



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: June 13, 2023

The following committee meetings will be held on **Tuesday, June 13, 2023** prior to the City Council Meeting:

05:30 p.m. - TRANSPORTATION COMMITTEE: (Surly*, Legere, Townzen)

Committee Room #1 OR <https://us02web.zoom.us/j/85254109885> OR (312)626-6799 ID: 852 5410 9885

- 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 Thomas Humphreys And Judy Humphreys Trust
 - (b) A Resolution Amending The 2023 Budget To Appropriate \$210,000.00 From Street Fund Reserves Into Account #200-16-70950 Street Projects For Construction Projects On Elm Street
 - (b) A Resolution Amending The City Of Rogers' 2023 Budget To Appropriate Funds From Street Fund Reserves Into Various Accounts For The Rogers Street Department

05:40 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Surly, Legere)

Committee Room #1 OR <https://us02web.zoom.us/j/85254109885> OR (312)626-6799 ID: 852 5410 9885

- To Discuss:
- (a) A Resolution Amending The 2023 Budget To Appropriate Twenty Five Thousand Two Hundred Twenty Eight Dollars (\$25,228.00) From CMRS Fund Reserves Into Account #352-52-70250 Computer Expense For Purchasing Computer Equipment For The Dispatch Center
 - (b) A Resolution In Support Of The City Of Rogers Increase In Pay For Its Entry Level Police Officers
 - (b) A Resolution Amending The City Of Rogers 2023 Budget To Appropriate \$36,000.00 From Act 833 Fund Reserves Into Account #324-24-70205 Small Tools And Equipment To Purchase Equipment For Use By The Rogers Fire Department

05:50 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)

Committee Room #1 OR <https://us02web.zoom.us/j/85254109885> OR (312)626-6799 ID: 852 5410 9885

To Discuss: (a) A Resolution Authorizing The Destruction Of Certain Records Of Rogers District Court

05:55 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)

Committee Room #1 OR <https://us02web.zoom.us/j/85254109885> OR (312)626-6799 ID: 852 5410 9885

To Discuss: (a) A Resolution Amending The 2023 Budget To Appropriate \$300,000.00 From General Fund Reserves Into Account #100-08-70430 Swimming Pool Maintenance

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

Committee Room #1 OR <https://us02web.zoom.us/j/85254109885> OR (312)626-6799 ID: 852 5410 9885

To Discuss: (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2, R-O, PUD To RMF-21B, Accepting The Density Concept Plan (East of the intersection of West Walnut Creek Parkway and South Promenade Boulevard) [Staff Report](#)

(b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-DP To NBT (262 E Pine Street) [Staff Report](#)



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ROGERS CITY COUNCIL **AGENDA**

JUNE 13, 2023
6:30 PM

In Person Rogers City Council Chambers

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

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.

CALL TO ORDER:

1. Oath of Office Ceremony for Roger Surly

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. May 23, 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 Thomas Humphreys And Judy Humphreys Trust TRANSPORTATION COMMITTEE
2. RES. Re: Amending The 2023 Budget To Appropriate \$210,000.00 From Street Fund Reserves Into Account #200-16-70950 Street Projects For Construction Projects On Elm Street TRANSPORTATION COMMITTEE

