



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: November 26, 2024

The following committee meetings will be held on **Tuesday, November 26, 2024** prior to the City Council Meeting:

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

Committee Room #1 OR <https://us02web.zoom.us/j/84040267345> OR (312)626-6799 ID: 840 4026 7345

To Discuss: (a) RWU Monthly Report

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

Committee Room #2 OR <https://us02web.zoom.us/j/88238568515> OR (312)626-6799 ID: 882 3856 8515

To Discuss: (a) An Ordinance Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 718 N. 2nd Street (Java Dudes)

(b) An Ordinance Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 2325 W. Walnut Street (Popeye's)

05:55 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)

Committee Room #2 OR <https://us02web.zoom.us/j/88238568515> OR (312)626-6799 ID: 882 3856 8515

To Discuss: (a) A Resolution Authorizing The Rogers Fire Department To Dispose Of Certain Personal Property; Recognizing That The Property Is Rendered Worthless

05:55 p.m. - TRANSPORTATION COMMITTEE: (Surly, Townzen)

Committee Room #1 OR <https://us02web.zoom.us/j/84040267345> OR (312)626-6799 ID: 840 4026 7345

To Discuss: (a) A Resolution Amending The 2024 Budget; Establishing Capital Project Account #315-15-81148 Westside Taxilane Phase I; Appropriating \$33,525.00 From Airport Fund Reserves Into Account #315-15-81148 Westside Taxilane Phase I; Authorizing The Mayor And City Clerk To Enter Into A Contract Amendment With Garver, LLC, Of North Little Rock, Arkansas, For Environmental Phase Engineering Services For Construction Of An Aircraft Taxilane At The Rogers Executive Airport

- (b) A Resolution Amending The 2024 Budget; Establishing Capital Project Account #315-15-81147 Construct Hangar And Apron; Appropriating \$220,450.00 From Airport Fund Reserves Into Account #315-15-81147 Construct Hangar And Apron; Authorizing The Mayor And City Clerk To Enter Into A Contract Amendment With Garver, LLC, Of North Little Rock, Arkansas, For Design And Bid Phase Engineering Services For Construction Of An Aircraft Hangar And Apron At The Rogers Executive Airport
- (c) A Resolution Amending The 2024 Budget To Appropriate \$25,000.00 From Airport Fund Reserves Into Account #315-15-70308 Engineering Expenses
- (d) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Easement Agreement With Southwestern Electric Power Company, Arkansas, Inc., A Delaware Corporation, At The Rogers Executive Airport

06:05 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)

Committee Room #2 OR <https://us02web.zoom.us/j/88238568515> OR (312)626-6799 ID: 882 3856 8515

To Discuss:

- (a) A Resolution Adopting The City Of Rogers' 2025 Budget; Appropriating Funds And Authorizing Expenditures For Items Included Within The City Of Rogers' 2025 Budget
- (b) An Ordinance Authorizing The Adoption Of Certain Provisions Of The City Of Rogers' 2025 Budget
- (c) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Goldy's Fire Apparatus, LLC Of Tupelo, Mississippi For The Purchase Of A Ladder Truck For Use By The Rogers Fire Department; Amending The 2024 Budget To Appropriate \$2,299,576.00 From General Fund Reserves Into Account #100-04-84002 Fleet
- (d) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With George Nunnally Chevrolet Of Bentonville, Arkansas For The Purchase Of Two 2025 Chevrolet Silverado Trucks For Use By The Rogers Parks Department; Amending The 2024 Budget To Appropriate \$108,563.00 From General Fund Reserves Into Account 100-08-84002 Fleet

06:05 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Townzen, Hayes)

Committee Room #1 OR <https://us02web.zoom.us/j/84040267345> OR (312)626-6799 ID: 840 4026 7345

To Discuss:

- (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 And R-O To C-3; Accepting The Density Concept Plan (Turtle Creek) [MAP](#)
- (b) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From I-1 To T5.2 (2nd Street) [MAP](#)
- (c) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T4.2 (Faithful Friends) [MAP](#)
- (d) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T4.2 (Frakes) [MAP](#)



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ROGERS CITY COUNCIL **AGENDA**

NOVEMBER 26, 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 HEARING:

1. A Public Hearing Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 718 N. 2nd Street (Java Dudes)
2. A Public Hearing Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 2325 W. Walnut Street (Popeye's)

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. November 12, 2024

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. ORD. Re: Declaring A Nuisance Structure And Ordering The Razing PUBLIC SAFETY
And Removal Of Said Structure Within The City Of COMMITTEE
Rogers, Arkansas, Located At 718 N. 2nd Street
(Java Dudes)

2. ORD. Re: Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 2325 W. Walnut Street (Popeye's) PUBLIC SAFETY COMMITTEE
3. RES. Re: Adopting The City Of Rogers' 2025 Budget; Appropriating Funds And Authorizing Expenditures For Items Included Within The City Of Rogers' 2025 Budget FINANCE COMMITTEE
4. ORD. Re: Authorizing The Adoption Of Certain Provisions Of The City Of Rogers' 2025 Budget FINANCE COMMITTEE
5. RES. Re: Authorizing The Mayor And City Clerk To Enter Into An Agreement With Goldy's Fire Apparatus, LLC Of Tupelo, Mississippi For The Purchase Of A Ladder Truck For Use By The Rogers Fire Department; Amending The 2024 Budget To Appropriate \$2,299,576.00 From General Fund Reserves Into Account #100-04-84002 Fleet FINANCE COMMITTEE
6. RES. Re: Authorizing The Mayor And City Clerk To Enter Into An Agreement With George Nunnally Chevrolet Of Bentonville, Arkansas For The Purchase Of Two 2025 Chevrolet Silverado Trucks For Use By The Rogers Parks Department; Amending The 2024 Budget To Appropriate \$108,563.00 From General Fund Reserves Into Account 100-08-84002 Fleet FINANCE COMMITTEE
7. RES. Re: Authorizing The Rogers Fire Department To Dispose Of Certain Personal Property; Recognizing That The Property Is Rendered Worthless RESOURCES & POLICY COMMITTEE
8. RES. Re: Amending The 2024 Budget; Establishing Capital Project Account #315-15-81148 Westside Taxilane Phase I; Appropriating \$33,525.00 From Airport Fund Reserves Into Account #315-15-81148 Westside Taxilane Phase I; Authorizing The Mayor And City Clerk To Enter Into A Contract Amendment With Garver, LLC, Of North Little Rock, Arkansas, For Environmental Phase Engineering Services For Construction Of An Aircraft Taxilane At The Rogers Executive Airport TRANSPORTATION COMMITTEE
9. RES. Re: Amending The 2024 Budget; Establishing Capital Project Account #315-15-81147 Construct Hangar And Apron; Appropriating \$220,450.00 From Airport Fund Reserves Into Account #315-15-81147 Construct Hangar And Apron; Authorizing The Mayor And City Clerk To Enter Into A Contract Amendment With Garver, LLC, Of North Little Rock, Arkansas, For Design And Bid Phase Engineering Services For Construction Of An Aircraft Hangar And Apron At The Rogers Executive Airport TRANSPORTATION COMMITTEE
10. RES. Re: Amending The 2024 Budget To Appropriate \$25,000.00 From Airport Fund Reserves Into Account #315-15-70308 Engineering Expenses TRANSPORTATION COMMITTEE
11. RES. Re: Authorizing The Mayor And City Clerk To Enter Into An Easement Agreement With Southwestern Electric Power TRANSPORTATION COMMITTEE

