



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

AMENDED 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: January 9, 2024

The following committee meetings will be held on **Tuesday, January 9, 2024** prior to the City Council Meeting:

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

Committee Room #1 OR <https://us02web.zoom.us/j/85943397032> OR (312)626-6799 ID: 859 4339 7032

To Discuss: (a) A Resolution Expressing The Willingness Of The City Of Rogers To Utilize State Aid Street Monies For The New Hope Road Overlay

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

Committee Room #1 OR <https://us02web.zoom.us/j/85943397032> OR (312)626-6799 ID: 859 4339 7032

To Discuss: (a) A Resolution Designating An Electronic Bidding Service Vendor And Website For Public Works Projects And Renovation Of Historic Sites For Calendar Year 2024

05:50 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Reithemeyer, Legere)

Committee Room #2 OR <https://us02web.zoom.us/j/83812345981> OR (312)626-6799 ID: 838 1234 5981

To Discuss: (a) A Resolution Waiving Competitive Bidding For The Purchase Of Three Chevrolet Vehicles For Use By The Rogers Fire Department

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

Committee Room #2 OR <https://us02web.zoom.us/j/83812345981> OR (312)626-6799 ID: 838 1234 5981

To Discuss: (a) A Resolution Committing \$3,189,970.00 From General Fund Unrestricted Reserves To General Fund Local Fire Pension Committed Reserves

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

Committee Room #1 OR <https://us02web.zoom.us/j/85943397032> OR (312)626-6799 ID: 859 4339 7032

To Discuss: (a) An Ordinance Amending Chapter 14, Section 715 – Downtown Rogers Development Code Of The City Of Rogers Code Of Ordinances

(b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From N-R To NBT (511 W Pecan – Cicioni)

(c) An Ordinance Accepting The Final Plat Of The Village At Pinnacle Hills, Rogers, Benton County, Arkansas, The Dedication Of Utility Easements And Other Public Ways Therein (The Village at Pinnacle Hills)



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ROGERS CITY COUNCIL
AMENDED AGENDA

JANUARY 9, 2024
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.

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. December 12, 2023

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Expressing The Willingness Of The City Of Rogers To Utilize State Aid Street Monies For The New Hope Road Overlay **TRANSPORTATION COMMITTEE**
2. RES. Re: Designating An Electronic Bidding Service Vendor And Website For Public Works Projects And Renovation Of Historic Sites For Calendar Year 2024 **PUBLIC WORKS COMMITTEE**
3. RES. Re: Waiving Competitive Bidding For The Purchase Of Three Chevrolet Vehicles For Use By The Rogers Fire Department **PUBLIC SAFETY COMMITTEE**

- | | | | |
|----|----------|---|---------------------------------------|
| 4. | RES. Re: | Committing \$3,189,970.00 From General Fund
Unrestricted Reserves To General Fund Local Fire
Pension Committed Reserves | FINANCE
COMMITTEE |
| 5. | ORD. Re: | Amending Chapter 14, Section 715 – Downtown Rogers
Development Code Of The City Of Rogers Code Of
Ordinances | COMMUNITY
ENVIRONMENT &
WELFARE |
| 6. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning
Certain Lands From N-R To NBT (511 W Pecan –
Cicioni) | COMMUNITY
ENVIRONMENT &
WELFARE |

OLD BUSINESS:

NEW BUSINESS:

- | | | | |
|----|----------|--|---------------------------------------|
| 1. | ORD. Re: | Accepting The Final Plat Of The Village At Pinnacle
Hills, Rogers, Benton County, Arkansas, The Dedication
Of Utility Easements And Other Public Ways Therein
(The Village at Pinnacle Hills) | COMMUNITY
ENVIRONMENT &
WELFARE |
|----|----------|--|---------------------------------------|

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R24-_____

**A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF ROGERS TO
UTILIZE STATE AID STREET MONIES FOR THE NEW HOPE ROAD OVERLAY;
AND FOR OTHER PURPOSES**

WHEREAS, the City of Rogers understands that State Aid Street program funds in the amount of three hundred thousand dollars (\$300,000.00) are available for the New Hope Road Overlay at the following participating ratios; and

	Work Phase	State Aid %	City %
Reconstruction/Resurfacing Construction of City Projects	Preliminary Engineering	100%	-0-
	Construction Engineering		
	Right-of-Way	-0-	100%
	Utilities	-0-	100%
	Construction	90%(Max. \$300K)	10% (Balance)
City Projects programmed but not let to contract	All Phases	-0-	100%

WHEREAS, the City desires to extend the New Hope Road Overlay through the use of Arkansas State Aid Street Program Grant Funds.

