



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

6:00 P.M. STATE OF THE CITY PRESENTATION - Mayor Greg Hines
City Hall Council Chambers

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: February 27, 2024

The following committee meetings will be held on **Tuesday, February 27, 2024** prior to the City Council Meeting:

05:35 p.m. - TRANSPORTATION COMMITTEE: (Surly*, Legere, Townzen)

Committee Room #1 OR <https://us02web.zoom.us/j/89134756825> OR (312)626-6799 ID: 891 3475 6825

To Discuss: (a) Street Closure Request – In Fortunes Shadow [Map Request](#)

05:45 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Reithemeyer, Legere)

Committee Room #1 OR <https://us02web.zoom.us/j/89134756825> OR (312)626-6799 ID: 891 3475 6825

To Discuss: (a) An Ordinance Declaring A Nuisance Structure On Certain Property Located In Rogers, Arkansas; Ordering The Razing And Removal Of Said Structure at 1300 N. D Street

(b) A Resolution Declaring Fifty Automated External Defibrillators As Surplus And Authorizing Their Disposal

05:45 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)

Committee Room #2 OR <https://us02web.zoom.us/j/83193695539> OR (312)626-6799 ID: 831 9369 5539

To Discuss: (a) RWU Monthly Report



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ROGERS CITY COUNCIL
AGENDA

FEBRUARY 27, 2024

6:30 PM

In Person Rogers City Council Chambers

OR via [ZOOM LINK](#) OR By Phone (312) 626-6799 ID: 861 8235 4084

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PUBLIC HEARING:

1. A Public Hearing Declaring A Nuisance Structure On Certain Property Located In Rogers, Arkansas; Ordering The Razing And Removal Of Said Structure at 1300 N. D Street

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. February 13, 2024

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|---|----------------------------|
| 1. | ORD. Re: | Declaring A Nuisance Structure On Certain Property
Located In Rogers, Arkansas; Ordering The Razing And
Removal Of Said Structure at 1300 N. D Street | PUBLIC SAFETY
COMMITTEE |
|----|----------|---|----------------------------|

2. RES. Re: Declaring Fifty Automated External Defibrillators As
Surplus And Authorizing Their Disposal

PUBLIC SAFETY
COMMITTEE

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

1. Appointment of Charlie Simmons to The Rogers Airport Commission with a Term to Expire on February 27, 2029.
2. Appointment of Cora (Dede) Hamm to the Rogers Advertising & Promotion Commission with a Term to Expire on February 27, 2028.

ANNOUNCEMENTS:

ORDINANCE NO. 24-_____

**AN ORDINANCE DECLARING A NUISANCE STRUCTURE ON CERTAIN
PROPERTY LOCATED IN ROGERS, ARKANSAS; ORDERING THE RAZING AND
REMOVAL OF SAID STRUCTURE; PROVIDING FOR THE EMERGENCY CLAUSE;
AND FOR OTHER PURPOSES.**

WHEREAS, Rashaan & Anita Pierre are the owners of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

LEGAL DESCRIPTION: Lot 15 and 16, Block 5, S.H Cole Addition, City of Rogers, Benton County, Arkansas

LAYMAN'S DESCRIPTION: 1300 N. D Street, Rogers, AR 72756
PARCEL NO.: 02-07594-000

WHEREAS, the structure on the property is unfit for human habitation, constitutes a fire hazard, and is otherwise a dangerous to human life, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, and further is unsightly, and is considered an unsafe and unsightly structure in violation of City of Rogers' Code of Ordinance, §§ 18-55 through 18-68; more specifically, the following violations have been found to exist:

1. **2021 IPMC – Section 302.4 – Weeds:** All premises and exterior property shall be maintained free from weeds or plant growth. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Inspection findings: The yard appears to have not been maintained in quite some time.
2. **2021 IPMC – Section 304.6 – Exterior walls:** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration. Inspection findings: The exterior of this structure is not being maintained in good repair as there are multiple places where the structures siding is missing.
3. **2021 IMPC – Section 304.13.1 – Glazing:** All glazing materials shall be maintained free from cracks and holes. Inspection findings: There is a window that is broken on the south side of the structure.

