



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: August 27, 2024

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

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

Committee Room #1 OR <https://us02web.zoom.us/j/84895258453> OR (312)626-6799 ID: 848 9525 8453

To Discuss: (a) RWU Monthly Report

06:00 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)

Committee Room #2 OR <https://us02web.zoom.us/j/88256302830> OR (312)626-6799 ID: 882 5630 2830

To Discuss: (a) A Resolution Authorizing The City Of Rogers To Declare Certain Real Property As Surplus; Authorizing The City To Dispose Of Surplus Property Through A Public Auction

06:00 p.m. - TRANSPORTATION COMMITTEE: (Surly*, Townzen)

Committee Room #1 OR <https://us02web.zoom.us/j/84895258453> OR (312)626-6799 ID: 848 9525 8453

To Discuss: (a) LPGA Street Closure Request - [Map](#)

06:10 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)

Committee Room #2 OR <https://us02web.zoom.us/j/88256302830> OR (312)626-6799 ID: 882 5630 2830

To Discuss: (a) A Resolution Authorizing The Rate Of Property Tax For The City Of Rogers For The Year 2024 To Be Collected In 2025

(b) A Resolution Amending The 2024 Budget To Recognize State Trauma System Grant Funds In The Amount Of \$16,633.00 Into Account #100-04-45305 State Revenue; Appropriating \$6,633.00 From Account #100-04-45305 State Revenue Into Account #100-04-70105 Medical Supplies; Appropriating \$10,000.00 From Account #100-04-45305 State Revenue Into Account #100-04-70005 Continuing Education

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

Committee Room #1 OR <https://us02web.zoom.us/j/84895258453> OR (312)626-6799 ID: 848 9525 8453

To Discuss:

- (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To RMF Accepting The Density Concept Plan (Barrington)



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ROGERS CITY COUNCIL **AGENDA**

AUGUST 27, 2024
6:30 PM

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In Person Rogers City Council Chambers

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

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. August 13, 2024

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|---|---------------------------------|
| 1. | RES. Re: | Authorizing The City Of Rogers To Declare
Certain Real Property As Surplus; Authorizing The
City To Dispose Of Surplus Property Through A
Public Auction | Resources & Policy
Committee |
| 2. | RES. Re: | Authorizing The Rate Of Property Tax For The
City Of Rogers For The Year 2024 To Be
Collected In 2025 | Finance Committee |
| 3. | RES. Re: | Amending The 2024 Budget To Recognize State
Trauma System Grant Funds In The Amount Of
\$16,633.00 Into Account #100-04-45305 State | Finance Committee |

Revenue; Appropriating \$6,633.00 From Account #100-04-45305 State Revenue Into Account #100-04-70105 Medical Supplies; Appropriating \$10,000.00 From Account #100-04-45305 State Revenue Into Account #100-04-70005 Continuing Education

4. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To RMF
Accepting The Density Concept Plan (Barrington)
- Community
Environment &
Welfare Committee

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R24-_____

**A RESOLUTION AUTHORIZING THE CITY OF ROGERS TO DECLARE CERTAIN
REAL PROPERTY AS SURPLUS; AUTHORIZING THE CITY TO DISPOSE OF SURPLUS
PROPERTY THROUGH A PUBLIC AUCTION; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Rogers has determined that the real properties located as described below in the Lexington Subdivision in Rogers, Arkansas are no longer being used for public or governmental purposes and desires the properties to be declared as surplus;

WHEREAS, said lands being in Benton County, Arkansas, as per Instrument Number L202038467 in the Office of the Circuit Clerk of Benton County, Arkansas, more particularly described as follows:

DESCRIPTION LOT 69A

PART OF LOT 69 AND LOT 70 OF LEXINGTON SUBDIVISION, AS PER PLAT RECORD BOOK 2005 AT PAGES 654 AND 655 AND PLAT RECORD BOOK 2006 AT PAGE 25 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 69 OF SAID LEXINGTON SUBDIVISION, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY OF LANEY STREET AS SHOWN IN RECORD BOOK 2005 AT PAGES 654 AND 655 AND PLAT RECORD BOOK 2006 AT PAGE 25;

THENCE ALONG SAID NORTH RIGHT-OF-WAY N87°03'55"W 70.16 FEET;

THENCE ALONG SAID NORTH RIGHT-OF-WAY 39.11 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND WHOSE LONG CHORD BEARS N42°14'47"W 35.24 FEET TO THE EAST RIGHT-OF-WAY OF SOUTH 37TH STREET;

THENCE ALONG SAID EAST RIGHT-OF-WAY N02°34'20"E 60.19 FEET;

