE REIMBURSEMENT; APPROPRIATING THAT SAME AMOUNT INTO ACCOUNT #100-68-70155 BUILDINGS AND GROUNDS MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers' Rogers Recycling Center received two thousand nine hundred twenty-one dollars and twenty-eight cents (\$2,921.28) in insurance proceeds for repairs to machinery at the Recycling Center.

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 recognize two thousand nine hundred and twenty-one dollars and twenty-eight cents (\$2,921.28) in settlement proceeds into Account #100-68-49195 Insurance Reimbursement;

Section 2: The City of Rogers' 2023 Budget is amended to appropriate two thousand nine hundred and twenty-one dollars and twenty-eight cents (\$2,921.28) into Account #100-68-70155 Buildings and Grounds Maintenance;

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: Jerrold Haley Superintendent, Rogers Recycling Center
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO APPROPRIATE THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$37,500.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-68-70160 EQUIPMENT MAINTENANCE FOR THE REPAIR, SHIPPING, AND INSTALLATION OF THE ROGERS RECYCLING CENTER'S BALER EQUIPMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City finds it necessary to perform maintenance repairs to the Baler equipment at the Rogers Recycling Center;

WHEREAS, the City estimates that twenty-three thousand two hundred and seventy-three dollars and seventy-five cents (\$23,273.75) is needed to repair the Baler. The City further estimates fourteen thousand two hundred twenty-six dollars and seventy-five cents (\$14,226.75) is needed for shipping and installation costs as well as hydraulic fluid to refill the new cylinder in the Baler for a total cost of thirty-seven thousand five hundred dollars (\$37,500.00); and

WHEREAS, the estimated amounts for repairs, shipping, installation, and hydraulic fluid are from various companies with none exceeding the bidding amount set by statute; however, the total amount to be spent will not exceed thirty-seven thousand five hundred dollars (\$37,500.00).

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 thirty-seven thousand five hundred dollars (\$37,500.00) from General Fund Reserves into Account #100-68-70160 Equipment Maintenance for various repair work to the Rogers Recycling Center Baler;

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

Requested By: Jerrold Haley, Superintendent, Rogers Recycling Center

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

ORDINANCE NO. 23 _____

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM C-2 TO I-1; PROVIDING FOR
THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES**

WHEREAS, pursuant to the provisions of Rogers Code Section 14-725, et seq., and upon consideration of the report and recommendations of the City of Rogers Planning Commission, the City Council finds it to be in the best interests of the City that certain lands hereinafter described are better suited for I-1 zoning.

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

Section 1: Chapter 14, Article VI, Section 14-67—Zoning shall be amended in the City of Rogers Code of Ordinances as provided herein;

Section 2: That the land described herein shall be zoned as I-1 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

PARCEL 02-00744-004

A PART OF THE SW1/4 OF THE NE1/4 OF SECTION 01, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A THE NW CORNER OF THE SW1/4, NE1/4 OF SEC. 01, T-19-N, R-30-W; THENCE S 87°14'36" E 648.56' TO A FOUND MAG NAIL; THENCE S 02°16'10" W 567.38' TO A FOUND 5/8" IRON REBAR; THENCE N 87°42'54" W 634.60' TO A FOUND 5/8" IRON REBAR; THENCE N 42°34'21" W 35.59' TO A FOUND 5/8" IRON REBAR; THENCE N 02°46'31" E 421.18' TO A FOUND 5/8" IRON REBAR; THENCE N 05°38'20" E 126.55' TO THE POINT OF BEGINNING, HAVING AN AREA OF 374,044 SQUARE FEET, 8.59 ACRES. SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

LAYMAN'S DESCRIPTION:

NE corner of N. 8th Street and W. Roselawn Drive

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

Section 4: Emergency Clause: The need to bring the proposed use of the property into conformance with the Rogers City Zoning Ordinances is immediate in order to protect the public peace, health, safety, and welfare. An emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

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

Section 6: Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this ____ day of _____, 2023.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Nicholas Little, Planner II

For Consideration By: Community Environment & Welfare Committee