Company, Arkansas, Inc., A Delaware Corporation, At
The Rogers Executive Airport

- | | | |
|--------------|---|---|
| 12. ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 And R-O To C-3; Accepting The Density Concept Plan (Turtle Creek) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 13. ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From I-1 To T5.2 (2 nd Street) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 14. ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T4.2 (Faithful Friends) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |
| 15. ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T4.2 (Frakes) | COMMUNITY ENVIRONMENT & WELFARE COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

ORDINANCE NO. 24-_____

AN ORDINANCE DECLARING A NUISANCE STRUCTURE AND ORDERING THE RAZING AND REMOVAL OF SAID STRUCTURE WITHIN THE CITY OF ROGERS, ARKANSAS, LOCATED AT 718 N. 2ND STREET; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, Haute Catacomb, LLC is the owner of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

All of Lots, 1, 4, 5, 8, and 9, and the North 30 feet of Lot 12, all in Block 1, Wood Stroud Addition to the City of Rogers, Benton County, Arkansas, as shown in Plat Record Y, Page 165.

Layman's Description: 718 N. 2nd Street, Rogers, Benton County, Arkansas.

Tax Parcel No. 02-09167-001

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 in violation of the International Property Maintenance Code, which is adopted by reference in the Rogers' Code of Ordinances §§ 10-32 and 10-33:

2021 IPMC- Section 111.1.5 Dangerous Structure or Premises

1. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress. **Inspection Finding: The property itself has not been secured as to safeguard the general public from entering.**
2. The building or *structure* is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or *structure* to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or *structure* for committing a nuisance or an unlawful act.
3. Any portion of a building remains on a site after the demolition or destruction of the building or *structure* or whenever any building or *structure* is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public. **The foundation remaining constitutes a potentially hazardous condition that may attract members of the public and pose a risk to safety.**

WHEREAS, the owner has been notified by the City of Rogers prior to the consideration of this Ordinance, that the structure on the property is in violation of various ordinances of the City of Rogers;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-57, the owner was given fourteen (14) calendar days from August 22, 2024 to abate or correct documented violations;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-57, a follow up inspection was conducted on September 6, 2024;

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 City Council pursuant to City of Rogers' Code of Ordinances § 18-58;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-59(d); a Compliance Inspection was conducted by the Office of Building Inspections on November 26, 2024, which concluded that violations do currently exist; and

WHEREAS, pursuant to Ark. Code Ann. § 14-56-203 and City of Rogers' Code of Ordinances Chapter 18, Article III, 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 THAT:

Section 1: The structure located at 718 N. 2nd Street, Rogers, Arkansas, is dilapidated, unsightly, and unsafe; and is in the best interest of the City of Rogers to proceed with the removal of this dilapidated, unsightly, and unsafe structure;

Section 2: 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 dismantled by hand or bulldoze and then disposed 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 invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Ordinances and 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: John Vanetta, Deputy Fire Chief- Risk Reduction

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Public Safety Committee

ORDINANCE NO. 24-_____

AN ORDINANCE DECLARING A NUISANCE STRUCTURE AND ORDERING THE RAZING AND REMOVAL OF SAID STRUCTURE WITHIN THE CITY OF ROGERS, ARKANSAS, LOCATED AT 2325 W. WALNUT STREET; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, HZ Properties RD LTD, is the owner of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS: FROM THE SW CORNER OF SAID SW 1/4, NW 1/4, RUN SOUTH 89*24'45" EAST 335.57 FEET; THENCE NORTH 00*06'17" EAST 35.00 FEET TO THE POINT OF BEGINNING ON THE NORTH RIGHT-OF-WAY OF WEST WALNUT (U.S. HIGHWAY 71B); THENCE NORTH 00*06'17" EAST 184.00 FEET; THENCE NORTH 89*24'45" WEST 125.99 FEET TO THE EAST RIGHT-OF-WAY OF 24TH STREET; THENCE SOUTH 00*00'00" EAST 159.26 FEET ALONG SAID RIGHT-OF-WAY; THENCE 39.01 FEET ALONG A 25.00 FOOT RADIUS CURVE TO THE LEFT WITH A SOUTH 44*42'23" EAST 35.17 FOOT CHORD TO THE AFORESAID NORTH RIGHT-OF-WAY; THENCE SOUTH 89*24'45" EAST 100.91 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING, AND BEING LOT "A" OF THE LOT SPLIT OF TURTLE CREEK PLAZA, AS SHOWN IN PLAT RECORD 16 AT PAGE 50, ROGERS, BENTON COUNTY, ARKANSAS. AND AN EASEMENT FOR INGRESS AND EGRESS ONLY OVER AND ACROSS LOT "B" OF THE LOT SPLIT OF TURTLE CREEK PLAZA AS RECORDED IN BOOK 16, PAGE 50 AT THE FOLLOWING DESCRIBED PROPERTY, TO-WIT: BEGINNING AT THE COMMON CORNER OF LOT "B" AND LOT "A" ON THE SOUTH SIDE OF SAID LOT SPLIT, THENCE NORTH 00*06'17" EAST 62.00 FEET; THENCE SOUTH 89*24'45" EAST 25 FEET; THENCE SOUTH 00*06'17" WEST 62.00 FEET; THENCE NORTH 89*4'45" WEST 25 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT: THAT PORTION DEEDED TO THE ARKANSAS STATE HIGHWAY COMMISSION FOR ADDITIONAL RIGHT-OF-WAY FOR HIGHWAY 71B (WALNUT STREET) AS SET OUT IN BENTON COUNTY, ARKANSAS, DOCUMENT NO. 97-024028

Layman's Description: 2325 W. Walnut Street, Rogers, Benton County, Arkansas.