THENCE ALONG SAID EAST RIGHT-OF-WAY 6.46 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 35.00 FEET AND WHOSE LONG CHORD BEARS N07°51'35"E 6.46 FEET;

THENCE LEAVING SAID EAST RIGHT-OF-WAY S 87°23'49"E 117.55 FEET;

THENCE S 02°56'19"W 92.14 FEET TO THE NORTH RIGHT-OF-WAY OF SAID LANEY STREET;

THENCE ALONG SAID NORTH RIGHT-OF-WAY N87°03'55"W 22.56 FEET TO THE POINT OF BEGINNING, CONTAINING 0.25 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

DESCRIPTION LOT 70A

PART OF LOT 70 AND LOT 71 OF LEXINGTON SUBDIVISION, AS PER PLAT RECORD BOOK 2005 AT PAGES 654 AND 655 AND PLAT RECORD BOOK 2006 AT PAGE 25 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 70 OF SAID LEXINGTON SUBDIVISION, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY OF LANEY STREET AS SHOWN IN RECORD BOOK 2005 AT PAGES 654 AND 655 AND PLAT RECORD BOOK 2006 AT PAGE 25;

THENCE ALONG SAID NORTH RIGHT-OF-WAY N87°03'55"W 56.10 FEET;

THENCE LEAVING SAID NORTH RIGHT-OF-WAY N02°56'19"E 92.14 FEET;

THENCE S 87°23'49"E 105.41 FEET;

THENCE S 02°56'19"W 92.75 FEET TO THE NORTH RIGHT-OF-WAY OF SAID LANEY STREET;

THENCE ALONG SAID NORTH RIGHT-OF-WAY N87°03'55"W 49.31 FEET TO THE POINT OF BEGINNING, CONTAINING 0.22 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

DESCRIPTION LOT 71A

PART OF LOT 71 AND LOT 72 OF LEXINGTON SUBDIVISION, AS PER PLAT RECORD BOOK 2005 AT PAGES 654 AND 655 AND PLAT RECORD BOOK 2006 AT PAGE 25 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 71 OF SAID LEXINGTON SUBDIVISION, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY OF LANEY STREET AS SHOWN IN RECORD BOOK 2005 AT PAGES 654 AND 655 AND PLAT RECORD BOOK 2006 AT PAGE 25;
THENCE ALONG SAID NORTH RIGHT-OF-WAY N87°03'55"W 29.35 FEET;
THENCE LEAVING SAID NORTH RIGHT-OF-WAY N02°56'19"E 92.75 FEET;
THENCE S 87°23'49"E 125.90 FEET;
THENCE S 06°14'48"W 112.00 FEET TO THE NORTH RIGHT-OF-WAY OF SAID LANEY STREET;
THENCE ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING THREE COURSES:
THENCE N62°38'05"W 28.09 FEET;
THENCE 31.98 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 75.00 FEET AND WHOSE LONG CHORD BEARS N74°51'00"W 31.74 FEET;
THENCE N87°03'55"W 33.49 FEET TO THE POINT OF BEGINNING, CONTAINING 0.27 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

WHEREAS, The City desires to set a minimum sales price to be set using a market analysis, with all costs related to the publication, sale, market analysis, and closing of the properties to be borne by the respective buyers; and

WHEREAS, this Resolution is in accordance with Ark. Code Ann. § 14-54-302(a)(1).

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

Section 1: The City of Rogers hereby declares the properties identified herein as surplus, with the properties to be disposed of by public auction and sold to the highest bidder;

Section 2: The City of Rogers shall maintain a minimum sale price to be set using a market analysis and all costs related to the publication, sale, market analysis, and closing of the properties will be borne by the respective buyers;

Section 3: The municipal fixed asset listing shall be amended to reflect the disposal of the properties;

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 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: John M. Pesek, Senior Staff Attorney

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Resources & Policy Committee

RESOLUTION NO. R24-_____

A RESOLUTION AUTHORIZING THE RATE OF PROPERTY TAX FOR THE CITY OF ROGERS FOR THE YEAR 2024 TO BE COLLECTED IN 2025; AND FOR OTHER PURPOSES.

WHEREAS, Ark. Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for general purposes, in any one year, pursuant to the provision of the Arkansas Constitution;

WHEREAS, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the County Clerk the rate of taxation levied by the city on all the real and personal property within the city or town; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Rogers and its citizens to levy the rate of taxation on the real and personal property located within the said city as set forth herein, and to certify the same to the County Clerk, and authorize the Quorum Court of Benton County to levy said tax for the year 2024, to be collected in 2025.