WHEREAS, the owners were given proper notice of numerous violations of the standards provided for in the Rogers' Code of Ordinances, including the International Property Maintenance Code ("IPMC") as adopted by reference in Rogers' Code of Ordinances §§ 10-32 and 10-33, which constitute life, health, or safety violations, located on the property described above, and were instructed to abate the nuisance in accordance with § 18-58 of the Code of Ordinances;

WHEREAS, pursuant to City of Rogers Code of Ordinances Section 18-59(d); a follow up compliance inspection was conducted by the Office of Building Inspections on February 27, 2024, which concluded that violations currently exist, the structure constitutes a hazard to health and safety, and the structure requires condemnation and razing to protect the health, safety, and welfare of the public;

WHEREAS, the owner has failed, neglected, or refused to comply with the Notice to correct the documented violations, and as such, the matter of condemning, razing, and removing the building may be referred to the Rogers City Council; and

WHEREAS, pursuant to Ark. Code Ann. § 14-56-203, if repair or removal is not done within the required time frame, the City shall have the power to order the removal or razing of, or to remove or raze any buildings that in the opinion of the Council have become dilapidated, unsightly, unsafe, unsanitary, obnoxious, or detrimental to the public welfare.

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

Section 1: The structure located at 1300 N. D St, Rogers, Arkansas, is dilapidated, unsightly, and unsafe; and it is in the best interest of the City of Rogers that the structure be condemned and the City proceed with the removal of this dilapidated, unsightly, and unsafe structure;

Section 2: That the owner is hereby ordered to raze (demolish) and remove the dilapidated, unsightly, and unsafe structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be completed within thirty (30) days from the passage of this ordinance. The manner of razing (demolishing) and removing said structure shall be to dismantle by hand or bulldoze and then dispose of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner consistent with City of Rogers' Code of Ordinances Chapters 10, 18, and 20, and all other state laws and regulations pertaining to the demolition or removal of residential structures;

Section 3: If the aforesaid work is not completed within thirty (30) days, the Mayor, or the Mayor's authorized representative, is hereby directed to cause the aforesaid structure to be razed (demolished) and removed; and the unsafe, unsanitary and unsightly conditions abated; and the City of Rogers shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing said structure and abating said aforementioned conditions, said costs to be determined at a hearing before the City Council;

Section 4: Emergency Clause: The need to raze and remove a certain structure is immediate and 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 and after its passage and approval;

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

Section 6: Repeal of Conflicting Resolutions: 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: William Hyde, Fire Chief
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R24-_____

**A RESOLUTION DECLARING FIFTY AUTOMATED EXTERNAL
DEFIBRILLATORS AS SURPLUS AND AUTHORIZING THEIR DISPOSAL; AND
FOR OTHER PURPOSES.**

WHEREAS, the Rogers Fire Department is in possession of a fifty (50) automated external defibrillators (“AEDs”) that are no longer needed or used by that Department;

WHEREAS, the Rogers Fire Department desires to sell the surplus AEDs through internet auction or other means as allowed under Ark. Code Ann. §14-54-302(e)(1), whichever produces the highest net value to the City; and

WHEREAS, this Resolution is in accordance with Ark. Code Ann. § 14-54-302 and the Rogers Fire Department will maintain a record of the AEDs that are sold in accordance with the statute.

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

Section 1: The Rogers Fire Department is in possession of fifty (50) AEDs that are hereby declared surplus;

Section 2: The Rogers Fire Department is hereby authorized to dispose of the AEDs in accordance with the procedures allowed under Ark. Code Ann. § 14-54-302(e)(1);

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 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 _____, 2024.

APPROVED:

C. GREG HINES,
Mayor

Attest:

JESSICA RUSH, City Clerk
Requested By: William Hyde, Fire Chief
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Public Safety Committee