**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;

Section 2: The Mayor, or his designee, 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 agrees upon completion of the project to assume the maintenance of the right-of-way by the City and/or others including utilities and individuals in accordance with the prevailing Arkansas Department of Transportation regulations;

Section 4: The City pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project;

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

Section 6: Repeal of Conflicting 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 _____, 2024.

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. R24-_____

**A RESOLUTION DESIGNATING AN ELECTRONIC BIDDING SERVICE VENDOR
AND WEBSITE FOR PUBLIC WORKS PROJECTS AND RENOVATION OF
HISTORIC SITES FOR CALENDAR YEAR 2024; DIRECTING PUBLICATION OF
THE DESIGNATIONS; AND FOR OTHER PURPOSES.**

WHEREAS, the Fair Notice and Efficiency in Public Works Act, Ark. Code. Ann. § 22-9-901 et seq., allows public agencies to designate an approved electronic bidding service vendor for posting advertisements of notices of an intention to receive bids for public works projects under Ark. Code Ann § 22-9-203 and renovation of historic sites under Ark. Code. Ann § 22-9-209; and

WHEREAS, the City designates that Central Bidding be its electronic bidding service vendor for the City of Rogers for calendar year 2024.

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

Section 1: Central Bidding is hereby designated as an electronic bidding service vendor for the City of Rogers and all of its departments, agencies, boards, bureaus, commissions, committees and any other authority of the City, however organized and titled, for notices of intention to receive bids under Ark. Code Ann. § 22-9-203 and Ark. Code. Ann. § 22-9-209 for calendar year 2024, subject to Central Bidding continuing to be approved by the Office of State Procurement as an electronic bidding service vendor;

Section 2: Central Bidding's website, centrallauctionhouse.com, is hereby designated as a website for the City of Rogers and all of its departments, agencies, boards, bureaus, commissions, committees and any other authority of the City, however organized and titled, for posting of advertisements for notices of intention to receive bids under Ark. Code Ann. § 22-9-203 and Ark. Code. Ann. § 22-9-209 for calendar year 2024, subject to Central Bidding continuing to be approved by the Office of State Procurement as an electronic bidding service vendor;

Section 3: Publication of these designations will be made in accordance with Ark. Code. Ann. § 22-9-906(e);

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 _____ 2024.

C. GREG HINES, Mayor

ATTEST:

JESSICA RUSH, City Clerk

Requested by: Rogers Water Utilities and Rogers Waterworks and Sewer Commission

Prepared by: Robert A. Frazier, Legal Counsel, Rogers Water Utilities and Rogers Waterworks and Sewer Commission

Review by: John Pesek, Senior Staff Attorney

For Consideration By: Public Works Committee

RESOLUTION NO. R24-_____

**A RESOLUTION WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF
THREE CHEVROLET VEHICLES FOR USE BY THE ROGERS FIRE DEPARTMENT;
AND FOR OTHER PURPOSES.**

WHEREAS, the Rogers Fire Department desires to purchase a Chevrolet Crew Cab Truck and two Chevrolet Tahoe's for use by that department;

WHEREAS, Superior Automotive Group of Siloam Springs, Arkansas can provide the vehicles with the specifications necessary to the Rogers Fire Department, and there is currently a limited bid selection through state procurement contracts; and

WHEREAS, this purchase is included in the 2024 budget.