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

Section 1: The property tax rate for the City of Rogers General purposes on the Real and Personal Property situated within the city and to be collected in the year 2025 shall be fixed and levied at the rate of Two and Four Tenths (2.4) mills on each dollar of assessed value of real and personal property;

Section 2: The property tax for Library purposes for the City of Rogers on Real and Personal Property situated within the city to be collected in the year 2025 shall be fixed and levied at the rate of Nine-Tenths (0.9) mills on each dollar of assessed value of real and personal property;

Section 3: The rate of taxation levied herein on the real and personal property within the City of Rogers shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected;

Section 4: The Quorum Court of Benton County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Rogers, for the year 2024 at its regular meeting in November according to law;

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: C. Greg Hines, Mayor

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R24-_____

A RESOLUTION AMENDING THE 2024 BUDGET TO RECOGNIZE STATE TRAUMA SYSTEM GRANT FUNDS IN THE AMOUNT OF SIXTEEN THOUSAND SIX HUNDRED THIRTY-THREE DOLLARS (\$16,633.00) INTO ACCOUNT #100-04-45305 STATE REVENUE; APPROPRIATING SIX THOUSAND SIX HUNDRED THIRTY-THREE DOLLARS (\$6,633.00) FROM ACCOUNT #100-04-45305 STATE REVENUE INTO ACCOUNT #100-04-70105 MEDICAL SUPPLIES; APPROPRIATING TEN THOUSAND DOLLARS (\$10,000.00) FROM ACCOUNT #100-04-45305 STATE REVENUE INTO ACCOUNT #100-04-70005 CONTINUING EDUCATION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers will receive sixteen thousand six hundred thirty-three dollars (\$16,633.00) in grant funds from the Arkansas Department of Health's Trauma System;

WHEREAS, the medical supplies funds will be used to support continued EMS operations and the continuing education funds will allow RFD to send an additional person to paramedic school.

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

Section 1: The City of Rogers' 2024 Budget is amended to recognize grant funds in the amount of sixteen thousand six hundred thirty-three dollars (\$16,633.00) into Account #100-04-45305 State Revenue;

Section 2: The City of Rogers' 2024 Budget is amended to appropriate six thousand six hundred thirty-three dollars (\$6,633.00) from Account #100-04-45305 State Revenue into Account #100-04-70105 Medical Supplies;

Section 3: The City of Rogers' 2024 Budget is amended to appropriate ten thousand dollars (\$10,000.00) from Account #100-04-45305 State Revenue into Account #100-04-70005 Continuing Education;

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 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 B. Hyde, Chief, Rogers Fire Department

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

ORDINANCE NO. 24-____

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM A-1 TO RMF-12B; 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 the consideration of the report and recommendations of the Planning Commission, the City Council has found that certain lands hereinafter described are better suited for RMF-12B (Residential Multifamily, 12 units per acre, rental) 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: The land described herein shall be zoned as RMF-12B and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Parcel 02-00861-108:

A PART OF THE SW 1/4 OF THE SW 1/4 OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT LOCATED 116.64 FEET WEST OF THE SE CORNER OF THE SW 1/4 OF THE SW 1/4 OF SAID DESCRIBED SECTION 8; THENCE WEST 1195.41 FEET; THENCE N 00°36'38" W 323.79 FEET; THENCE S 60°39'36" E 329.39 FEET; THENCE S 70°14'21" E 203.23 FEET; THENCE S 67°35'18" E 205.00 FEET; THENCE S 89°42'47" E 530.95 FEET; THENCE SOUTH 12.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.56 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF A 40 FEET IN WIDTH COUNTY ROAD CENTERED ALONG THE WEST LINE THEREOF.

Parcel 02-01671-510:

THE N 1/2 OF THE NE 1/4 OF THE NW 1/4 OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS.

Parcel 02-01671-503:

THE N 1/2 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS. CONTAINING 20 ACRES, MORE OR LESS.

LAYMAN'S DESCRIPTION:

Approximately 43 acres of land located between South Dodson Road and South Rainbow Road

Section 3: Zoning: The above described lands are better suited for RMF-12B than A-1 zoning and same should be and are hereby zoned RMF-12B;

Section 4: Density Concept Plan: The Density Concept Plan entered into by and between AR Dodson Oak Land, LLC and the City of Rogers, as approved by the Rogers Planning Commission on August 20, 2024, with the condition that the property owner grant a right-of-way easement to the City to establish connectivity through to Rainbow Road on the Northside of the parcel, or as otherwise agreed to by the parties, 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 _____, 2024.

APPROVED:

C. GREG HINES, MAYOR

ATTEST:

JESSICA RUSH, CLERK

Requested by: John McCurdy, Director Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Zachery Birdsong, Planner

For Consideration By: Community Environment & Welfare Committee