Tax Parcel No. 02-01020-001

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 in violation of the International Property Maintenance Code, which is adopted by reference in the Rogers' Code of Ordinances §§ 10-32 and 10-33:

2021 IPMC- Section 111.1.5 Dangerous Structure or Premises

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress. **Inspection Finding: The property itself has not been secured as to safeguard the general public from entering.**
3. Any portion of a building, *structure* or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged. **Inspection Finding: The structure has been damaged beyond repair from a tornado that occurred 05/26/2024.**
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value. **Inspection Finding: Exterior walls are damaged to the extent that collapse is eminent and need shored until demo or repair can take place.**
5. The building or *structure*, or part of the building or *structure*, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or *structure* is likely to fail or give way. Inspection Finding: The structure has partially collapsed and presents a dangerous situation. The windows have been broken out from storm damage, as well. There is significant roof damage to the extent that collapse is eminent and further damage will occur from weather events. Debris from the weather event is strewn throughout the premises and surrounding area presenting a public hazard.
6. The building or *structure*, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or *structure* is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or *structure* to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or *structure* for committing a nuisance or an unlawful act.
8. Any building or *structure* has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or *structure* provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or *structure*, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or *structure*, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or *structure* or whenever any building or *structure* is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

WHEREAS, the owner has been notified by the City of Rogers prior to the consideration of this Ordinance, that the structure on the property is in violation of various ordinances of the City of Rogers;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-57, the owner was given fourteen (14) calendar days from August 30, 2024 to abate or correct documented violations;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-57, a follow up inspection was conducted on September 13, 2024;

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 City Council pursuant to City of Rogers' Code of Ordinances § 18-58;

WHEREAS, pursuant to City of Rogers' Code of Ordinances § 18-59(d); a Compliance Inspection was conducted by the Office of Building Inspections on November 26, 2024, which concluded that violations do currently exist; and

WHEREAS, pursuant to Ark. Code Ann. § 14-56-203 and City of Rogers' Code of Ordinances Chapter 18, Article III, 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 THAT:

Section 1: The structure located at 2325 W. Walnut Street, Rogers, Arkansas, is dilapidated, unsightly, and unsafe; and is in the best interest of the City of Rogers to proceed with the removal of this dilapidated, unsightly, and unsafe structure;

Section 2: 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 dismantled by hand or bulldoze and then disposed 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 invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6: Repeal of Conflicting Ordinances and 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: John Vanetta, Deputy Fire Chief- Risk Reduction

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Public Safety Committee

RESOLUTION NO. R24-____

**A RESOLUTION ADOPTING THE CITY OF ROGERS' 2025 BUDGET;
APPROPRIATING FUNDS AND AUTHORIZING EXPENDITURES FOR ITEMS
INCLUDED WITHIN THE CITY OF ROGERS' 2025 BUDGET; AND FOR OTHER
PURPOSES.**

WHEREAS, the efficient operation of the city government of the City of Rogers, Arkansas requires that a budget be planned and adopted by the Mayor and City Council;

WHEREAS, the Mayor, in consultation with City staff, the department head of each City Department, and the public has proposed a comprehensive budget for calendar and budget year 2025 for the City of Rogers;

WHEREAS, the City Council of the City of Rogers has made a comprehensive review and analysis of the proposed City of Rogers' 2025 Budget;

WHEREAS, the City Council finds that the City of Rogers' 2025 Budget accurately reflects the estimated revenues and expenditures for the 2025 budget year; and

WHEREAS, the Mayor and City Council continue to comply with Ark. Code Ann. § 14-58-201, et seq., concerning the process for adoption and amendment of the City of Rogers' 2025 Budget.

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

Section 1: The City of Rogers' 2025 Budget is hereby adopted;

Section 2: The respective funds and assigned account numbers for each category of revenue and expenditure proposed in the City of Rogers' 2025 Budget are adopted and appropriated;

Section 3: The Mayor or his duly authorized representative may execute any contract, conveyance, or lease contract for any purchase approved within the City of Rogers' 2025 Budget and valued equal to or less than thirty-five thousand dollars (\$35,000.00);

Section 4: The Mayor or his duly authorized representative may approve, disapprove, or adjust any payment of funds appropriated by this Resolution;

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; Casey Wilhelm, Director of Finance

Prepared By: John Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

ORDINANCE NO. 24-_____

**AN ORDINANCE AUTHORIZING THE ADOPTION OF CERTAIN PROVISIONS OF
THE CITY OF ROGERS' 2025 BUDGET; PROVIDING FOR THE EMERGENCY
CLAUSE; AND FOR OTHER PURPOSES.**

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

Section 1: The portions of the City of Rogers' 2025 Budget, as adopted by Resolution No. R24-_____, which are required by state law to be adopted by ordinance are hereby adopted;

Section 2: Emergency Clause: That the need to adopt the City of Rogers' 2025 Budget 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 the date of its 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;

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; and

PASSED this _____ day of _____, 2024.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: C. Greg Hines, Mayor; Casey Wilhelm, Director of Finance

Prepared By: John Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R24-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH GOLDY’S FIRE APPARATUS, LLC OF TUPELO, MISSISSIPPI FOR THE PURCHASE OF A LADDER TRUCK FOR USE BY THE ROGERS FIRE DEPARTMENT; AMENDING THE 2024 BUDGET TO APPROPRIATE TWO MILLION TWO HUNDRED NINETY-NINE THOUSAND FIVE HUNDRED SEVENTY-SIX DOLLARS (\$2,299,576.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-04-84002 FLEET; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Fire Department desires to purchase a Rosenbauer Aerial Ladder Truck from Goldy’s Fire Apparatus, LLC of Tupelo, Mississippi, for use by the Rogers Fire Department;

WHEREAS, this purchase with Goldy’s Fire Apparatus, LLC of Tupelo, Mississippi is made under a Sourcwell Procurement Contract; and

WHEREAS, the purchase price for the Rosenbauer Aerial Ladder Truck is two million two hundred ninety-nine thousand five hundred seventy-six dollars (\$2,299,576.00).