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

Section 1: There exists an exceptional circumstance whereby the requirements of competitive bidding are neither practical nor feasible and the City Council, therefore, waives the requirements of competitive bidding for the purchase of the Chevrolet Crew Cab Truck and two Chevrolet Tahoe's for use by the Rogers Fire Department;

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 _____, 2024.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: William Hyde, Interim Chief of Rogers Fire Department
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R24-_____

A RESOLUTION COMMITTING THREE MILLION ONE HUNDRED EIGHTY-NINE THOUSAND NINE HUNDRED SEVENTY DOLLARS (\$3,189,970.00) FROM GENERAL FUND UNRESTRICTED RESERVES TO GENERAL FUND LOCAL FIRE PENSION COMMITTED RESERVES; AND FOR OTHER PURPOSES.

WHEREAS, the Local Fire Pension Fund is the responsibility of the City of Rogers and the City is committed to providing funds necessary to cover all expenses related to the security of this fund; and

WHEREAS, the City of Rogers desires to commit funds from its General Fund to a reserve fund titled Local Fire Pension Committed Reserves for the purpose of ensuring that the Rogers Local Fire Pension Fund will remain fully funded in the event of a shortfall of funds in the Rogers Fire Pension investment portfolio.

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

Section 1: An amount of three million one hundred eighty-nine thousand nine hundred seventy dollars (\$3,189,970.00) from General Fund Unrestricted Reserves is hereby committed and titled General Fund Local Fire Pension Committed Reserves for the purpose of paying all Local Fire Pension Plan benefits in the event the local Fire Pension Plan Fiduciary Fund maintained by the City of Rogers is depleted;

Section 2: The City will adjust the amount in the General Fund Local Fire Pension Committed Reserves annually to reflect an amount not less than the Unfunded Actuarial Accrued Liability noted in the Annual Actuarial Valuation required by Ark. Code Ann. § 24-11-205;

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 of the City Council, or parts of resolutions of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2024.

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

ORDINANCE NO. 24-_____

AN ORDINANCE AMENDING CHAPTER 14, SECTION 715 – DOWNTOWN ROGERS DEVELOPMENT CODE OF THE CITY OF ROGERS CODE OF ORDINANCES; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Department of Community Development finds it to be in the best interest of the City to update Table 3-1: Schedule of Uses in the Downtown Rogers Development Code (DRDC) as found in § 14-715 of the City of Rogers' Code of Ordinances;

WHEREAS, the Department of Community Development also finds it to be in the best interest of the City to amend Sub-Section 4.5 Neighborhood Transition (NBT) also found in § 14-715 of the City of Rogers' Code of Ordinances;

WHEREAS, these changes will assist the Department of Community Development and Planning Commission in changing all currently permitted commercial uses for the NBT District in the Downtown Rogers Development Code to conditional uses, and will establish an overlay district to adjust street setback requirements in the area described below; and

WHEREAS, the Planning Commission unilaterally approved the changes to the Schedule of Uses found in § 14-715 and the creation of an overlay district as described below for the adjustment of set backs within that district.

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

Section 1: Chapter 14, § 14-715 – Downtown Rogers Development Code (DRDC) of the City of Rogers, Code of Ordinances, is amended to read as follows, and the Municode Corporation is hereby instructed to make said revisions:

- a. Table 3-1: Schedule of Uses: For the Neighborhood Transition (NBT) District, all Permitted (P) Commercial uses are changed to Conditional (C);
- b. Sub-section 4.5 Neighborhood Transition (NBT): add the following note before paragraph "a":

“Note: In the area between West Poplar Street to the north, South 7th Street to the west, West Oak Street to the South, and South 2nd Street to the east; and a second area between West Chestnut to the south, North 3rd Street to the east, West Persimmon Street to the north, and North 5th Street to the west; an overlay district is established. Within this overlay the front and side street setbacks must match or be between the front setback of existing buildings on the same side of the block. The side setback shall be 5-feet minimum; and the rear setback in the absence of an alley shall be 12-feet minimum.”

Section 2: Emergency Clause: The need to amend said City Code chapter 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 3: 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 4: 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 _____, 2024.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director, Community Development Department
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 24 - _____

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM N-R TO NBT; 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 NBT zoning.

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

Section 1: Chapter 14, Article VI, Section 14-675—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 02-05980-000

REPLAT 12/14/2015 2015-749(STBK RDT) LOT 14, BLOCK W/2 15/1, MILLER ADDITION
TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS

LAYMAN'S DESCRIPTION:

511 W Pecan St

Section 3: Zoning: That the above described lands are better suited for NBT than N-R 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 _____, 2024.