- | | | | |
|-----|----------|---|--|
| 3. | RES. Re: | Amending The City Of Rogers' 2023 Budget To Appropriate Funds From Street Fund Reserves Into Various Accounts For The Rogers Street Department | TRANSPORTATION
COMMITTEE |
| 4. | RES. Re: | Amending The 2023 Budget To Appropriate Twenty Five Thousand Two Hundred Twenty Eight Dollars (\$25,228.00) From CMRS Fund Reserves Into Account #352-52-70250 Computer Expense For Purchasing Computer Equipment For The Dispatch Center | PUBLIC SAFETY
COMMITTEE |
| 5. | RES. Re: | In Support Of The City Of Rogers Increase In Pay For Its Entry Level Police Officers | PUBLIC SAFETY
COMMITTEE |
| 6. | RES. Re: | Amending The City Of Rogers 2023 Budget To Appropriate \$36,000.00 From Act 833 Fund Reserves Into Account #324-24-70205 Small Tools And Equipment To Purchase Equipment For Use By The Rogers Fire Department | PUBLIC SAFETY
COMMITTEE |
| 7. | RES. Re: | Amending The 2023 Budget To Appropriate \$300,000.00 From General Fund Reserves Into Account #100-08-70430 Swimming Pool Maintenance | FINANCE
COMMITTEE |
| 8. | RES. Re: | Authorizing The Destruction Of Certain Records Of Rogers District Court | RESOURCES &
POLICY
COMMITTEE |
| 9. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2, R-O, PUD To RMF-21B, Accepting The Density Concept Plan (East of the intersection of West Walnut Creek Parkway and South Promenade Boulevard) | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |
| 10. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-DP To NBT (262 E Pine Street) | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

1. Decision regarding proposed committee assignments

APPOINTMENTS:

1. Appointment of Marge Wolf to fill the vacant seat of Mark Kruger on the A&P Commission; term to expire November 01, 2024

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 THOMAS HUMPHREYS AND JUDY HUMPHREYS TRUST; TO AMEND THE 2023 BUDGET TO APPROPRIATE TWO HUNDRED THIRTY-THREE THOUSAND SIX HUNDRED DOLLARS (\$233,600.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT #315-15-81144 WEST SIDE ACQUISITIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to purchase 4.45 acres adjacent to the west side of the Rogers Executive Airport, near Arkansas State HWY #94, from the Thomas Humphreys and Judy Humphreys Trust;

WHEREAS, the property to be purchased has been appraised by an Arkansas licensed appraiser and the parties agreed to purchase price of two hundred thirty-three thousand six hundred dollars (\$233,600.00); 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 Thomas Humphreys and Judy Humphreys Trust for the purchase of the land described below for a purchase price of two hundred thirty-three thousand six hundred dollars (\$233,600.00). The legal description for the property being purchased is as follows:

A part of the SW 1/4 of the SW 1/4 of Section 30, Township 20 North, Range 29 West, being more particularly described as follows:

COMMENCING at the Northeast corner of said SW 1/4 of the SW 1/4; thence along the East line of said SW 1/4 of the SW 1/4 S 02°30'54" W a distance of 171.37 feet (Record 169.91 feet) to a found 1/2 inch rebar; thence continuing along said East line S 02°30'54" W a distance of 219.86 feet to a found 5/8 inch rebar; thence leaving said East line N 87°51'28" W a distance of 678.37 feet to a found 5/8 inch rebar PLS 1286; thence S 02°37'26" W a distance of 268.01 feet to a 5/8 inch rebar PLS 1283; thence N 87°35'23" W a distance of 91.75 feet to a set 1/2 inch rebar PS 1615; thence N 02°37'26" E a distance of 486.91 feet to a set 1/2 inch rebar PS 1615; thence S 87°53'50" E a distance of 769.70 feet to the POINT OF BEGINNING containing 193,631 square feet or 4.45 acres, more or less.

Parcel: 02-00638-000 & 02-00640-000

Section 2: The City of Rogers' 2023 budget is amended to appropriate two hundred thirty-three thousand six hundred dollars (\$233,600.00) 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 AMENDING THE 2023 BUDGET TO APPROPRIATE TWO HUNDRED TEN THOUSAND DOLLARS (\$210,000.00) FROM STREET FUND RESERVES INTO ACCOUNT #200-16-70950 STREET PROJECTS FOR CONSTRUCTION PROJECTS ON ELM STREET; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers is working with Rogers Water Utilities to complete certain utility work at the southwest corner of 1st Street and Elm Street; and

WHEREAS, the City's Street Department is requesting two hundred ten thousand dollars (\$210,000.00) to complete its portion of this project.