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 an agreement with Goldy’s Fire Apparatus, LLC of Tupelo, Mississippi for the purchase of a Rosenbauer Aerial Ladder Truck for use by the Rogers Fire Department in an amount not to exceed two million two hundred ninety-nine thousand five hundred seventy-six dollars (\$2,299,576.00);

Section 2: The City of Rogers’ 2024 budget is hereby amended to appropriate two million two hundred ninety-nine thousand five hundred seventy-six dollars (\$2,299,576.00) from General Fund Reserves into Account #100-04-84002 Fleet;

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 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: Chief Hyde, Rogers Fire Department
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. R24-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH GEORGE NUNNALLY CHEVROLET OF BENTONVILLE, ARKANSAS FOR THE PURCHASE OF TWO 2025 CHEVROLET SILVERADO TRUCKS FOR USE BY THE ROGERS PARKS DEPARTMENT; AMENDING THE 2024 BUDGET TO APPROPRIATE ONE HUNDRED EIGHT THOUSAND FIVE HUNDRED SIXTY-THREE DOLLARS (\$108,563.00) FROM GENERAL FUND RESERVES INTO ACCOUNT 100-08-84002 FLEET; WAIVING COMPETITIVE BIDDING; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Parks Department desires to purchase two 2025 Chevrolet Silverado trucks from George Nunnally Chevrolet of Bentonville, Arkansas for use by that department;

WHEREAS, the Rogers Parks Department is requesting that City Council waive the requirements for competitive bidding for this purchase due to George Nunnally Chevrolet's ability to provide necessary upfitting equipment for fleet vehicles and inclusive warranties for said equipment; and

WHEREAS, the total amount for the purchase of two 2025 Chevrolet Trucks will not exceed one hundred eight thousand five hundred and sixty-three dollars (\$108,563.00).

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 an agreement for the purchase of two Chevrolet Trucks for use by the Rogers Parks Department with George Nunnally Chevrolet of Bentonville, Arkansas in an amount not to exceed one hundred eight thousand five hundred sixty-three dollars (\$108,563.00);

Section 2: The City of Rogers' 2024 budget is hereby amended to appropriate one hundred eight thousand five hundred sixty-three dollars (\$108,563.00) from General Fund Reserves into Account #100-08-84002 Fleet;

Section 3: 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 two Chevrolet Trucks for use by the Rogers Parks Department;

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 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: Quinton Harris, Parks and Recreation Director

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R24-_____

**A RESOLUTION AUTHORIZING THE ROGERS FIRE DEPARTMENT TO DISPOSE
OF CERTAIN PERSONAL PROPERTY; RECOGNIZING THAT THE PROPERTY IS
RENDERED WORTHLESS; ACKNOWLEDGING THE OVERSIGHT FOR DISPOSAL;
AND FOR OTHER PURPOSES.**

WHEREAS, the Chief of the Rogers Fire Department has certified that the items listed in the attached Exhibit “A” have been rendered worthless by damage or prolonged use;

WHEREAS, the Chief of the Rogers Fire Department certifies that disposal of certain electronic equipment by eSCO Processing and Recycling, LLC, located at 2111 S. 8th Street in Rogers, Arkansas, is proper and will be overseen to ensure compliance with Ark. Code Ann. §14-54-302(e)(2)(A);

WHEREAS, the Chief of the Rogers Fire Department additionally certifies that disposal of listed protective gear, hose and appliances by Red Line Contractors, LLC, located at 2156 E. Emma Street in Springdale, Arkansas, is proper and will be overseen to ensure compliance with Ark. Code Ann. §14-54-302(e)(2)(A); and

WHEREAS, the City Council of the City of Rogers approves the Chief’s affidavit of certification attached as Exhibit “A” and deems that disposal by eSCO Processing and Recycling, LLC and Red Line Contractors, LLC is appropriate.

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

Section 1: The Chief of the Rogers Fire Department may dispose of the electronic equipment identified in the attached Exhibit “A” by using eSCO Processing and Recycling, LLC, pursuant to Ark. Code Ann. §14-54-302(e)(2)(A);

Section 2: The Chief of the Rogers Fire Department may dispose of the listed protective gear, hose, and appliances in the attached Exhibit “A” by using Red Line Contractors, LLC, pursuant to Ark. Code Ann. § 14-54-302(e)(2)(A);

Section 3: The Fire Department shall maintain a record of all items that are sent to eSCO Processing and Recycling, LLC, and Red Line Contractors, LLC, per this Resolution;

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: Chief Hyde, Rogers Fire Department
Prepared By: John M. Pesek, Senior Staff Attorney
For Consideration By: Resources & Policy Committee

ROGERS FIRE DEPARTMENT EQUIPMENT DISPOSAL REQUEST

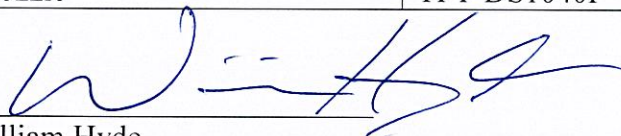
This request is to dispose of the following equipment that is no longer in use. The equipment listed below is obsolete, or non-functional, and has been replaced. The listed equipment will be disposed of pursuant to Arkansas Code 14-58-306, disposal of municipal supplies, etc.

The Fire Department is disposing of the listed equipment with no estimated appreciable value. Listed electronic equipment will be disposed of by eSCO Processing and Recycling, LLC, 2111 S. 8th St. Rogers, AR (479) 899-6443. Listed protective gear, hose and appliances disposed of by Red Line Contractors LLC, 2156 E Emma St., Springdale AR, 72764. Other items will be disposed of in weekly trash service.