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

ORDINANCE NO. 24 - _____

AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE VILLAGE AT PINNACLE HILLS, 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 The Village at Pinnacle Hills, Rogers, Benton County, Arkansas, which is more particularly described as follows, to-wit:

PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4) OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 30 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A ONE-HALF INCH (1/2") REBAR BESIDE A SIX INCH BY FIVE INCH BY TWENTY-TWO INCH (6" X 5" X 22") STONE MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4) OF SECTION 27; THENCE BY BEARING AND DISTANCE (BASIS OF BEARING, GRID NORTH), SOUTH 02°29'07" WEST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4) A DISTANCE OF 274.97 FEET TO A FIVE-EIGHTHS INCH (5/8") REBAR AT THE NORTH CORNER OF A TRACT ORIGINALLY CONVEYED BY CORRECTION WARRANTY DEED, FILED FOR RECORD IN BOOK 2006 AT PAGE 1109, JANUARY 6, 2006; THENCE LEAVING SAID EAST LINE, SOUTH 33° 11'46" WEST ALONG THE WESTERLY LINE THEREOF A DISTANCE OF 280.41 FEET TO A ONE-HALF INCH (1/2") REBAR WITH PS #1507 CAP ON THE NORTHERLY RIGHT-OF-WAY LINE OF AJAX AVENUE, CONVEYED BY STREET RIGHT-OF-WAY DEED, FILED FOR RECORD IN BOOK 2004 AT PAGE 37468, AUGUST 13, 2004; THENCE LEAVING SAID WESTERLY LINE AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX COURSES, (1) NORTH 20°10'55" WEST 30.23 FEET, (2) 275.57 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 330.00 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44°06'15" WEST 267.63 FEET, (3) NORTH 68°01'37" WEST 190.06 FEET, (4) 159.84 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 270.00 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 51°04'03" WEST 157.52 FEET, (5) NORTH 34°06'29" WEST 107.06 FEET, (6) 101.63 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 330.00 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 42°55'49" WEST 101.23 FEET TO A ONE-HALF INCH (1/2") REBAR WITH PS #1507 CAP ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4); THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, SOUTH 86°48'27" EAST ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4) A DISTANCE OF 791.13 FEET TO THE POINT OF BEGINNING. KNOWN AS TRACT 1 OF SURVEY L202172744.

PART OF THE SW 1/4 OF THE SW 1/4 OF SECTION 22 AND PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 27 ALL IN TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 27; THENCE ALONG THE EAST LINE THEREOF S02°30'54"W 275.00 FEET; THENCE LEAVING SAID EAST LINE S33°10'51"W 280.44 FEET TO THE NORTHERLY RIGHT-OF-WAY OF WEST AJAX AVENUE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING SIX COURSES: THENCE N20°10'42"W 30.23 FEET; THENCE 275.57 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 330.00 FEET AND A LONG CHORD OF N44°06'03"W 267.63 FEET; THENCE N68°01'24"W 190.06 FEET; THENCE 159.84 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 270.00 FEET AND A LONG CHORD OF N51°03'52"W 157.52 FEET; THENCE N34°06'16"W 107.06 FEET; THENCE 101.62 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 330.00 FEET AND A LONG CHORD OF N42°55'35"W 101.22 FEET; THENCE LEAVING SAID RIGHT-OF-WAY S86°48'42"E 330.15 FEET; THENCE N02°44'59"E 296.22 FEET; THENCE S86°48'33"E 127.26 FEET; THENCE N02°44'59"E 367.10 FEET; THENCE N86°49'43"W 296.77 FEET; THENCE N02°43'00"E 613.19 FEET TO THE SOUTH RIGHT-OF-WAY OF WEST PERRY ROAD; THENCE ALONG SAID RIGHT-OF-WAY S86°57'51"E 631.32 FEET TO THE EAST LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 22; THENCE ALONG SAID EAST LINE S02°46'08"W 1278.09 FEET TO THE POINT OF BEGINNING, CONTAINING 19.92 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 The Village at Pinnacle Hills, 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 _____, 2024.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director Community Development

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Environment & Welfare Committee