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 two hundred ten thousand dollars (\$210,000.00) from Street Fund Reserves into Account #200-16-70950 Street 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, 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 AMENDING THE CITY OF ROGERS' 2023 BUDGET TO APPROPRIATE FUNDS FROM STREET FUND RESERVES INTO VARIOUS ACCOUNTS FOR THE ROGERS STREET DEPARTMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Street Department is requesting ten thousand dollars (\$10,000.00) to be appropriated from Street Fund Reserves into the natural gas budget to adjust for raising prices and inflation;

WHEREAS, the City of Rogers Street Department is requesting one hundred thousand dollars (\$100,000.00) be appropriated from Street Fund Reserves as it is needed for repairs to the roof of the Street Department's building that was damaged by high winds in Spring 2023 and for the installation of an updated sprinkler system in the Street Department complex; and

WHEREAS, the City of Rogers Street Department is requesting one hundred thousand dollars (\$100,000.00) be appropriated from Street Fund Reserves and added to the current traffic control maintenance budget to adjust for raising prices, inflation, lifespan of purchased technology, and various weather phenomenon that affect traffic control devices.

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 ten thousand dollars (\$10,000.00) from Street Fund Reserves into Account #200-16-70135 Natural Gas Utilities;

Section 2: The City of Rogers 2023 Budget is amended to appropriate one hundred thousand dollars (\$100,000.00) from Street Fund Reserves into Account #200-16-70155 Buildings and Grounds Maintenance;

Section 3: The City of Rogers 2023 Budget is amended to appropriate one hundred thousand dollars (\$100,000.00) from Street Fund Reserves into Account #200-16-70930 Traffic Control Maintenance;

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: Frankie Gyll, Street Department Superintendent

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO APPROPRIATE TWENTY FIVE THOUSAND TWO HUNDRED TWENTY EIGHT DOLLARS (\$25,228.00) FROM CMRS FUND RESERVES INTO ACCOUNT #352-52-70250 COMPUTER EXPENSE FOR PURCHASING COMPUTER EQUIPMENT FOR THE DISPATCH CENTER; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Police Department desires to purchase new computer equipment for the Rogers Dispatch Center from Dell Technologies of Round Rock, Texas in the amount not to exceed twenty five thousand two hundred twenty eight dollars (\$25,228.00); and

WHEREAS, CMRS Fund Reserves will be used for this purchase.

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 twenty five thousand two hundred twenty eight dollars (\$25,228.00) from CMRS Fund Reserves into Account #352-52-70250 Computer Expense;

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

RESOLUTION NO. R23-_____

**A RESOLUTION IN SUPPORT OF THE CITY OF ROGERS INCREASE IN PAY FOR ITS
ENTRY LEVEL POLICE OFFICERS; AND FOR OTHER PURPOSES**

WHEREAS, regional law enforcement agencies are facing a once in a generation issue in their recruitment and retention of certified officers on both a local and national level;

WHEREAS, the demanding recruitment process and fact that police officers remain one of the most scrutinized employees in the City has exacerbated the hiring and retention of certified officers at the Rogers Police Department;

WHEREAS, the Rogers City Council understands the current recruitment and retention issues faced by the Rogers Police Department, while recognizing the strategic importance of attracting and retaining the most productive and professional police department in Northwest Arkansas;

WHEREAS, during the first half of 2023, the City of Rogers provided monthly incentives to its certified officers while City Administration assessed the Northwest Arkansas market to determine the appropriate starting level pay for its certified police officers; and

WHEREAS, the City of Rogers has increased the pay of its entry level police officers to \$55,444.00 and has the current appropriations to fund this increase without any additional City Council action.

