



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: January 14, 2025

The following committee meetings will be held on **Tuesday, January 14, 2025** prior to the City Council Meeting:

5:30pm Swear In Newly Elected & Reelected Council Members

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

Committee Room #2 OR <https://us02web.zoom.us/j/86396388754> OR (312)626-6799 ID: 863 9638 8754

- To Discuss:
- (a) A Resolution Scheduling A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, Arkansas (1233 W. Walnut)
 - (b) A Resolution Scheduling A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, Arkansas (1513 S. Dixieland Rd.)
 - (c) An Ordinance Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 425 W. Walnut Street
 - (d) An Ordinance Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 1231 W. Walnut Street

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

Committee Room #1 OR <https://us02web.zoom.us/j/86512149174> OR (312)626-6799 ID: 865 1214 9174

- To Discuss:
- (a) A Resolution Designating An Electronic Bidding Service Vendor And Website For Public Works Projects And Renovation Of Historic Sites For Calendar Year 2025; Directing Publication Of The Designations

06:00 p.m. - COMMUNITY SERVICES COMMITTEE: (Brashear*, Hayes, Surly)

Committee Room #1 OR <https://us02web.zoom.us/j/86512149174> OR (312)626-6799 ID: 865 1214 9174

- To Discuss:
- (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Local Food Strategies, LLC Of Fayetteville, Arkansas For Planning And Promotional Services For The Rogers Local Food Market
 - (b) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Contract With Crowne Group, LLC Of Fayetteville, Arkansas, For Event Marketing, Promotion, And Programming Services Of Butterfield Stage

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

Committee Room #2 OR <https://us02web.zoom.us/j/86396388754> OR (312)626-6799 ID: 863 9638 8754

- To Discuss:
- (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Contract With NWA Entertainment, LLC In The Amount Of \$40,000.00 For The City's 2025 Fourth Of July Fireworks Display
 - (b) A Resolution Amending Resolution No. R24-88 Adopting The City Of Rogers' 2025 Budget
 - (c) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Grant Agreement For An Urban And Community Forestry Grant; Amending The 2025 Budget To Recognize Funds In The Amount Of \$381,907.00 Into Account #200-25-45200 Federal Canopy Recovery Plan Grant Revenue; Appropriating That Same Amount Into Account #200-25-75200 Federal Canopy Recovery Plan Grant Expense

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

Committee Room #1 OR <https://us02web.zoom.us/j/86512149174> OR (312)626-6799 ID: 865 1214 9174

- To Discuss:
- (a) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T5.1 To T4.2 (Newell Bellview – Pleasant Grove, Emerald, Bellview) [MAP](#)
 - (b) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T5.1 And I-1 To T4.1 (Reginald Wright – 920 S. 1st St) [MAP](#)



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ROGERS CITY COUNCIL
***AMENDED* AGENDA**

JANUARY 14, 2025
6:30 PM

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In Person Rogers City Council Chambers

OR via [ZOOM LINK](#) OR By Phone (312) 626-6799 ID: 874 1104 8687

PUBLIC HEARING:

1. A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, Arkansas (1233 W. Walnut)
2. A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, Arkansas (1513 S. Dixieland Rd.)

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. December 10, 2024

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Scheduling A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, Arkansas (1233 W. Walnut) PUBLIC SAFETY COMMITTEE
2. RES. Re: Scheduling A Public Hearing To Determine A Nuisance Structure On Certain Property Located In Rogers, PUBLIC SAFETY COMMITTEE