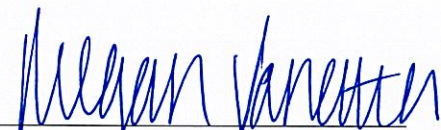
TYPE OF PROPERTY MODEL SERIAL NUMBER (If Applicable)

SMART Board	20-01301-20	B012DH18J0419
(6) Tempest Power Blower	BS900	n/a
Super Vac PPV	H5.5	n/a
(4) Traffic warning device	n/a	n/a
(4) Equipment bags	n/a	n/a
(2) Hot sticks	n/a	n/a
Pike poles	n/a	n/a
Cribbing	n/a	n/a
Water appliances	n/a	n/a
(2) Camera chargers	Scott	n/a
Thermal camera	FLIR K2	Illegible
(10) Fire Hose	1.75"NHx50'T	n/a
(17) Fire Hose	1.75"NHx50'W	n/a
(10) Fire Hose	2.5"NHx50'W	n/a
(5) Fire Hose	3"NHx50'W	n/a
(5) Fire Hose	5"STZx100'Y	n/a
Detent Valve	2.5"Fx1.5"M	n/a
Nozzle	TFT-FSS10	n/a
(2) Gated Y	2.5"NHx1.5NH	n/a
Hydrant Wrench	TFT-A3835	n/a
Detent Valve	1.5"Fx1.5"M	n/a
Nozzle	TFT-ME1TO-202	n/a
(14) Protective Coat	Coat	C7103599004 C7103599014 C7103599020 C7103599016 C7104467009 C7104467018 C7203222013 (7) n/a

(14) Protective Pant	Pant	P103599009 P103599014 P103599016 P7104467004 P7104467018 P7203222013 P103599004 (7) n/a
(14) Protective Boot	Boot	n/a
(25) Protective Hood	Fire-DEX H41	n/a
Nozzle	1" F10 40 GPM	n/a
Nozzle	TFT-DS1040P	n/a


William Hyde

Date: 11-12-2024


Notary Public

Date: 11/12/24

Commission Expires: 3/19/32



RESOLUTION NO. R24-_____

A RESOLUTION AMENDING THE 2024 BUDGET; ESTABLISHING CAPITAL PROJECT ACCOUNT #315-15-81148 WESTSIDE TAXILANE PHASE I; APPROPRIATING THIRTY-THREE THOUSAND FIVE HUNDRED TWENTY-FIVE DOLLARS (\$33,525.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT #315-15-81148 WESTSIDE TAXILANE PHASE I; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT AMENDMENT WITH GARVER, LLC, OF NORTH LITTLE ROCK, ARKANSAS, FOR ENVIRONMENTAL PHASE ENGINEERING SERVICES FOR CONSTRUCTION OF AN AIRCRAFT TAXILANE AT THE ROGERS EXECUTIVE AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, The City desires to enter into a contract amendment with Garver, LLC, of North Little Rock, Arkansas, to include environmental phase engineering services for construction of an aircraft taxilane at the Rogers Executive Airport;

WHEREAS, Funding has been allocated from funds allocated to the Rogers Executive Airport under the Bipartisan Infrastructure Law with an airport improvement grant anticipated in Fiscal Year 2025; and

WHEREAS, Taxilane infrastructure is needed to continue the growth and development of the airport and support the growth of the NWA region.

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

Section 1: Capital Project Account #315-15-81148 West Side Taxilane Phase I is hereby established;

Section 2: The 2024 budget is amended to appropriate the sum of thirty-three thousand five hundred twenty-five dollars (\$33,525.00) from Airport Fund Reserves into Account #315-15-81148 West Side Taxilane Phase I for the execution of a contract amendment with Garver, LLC and administration expenses;

Section 3: The Mayor and City Clerk are authorized to enter into a Contract Amendment with Garver, LLC, for design and bid phase services associated with the Construct Hangar and Apron project at the Rogers Executive Airport in an amount not to exceed twenty-three thousand five hundred twenty-five dollars (\$23,525.00), plus applicable taxes, if any;

Section 4: Execution of said contract amendments with Garver, LLC shall be contingent upon the approval of the Federal Aviation Administration, as may be required;

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 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: David Krutsch, Airport Manager
Reviewed by: John M. Pesek, Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R24-_____

A RESOLUTION AMENDING THE 2024 BUDGET; ESTABLISHING CAPITAL PROJECT ACCOUNT #315-15-81147 CONSTRUCT HANGAR AND APRON; APPROPRIATING TWO HUNDRED TWENTY THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$220,450.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT #315-15-81147 CONSTRUCT HANGAR AND APRON; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT AMENDMENT WITH GARVER, LLC, OF NORTH LITTLE ROCK, ARKANSAS, FOR DESIGN AND BID PHASE ENGINEERING SERVICES FOR CONSTRUCTION OF AN AIRCRAFT HANGAR AND APRON AT THE ROGERS EXECUTIVE AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, The City desires to enter into a contract amendment with Garver, LLC, of North Little Rock, Arkansas, to include design and bid phase engineering services for construction of an aircraft hangar and apron at the Rogers Executive Airport;

WHEREAS, funding has been allocated from funds allocated to the Rogers Executive Airport under the Bipartisan Infrastructure Law with an airport improvement grant anticipated in Fiscal Year 2025; and

WHEREAS, the Airport is in need of additional hangar capacity to accommodate growing demand and lease revenue from the hangar will help support the operation, maintenance, and development of the airport.

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

Section 1: Capital Project Account #315-15-81147, Construct Hangar and Apron, is hereby established;

Section 2: The 2024 budget is hereby amended to appropriate two hundred twenty thousand four hundred fifty dollars (\$220,450.00) from Airport Fund Reserves into Account #315-15-81147 Construct Hangar and Apron for the execution of a contract amendment with Garver, LLC and administration expenses;

Section 3: The Mayor and City Clerk are authorized to enter into a Contract Amendment with Garver, LLC, for design and bid phase services associated with the Construct Hangar and Apron project at the Rogers Executive Airport in the amount not to exceed two hundred ten thousand four hundred fifty dollars (\$210,450.00), plus applicable taxes, if any;

Section 4: Execution of said contract amendments with Garver, LLC shall be contingent upon the approval of the Federal Aviation Administration, as may be required;

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 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: David Krutsch, Airport Manager
Reviewed by: John M. Pesek, Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R24-_____

A RESOLUTION AMENDING THE 2024 BUDGET TO APPROPRIATE TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT #315-15-70308 ENGINEERING EXPENSES; AND FOR OTHER PURPOSES.

WHEREAS, Ongoing development of the airport requires additional miscellaneous engineering services, including but not limited to development plan reviews, utility extension and easement coordination, site planning coordination, and miscellaneous construction coordination services; and

WHEREAS, The existing budget underestimated the level of development activity and corresponding level of miscellaneous engineering services required in Fiscal Year 2024.