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

Section 1: The City of Rogers' City Council fully supports the decision to raise entry level starting pay for its certified police officers to fifty-five thousand four hundred forty-four dollars (\$55,444.00);

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, 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: C. Greg Hines, Mayor
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE CITY OF ROGERS 2023 BUDGET TO APPROPRIATE THIRTY-SIX THOUSAND DOLLARS (\$36,000.00) FROM ACT 833 FUND RESERVES INTO ACCOUNT #324-24-70205 SMALL TOOLS AND EQUIPMENT TO PURCHASE EQUIPMENT FOR USE BY THE ROGERS FIRE DEPARTMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Fire Department desires to enter into an agreement to purchase water supply equipment from Fouts Brothers Fire Equipment, Inc. of Milledgeville, Georgia in an amount not to exceed nineteen thousand dollars (\$19,000.00);

WHEREAS, the City of Rogers Fire Department desires to enter into a contract to purchase thermal imaging cameras from Municipal Emergency Services, Inc. of Sandy Hook, Connecticut in an amount not to exceed seventeen thousand dollars (\$17,000.00); and

WHEREAS, the City of Rogers Finance Department will monitor these purchases to ensure any capital assets are properly recorded on a capital asset list.

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 thirty-six thousand dollars (\$36,000.00) from Act 833 Fund Reserves into Account #324-24-70205 Small Tools and Equipment;

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: Tom Jenkins, Fire Chief
Reviewed By: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R23-_____

A RESOLUTION AMENDING THE 2023 BUDGET TO APPROPRIATE THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-08-70430 SWIMMING POOL MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Parks Department desires to proceed with extensive repairs to the swimming pool at the Rogers Aquatic Center in order to improve the efficiency in operations and safety at the Rogers Aquatic Center; and

WHEREAS, more repairs will likely be needed throughout 2023 for continued operations and safety.

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 three hundred thousand dollars (\$300,000.00) from General Fund Reserves into Account #100-08-70430 Swimming Pool Maintenance;

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: Jim White, Director of Parks & Recreation

Prepared By: John M. Pesek, Senior Staff Attorney

RESOLUTION R23- _____

**A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS OF
ROGERS DISTRICT COURT; AND FOR OTHER PURPOSES**

WHEREAS, the City of Rogers District Court desires to destroy certain archived court records to create space for current court records; and

WHEREAS, the list of records to be destroyed is set out in the attached Affidavit of Destruction.

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

Section 1: The Chief Clerk of the Rogers District Court may destroy the following records of the Rogers District Court, pursuant to Ark. Code Ann. §16-10-211:

- (a) Audited records four years or older: bank reconciliations, check book registers and check listings, cancelled checks, bank statements, deposit collection records, receipt and disbursement journals, time payment records, citation books from the police department, served arrest warrants, copies of citations, alternate service or community service time sheets, uniform filing fees collection remittance forms and fine reports, miscellaneous fee and fine collection reports, and served or unexecuted search warrants.
- (b) Audited records seven years or older: completed case files and written exhibits, show cause orders, case information including arrest reports and affidavits, files concerning cases resulting in a suspended imposition of sentence.

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, 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: Judge Griffin, District Court Judge
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Resources & Policy Committee

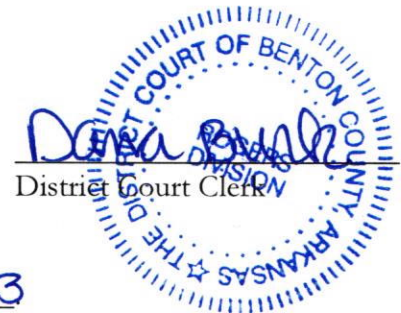
AFFIDAVIT OF DESTRUCTION OF DISTRICT COURT RECORDS

I, Dana Burk, do hereby certify that the following records of the Rogers District Court, have been retained for at least three (3) years as specified under Ark. Code Ann. §16-10-211 and have been audited as required by law. The records listed below, covering the time period stated, are to be destroyed on or after May 10th, 2023 by burning/shredding said records.

TYPE OF RECORD

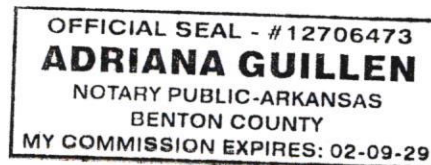
TIME PERIOD

Bank reconciliations	2018 - 2019
Check book registers and check listings	2018 - 2019
Cancelled checks	2018 - 2019
Bank statements	2018 - 2019
Receipts	2018 - 2019
Deposit collection records	2018 - 2019
Receipts listings	2018 - 2019
Distribution reports	2018 - 2019
Receipts and disbursement journals	2018 - 2019
Time payment records	2018 - 2019
Citation book logs	2018 - 2019
Citation books from each police department and sheriff's office	2018 - 2019
Served, recalled or quashed arrest warrants	2018 - 2019
Copies of citations	2019 and before
Alternative service or community service time sheets	2018 - 2019
Uniform filing fees collection remittance forms and fine report	2018 - 2019
Miscellaneous fee and fine collection reports	2018 - 2019
Served or unexecuted search warrants	2018 - 2019



Subscribed and Sworn to me this 24 day of May, 20 23

Adriana Guillen
Notary Public



Other Records Found to have Destroyed:

2018 – 2019 Rogers Police Department Petitions for Retention of Contraband/Unclaimed Property and Orders

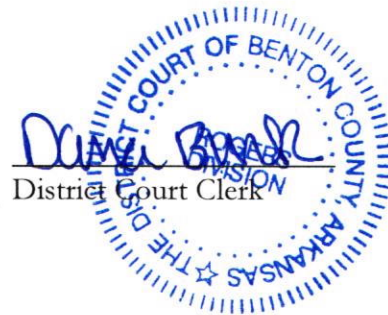
2018 – 2019 Bonds from Other Agencies

2018 – 2019 Defensive Driving Course Completions

2018 – 2019 Benton County Sheriff's Office and Rogers Police Department Ticket/Warrant Logs

2018 – 2019 Benton County Sheriff's Office Probable Cause Misdemeanor Warrants and Logs – The Court gives these warrants a warrant number then the warrants are taken to the Benton County Sheriff's Office by the Benton County Deputy to be made an active warrant. Court only keeps a copy of the warrant.

2018 - 2019 Invoices



Subscribed and Sworn to me this 24 day of May, 2023

Admoner Gill
Notary Public

ORDINANCE NO. 23 _____

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM C-2, R-O, PUD TO RMF-21B, ACCEPTING THE DENSITY CONCEPT PLAN, PROVIDING FOR THE EMERGENCY CLAUSE, AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code §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 RMF-21B 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 hereby zoned as RMF-21B (Residential Multi-Family, 21 units/acre, rent) and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

LOTS 2-A, 2-B, AND 2-C, WALNUT CREEK ADDITION TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED FOR RECORD IN/AS DOCUMENT NO. L201835549.

LOT 5, WALNUT CREEK ADDITION TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED FOR RECORD IN/AS DOCUMENT NO. 2008-330.

LAYMAN'S DESCRIPTION:

East of the intersection of West Walnut Creek Parkway and South Promenade Boulevard.
Parcels: 02-22433-000, 02-22430-000, 02-22430-00, 02-22430-002

Section 3: Zoning: That the above described lands are better suited for RMF-21B than C-2, R-O, and PUD zoning and same should be and are hereby zoned RMF-21B;

Section 4: Density Concept Plan: That the Density Concept Plan entered into by and between Crafton Tull and Associates, One Health Companies, and the City of Rogers, as approved by the Rogers Planning Commission on June 6, 2023 is hereby approved and made binding upon future development of the property described above, unless otherwise modified or amended by this Council, and the Mayor of the City of Rogers is authorized and directed to execute same;

Section 5: 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 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

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Zachery Birdsong, 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-DP TO NBT; PROVIDING FOR
THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES**

WHEREAS, pursuant to the provisions of Rogers Code §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 NBT zoning.

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

Section 1: Chapter 14, Article VI, Section 14-67—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 NBT and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

PARCEL 02-07172-000

LOTS 5,6 AND 7, BLOCK 4, ROBERTSON ADDITION, ROGERS, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD B, AT PAGE 87.

LAYMAN'S DESCRIPTION:

262 E Pine Street, Rogers, AR 72756

Section 3: Zoning: That 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 of Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Christina Moore, Planner I

For Consideration By: Community Environment & Welfare Committee