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

Section 1: The sum of twenty-five thousand dollars (\$25,000.00) is hereby appropriated from Airport Fund Reserves into Account #315-15-70308 Engineering Expenses;

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: David Krutsch, Airport Manager
Reviewed by: John M. Pesek, Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R24-_____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO
AN EASEMENT AGREEMENT WITH SOUTHWESTERN ELECTRIC POWER
COMPANY, ARKANSAS, INC., A DELAWARE CORPORATION, AT THE ROGERS
EXECUTIVE AIRPORT; AND FOR OTHER PURPOSES.**

WHEREFORE, Southwestern Electrical Power Company (“SWEPCO”) needs to extend one of its electrical utility lines due to the construction of hanger sites at the Rogers Executive Airport

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

Section 1: That the City grants to SWEPCO an Easement, more particularly described in the attached Exhibit “A”, that is needed for the extension of utility lines to additional hanger sites at the Rogers Executive Airport;

Section 2: That pursuant to Ark. Code Ann. § 14-54-302, the Mayor and City Clerk are hereby authorized to execute the attached easement agreement with SWEPCO as found in Exhibit “A”;

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 _____, 2024.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: David Krutsch, Airport Manager
Prepared By: John Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

RIGHT OF WAY AND EASEMENT

STATE OF ARKANSAS

COUNTY OF BENTON

GRANTORS: City of Rogers
301 W Chestnut
Rogers, Ar. 72756

In consideration of one dollar, paid, and other good and valuable considerations, receipt of which is acknowledged, have and by these presents do grant and convey unto GRANTEE, SOUTHWESTERN ELECTRIC POWER COMPANY, a Delaware corporation, whose address is 428 Travis St, P.O. Box 21106, Shreveport, LA 71156, its associated and allied companies and their respective successors and assigns, herein referred to as GRANTEE, a perpetual right of way and easement over and through a part of the following described property:

Parcel# 02-00643-000 in Benton County Arkansas

ELECTRIC EASEMENT DESCRIPTION:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30 TOWNSHIP 20 NORTH RANGE 29 WEST ALL SITUATED IN BENTON COUNTY ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 02°40'36" WEST ALONG THE EAST LINE THEREOF A DISTANCE OF 1348.75 FEET; THENCE NORTH 87°19'24" WEST DEPARTING SAID EAST LINE A DISTANCE OF 834.94 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 33°16'26" WEST A DISTANCE OF 790.28 FEET; THENCE NORTH 69°42'57" WEST A DISTANCE OF 410.36 FEET; THENCE NORTH 32°32'32" WEST A DISTANCE OF 28.37 FEET TO THE EASTERLY LINE OF AN EXISTING ELECTRIC EASEMENT AS SHOWN ON EXHIBIT PROVIDED BY GARVER AND SHOWN ON PAGE 2 OF 2 OF GARVER JOB NUMBER 19A13201; THENCE NORTH 07°53'28" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 30.84 FEET; THENCE SOUTH 32°32'32" EAST DEPARTING SAID EASTERLY LINE A DISTANCE OF 45.12 FEET; THENCE SOUTH 69°42'57" EAST A DISTANCE OF 387.72 FEET; THENCE NORTH 33°16'26" EAST A DISTANCE OF 762.29 FEET; THENCE SOUTH 87°50'21" EAST A DISTANCE OF 23.36 FEET TO THE POINT OF BEGINNING. CONTAINING 24,241 SQUARE FEET OR 0.56 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD AND FACT IF ANY.

"Attached Easement Exhibit"

With the right to construct, reconstruct, repair, replace, change the size and capacity of, modify, operate, maintain, inspect, remove, a line or lines of underground and/or overhead facilities, including, but not limited to, poles, structures, wires, cables, conduits, guys, anchors, and other fixtures and equipment as the GRANTEE may from time to time require for the distribution of electric current, and other forms of energy, and for the transmission or communication of data, audio and video information. Together with the right of ingress and egress to said right of way and easement at all times with equipment and personnel across GRANTOR'S lands for the purpose of constructing, operating and maintaining said lines and related facilities and making all necessary repairs, alterations or removal of any of its property placed thereon, provided that GRANTEE shall repair, replace, or pay for actual damages which may be the result of construction, maintenance and operation of its facilities. GRANTOR shall not construct nor permit to be constructed, any structure or building of any type or nature, including swimming pools, on or adjacent to the said easement right of way that would prevent the use or endanger the said facilities or that would cause a violation of the National Electric Safety Code. In addition, the GRANTEE may trim, treat, cut down, or remove any trees, growth and vegetation without incurring damages (within the right of way or which could grow into the right of way) which may interfere with GRANTEE'S lines and other facilities

SIGNED AND DATED, this _____ day of _____, 2024.

Title

THE STATE OF ARKANSAS)
) SS
COUNTY OF BENTON

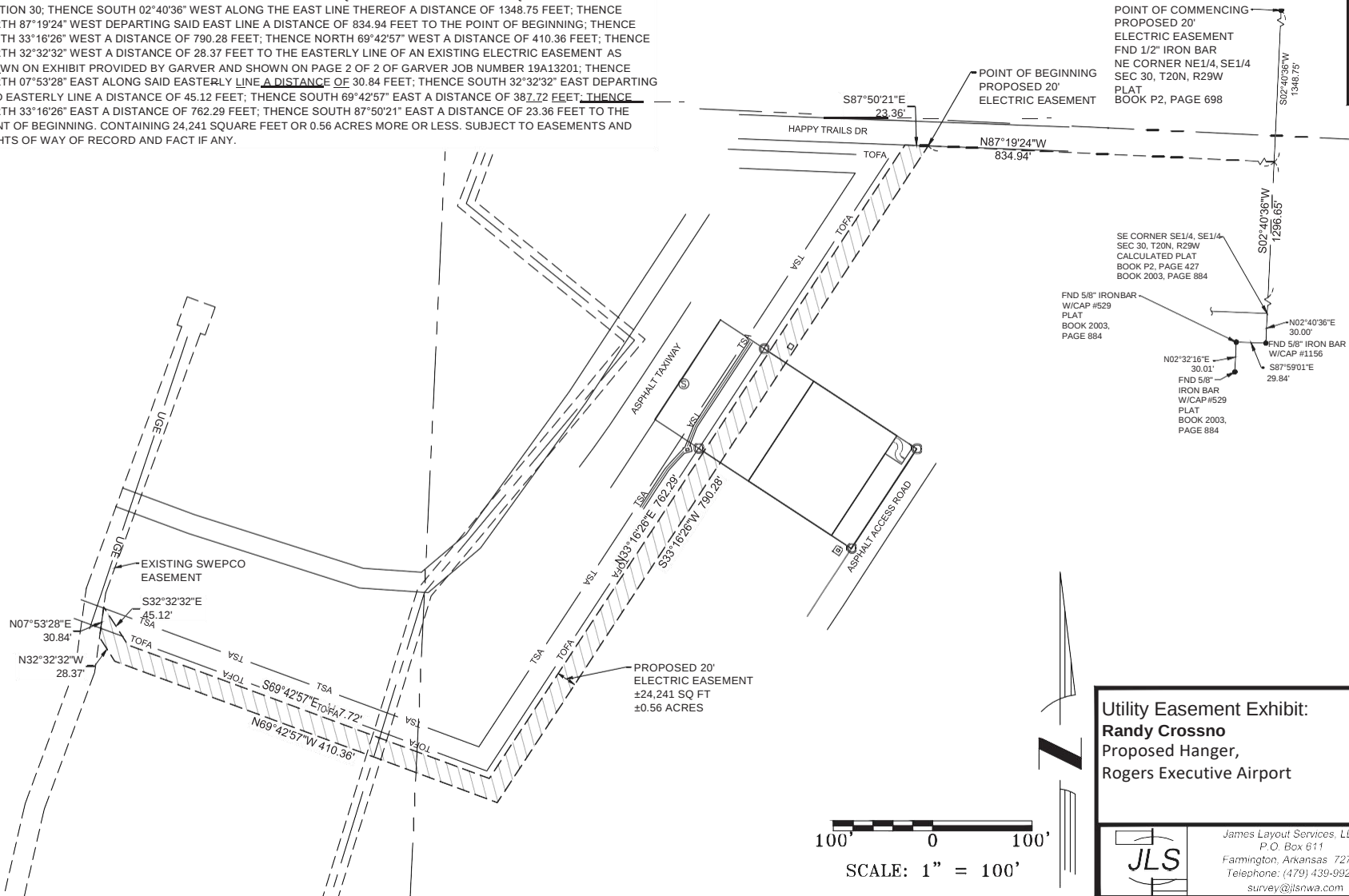
In witness whereof I hereunto set my hand and official seal.

SWEPCO Right-of-Way
101 W Township
Fayetteville, AR 72703

PROPOSED ELECTRIC EASEMENT DESCRIPTION:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30 TOWNSHIP 20 NORTH RANGE 29 WEST ALL SITUATED IN BENTON COUNTY ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 02°40'36" WEST ALONG THE EAST LINE THEREOF A DISTANCE OF 1348.75 FEET; THENCE NORTH 87°19'24" WEST DEPARTING SAID EAST LINE A DISTANCE OF 834.94 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 33°16'26" WEST A DISTANCE OF 790.28 FEET; THENCE NORTH 69°42'57" WEST A DISTANCE OF 410.36 FEET; THENCE NORTH 32°32'32" WEST A DISTANCE OF 28.37 FEET TO THE EASTERLY LINE OF AN EXISTING ELECTRIC EASEMENT AS SHOWN ON EXHIBIT PROVIDED BY GARVER AND SHOWN ON PAGE 2 OF 2 OF GARVER JOB NUMBER 19A13201; THENCE NORTH 07°53'28" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 30.84 FEET; THENCE SOUTH 32°32'32" EAST DEPARTING SAID EASTERLY LINE A DISTANCE OF 45.12 FEET; THENCE SOUTH 69°42'57" EAST A DISTANCE OF 387.72 FEET; THENCE NORTH 33°16'26" EAST A DISTANCE OF 762.29 FEET; THENCE SOUTH 87°50'21" EAST A DISTANCE OF 23.36 FEET TO THE POINT OF BEGINNING. CONTAINING 24,241 SQUARE FEET OR 0.56 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD AND FACT IF ANY.



Recording Information

Utility Easement Exhibit:
Randy Crossno
Proposed Hanger,
Rogers Executive Airport

Project Data
Job Number: 23-182
Date: 11/14/2024
System: AR SPC North Zone
Field Op.: AS
Drawn By: JWSJR
Checked By: M.J.

Scale 1"=100'
Sheet 1 of 1
Revision 0



James Layout Services, LLC
P.O. Box 611
Farmingington, Arkansas 72730
Telephone: (479) 439-9929
survey@jlsnwa.com

ORDINANCE NO. 24-____

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM C-2 and R-O TO C-3; 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 C-3 (Neighborhood Commercial) zoning.

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

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 C-3 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

TRACT 2A: A PART OF TRACT 2 OF THE NEW DEAL IV, INC. TRACT SPLIT, RECORDED IN PLAT RECORD 21L AT PAGE 274, BEING A PART OF THE NE¼ OF THE SW¼ OF SECTION 10, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, CITY OF ROGERS, STATE OF ARKANSAS DESCRIBED AS: FROM THE NORTHWEST CORNER OF SAID TRACT 2 RUN SOUTH 00°21'40" WEST 44.86 FEET ALONG THE WEST LINE THEREOF TO THE POINT OF BEGINNING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST WALNUT STREET (U.S. HIGHWAY 71B); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 3 COURSES: SOUTH 89°19'48" EAST 57.41 FEET; THENCE SOUTH 78°01'12" EAST 101.98 FEET; THENCE SOUTH 89°19' 48" EAST 63.70 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE SOUTH 00°21'40" WEST 355.54 FEET; THENCE NORTH 89°38'20" WEST 221.00 FEET; THENCE NORTH 00°21'40" EAST 376.73 FEET TO THE POINT OF BEGINNING. SUBJECT TO ANY AND ALL LEGAL EASEMENTS AND/ OR RIGHTS-OF-WAY. AND: TRACT 2B-1: A PART OF TRACT 2B, PLAT RECORD 23L-32, LYING IN THE NE¼ SW¼ OF SECTION 10, TOWNSHIP 19 NORTH, RANGE 30 WEST, TO THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NE¼ SW¼; THENCE NORTH 00°21'40" EAST 968.97 FEET; THENCE SOUTH 89°19'47" EAST 135.00 FEET; THENCE SOUTH 00°21'40" WEST 63.72 FEET; THENCE SOUTH 89°38'20" EAST 221.00 FEET TO THE SOUTHEAST CORNER OF TRACT 2A OF SAID PLAT RECORD 23L- 32 FOR THE POINT OF BEGINNING; THENCE NORTH 00°21'40" EAST 355.54 FEET TO THE SOUTH RIGHT OF WAY OF WEST WALNUT STREET (HWY 71B); THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES: THENCE SOUTH 89°19'47" EAST 87.70 FEET; THENCE SOUTH 88°25'01" EAST 348.53 FEET; THENCE NORTH 82°29' 10" EAST 69.48 FEET; THENCE SOUTH 89°14'20" EAST 231.23 FEET; THENCE SOUTH 00°45'40" WEST 130.00 FEET; THENCE SOUTH 89°14'20" EAST 42.34 FEET; THENCE SOUTH 45°09'56" WEST 172.43 FEET; THENCE SOUTH 00°09'56" WEST 13.32 FEET; THENCE SOUTH 49°53'47" WEST 245.86 FEET; THENCE 211.88 FEET ALONG A CURVE TO THE LEFT HAVING A 425.00 FOOT RADIUS AND SOUTH 35°36'51" WEST 209.69 FOOT CHORD; THENCE SOUTH 27°09'07" WEST 155.88 FEET; THENCE NORTH 35°47'07" WEST 471.02

FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, PROTECTIVE COVENANTS AND OIL, GAS AND MINERAL RESERVATIONS OF RECORD.

LAYMAN'S DESCRIPTION:

Approximately 9.6 acres near the southwest corner of W Walnut and South 28th
Parcel 02-00898-000

Section 3: Zoning. That the above described lands are better suited for C-3 than C-2 and R-O zoning and same should be and are hereby zoned C-3. Under the Unified Development Code § 1.4.3, this property will be classified as T5.1;

Section 4: Density Concept Plan. That the Density Concept Plan entered into by and between Resortments LLC and the City of Rogers, as approved by the Rogers Planning Commission on November 19, 2024, 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, City Clerk

Requested by: John McCurdy, Director of Community Development

Reviewed by: John M. Pesek, Senior Staff Attorney

Prepared by: Zachery Birdsong, Planner

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 24-__

**AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT
CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM I-1 TO T5.2;
PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, Pursuant to the provisions of the City of Rogers' Unified Development Code § 2.8, *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 T5.2 zoning.

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

Section 1: Section 1.4.3 of the City of Rogers Unified Development Code as well as the City of Rogers Official Zoning Map shall be amended as provided herein;

Section 2: The land described herein shall be zoned as T5.2 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR WHICH IS S02°15'10"W 994.99' AND S87°08'59"E 129.63' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N02°26'49"E 330.44', THENCE S87°32'16"E 100.01' TO AN EXISTING REBAR, THENCE N02°11'35"E 332.37', THENCE S88°46'34"E 99.89' TO AN EXISTING REBAR, THENCE S87°06'34"E 199.17' TO AN EXISTING REBAR, THENCE S87°48'00"E 115.24' TO AN EXISTING REBAR, THENCE S02°33'51"W 133.65' TO AN EXISTING REBAR, THENCE S02°53'34"W 199.91' TO AN EXISTING CONCRETE MONUMENT, THENCE S87°24'13"E 48.75' TO AN EXISTING REBAR, THENCE S02°09'10"W 149.97' TO AN EXISTING REBAR, THENCE S87°29'55"E 621.00', THENCE S02°12'28"W 179.93', THENCE N87°32'18"W 1182.24' TO THE POINT OF BEGINNING, CONTAINING 9.98 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN NORTH 2ND STREET RIGHT-OF-WAY ON THE EAST SIDE OF HEREIN DESCRIBED TRACT AND ALSO SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

LAYMAN'S DESCRIPTION:

2254 N 2nd Street, approximately 10 acres near the southwest corner of N 2nd Street and West Hudson; Parcels 02-00741-000 and 02-00737-000

Section 3: Zoning: The above described lands are better suited for T5.2 (City Medium-Intensity) than I-1 (Light Industrial) zoning and same should be and are hereby zoned T5.2;

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: Zachery Birdsong, Planner

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 24-__

**AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT
CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T2 TO T4.2;
PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, Pursuant to the provisions of the City of Rogers' Unified Development Code § 2.8, *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 T4.2 zoning.

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

Section 1: Section 1.4.3 of the City of Rogers Unified Development Code as well as the City of Rogers Official Zoning Map shall be amended as provided herein;

Section 2: The land described herein shall be zoned as T4.2 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

PT NW NW BEG NW/C E190' S420' W190' N420' TO POB

LAYMAN'S DESCRIPTION:

5497 South Pinnacle Hills Parkway; Parcel 05-10124-000

Section 3: Zoning: The above described lands are better suited for T4.2 (Neighborhood High-Intensity) than T2 (Rural) zoning and same should be and are hereby zoned T4.2;

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: Zachery Birdsong, Planner

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 24-__

**AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT
CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T2 TO T4.2;
PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, Pursuant to the provisions of the City of Rogers' Unified Development Code § 2.8, *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 T4.2 zoning.

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

Section 1: Section 1.4.3 of the City of Rogers Unified Development Code as well as the City of Rogers Official Zoning Map shall be amended as provided herein;

Section 2: The land described herein shall be zoned as T4.2 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY OF SOUTH BELLVIEW ROAD WHICH IS S02°40'35"W 221.46' AND S87°20'20"E 39.17' FROM THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE S87°20'20"E 373.59' TO THE WEST LINE OF HAWTHORNE GROVE SUBDIVISION PHASE 1 AS PER THE FINAL PLAT THEREOF FILED AS BENTON COUNTY PLAT L202433140, THENCE ALONG SAID WEST SUBDIVISION LINE THE FOLLOWING: S02°40'39"W 237.38', N87°21'15"W 3.62', N87°27'50"W 361.50' TO THE EAST RIGHT-OF-WAY OF SOUTH BELLVIEW ROAD, THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING: N02°13'32"E 125.70', THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 837.00' FOR A CHORD BEARING AND DISTANCE OF N00°13'44"W 71.34', N02°40'59"W 41.41' TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

LAYMAN'S DESCRIPTION:

5581 S. Bellview Road and a portion of 5537 S. Bellview Road
Parcels 02-14354-000, 02-14353-000

Section 3: Zoning: The above described lands are better suited for T4.2 (Neighborhood High-Intensity) than T2 (Rural) zoning and same should be and are hereby zoned T4.2;

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: Zachery Birdsong, Planner

For Consideration By: Community Environment & Welfare Committee