- Arkansas (1513 S. Dixieland Rd.)
3. ORD. Re: Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 425 W. Walnut Street PUBLIC SAFETY COMMITTEE
 4. ORD. Re: Declaring A Nuisance Structure And Ordering The Razing And Removal Of Said Structure Within The City Of Rogers, Arkansas, Located At 1231 W. Walnut Street PUBLIC SAFETY COMMITTEE
 5. RES. Re: Designating An Electronic Bidding Service Vendor And Website For Public Works Projects And Renovation Of Historic Sites For Calendar Year 2025; Directing Publication Of The Designations PUBLIC WORKS COMMITTEE
 6. RES. Re: Authorizing The Mayor And City Clerk To Enter Into An Agreement With Local Food Strategies, LLC Of Fayetteville, Arkansas For Planning And Promotional Services For The Rogers Local Food Market COMMUNITY SERVICES COMMITTEE
 7. RES. Re: Authorizing The Mayor And City Clerk To Enter Into A Contract With Crowne Group, LLC Of Fayetteville, Arkansas, For Event Marketing, Promotion, And Programming Services Of Butterfield Stage COMMUNITY SERVICES COMMITTEE
 8. RES. Re: Authorizing The Mayor And City Clerk To Enter Into A Contract With NWA Entertainment, LLC In The Amount Of \$40,000.00 For The City's 2025 Fourth Of July Fireworks Display FINANCE COMMITTEE
 9. RES. Re: Amending Resolution No. R24-88 Adopting The City Of Rogers' 2025 Budget FINANCE COMMITTEE
 10. RES. Re: Authorizing The Mayor And City Clerk To Enter Into A Grant Agreement For An Urban And Community Forestry Grant; Amending The 2025 Budget To Recognize Funds In The Amount Of \$381,907.00 Into Account #200-25-45200 Federal Canopy Recovery Plan Grant Revenue; Appropriating That Same Amount Into Account #200-25-75200 Federal Canopy Recovery Plan Grant Expense FINANCE COMMITTEE
 11. ORD. Re: Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T5.1 To T4.2 (Newell Bellview – Pleasant Grove, Emerald, Bellview) COMMUNITY ENVIRONMENT & WELFARE COMMITTEE
 12. ORD. Re: Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T5.1 And I-1 To T4.1 (Reginald Wright – 920 S. 1st St) COMMUNITY ENVIRONMENT & WELFARE COMMITTEE

OLD BUSINESS:

1. RES. Re: Amending The 2024 Budget To Appropriate \$330,000.00 From Street Fund Reserves Into Account #200-25-70308 Engineering Expense For Roundabout Design

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R25-_____

**A RESOLUTION SCHEDULING A PUBLIC HEARING TO DETERMINE A
NUISANCE STRUCTURE ON CERTAIN PROPERTY LOCATED IN ROGERS,
ARKANSAS; AND FOR OTHER PURPOSES.**

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

LEGAL DESCRIPTION: PT SW NW BEG SW/C N264' E309' S264' W309' TO POB LESS & EXCEPT: PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT BEING USED AS THE QUARTER CORNER OF SAID SECTIONS 11 AND 12; THENCE NORTH 02°29'58" EAST ALONG THE CONSTRUCTION CENTERLINE OF NORTH 13TH STREET A DISTANCE OF 85.01 FEET: TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 71B (WEST WALNUT STREET) AS ESTABLISHED BY AHTD JOB 9883 FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 02°29'58" EAST: ALONG THE CONSTRUCTION CENTERLINE OF NORTH 13TH STREET A DISTANCE OF 14.99 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 71B (WEST WALNUT STREET) AS ESTABLISHED BY AHTD .LOB 090338; THENCE SOUTH 87°30'02" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 40.00 FEET TO A POINT; THENCE SOUTH 22°37'42" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 44.98 FEET TO A POINT; THENCE SOUTH 66°14'34" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 42.72 FEET TO A POINT; THENCE SOUTH 86°47'56" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 207.54 FEET TO A POINT; THENCE SOUTH 02°40'49" WEST A DISTANCE OF 13.56 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 71B (WEST WALNUT STREET) AS ESTABLISHED BY AHTD JOB 9883; THENCE NORTH 85°02'43" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 173.47 FEET TO A POINT; THENCE NORTH 78°07'37" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 54.22 FEET TO A POINT; THENCE NORTH 86°23'42" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 6.48 FEET TO A POINT; THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY LINE ON A CURVE 49.75 FEET TO THE RIGHT, HAVING A RADIUS OF 35.00 FEET, THE CHORD OF WHICH IS NORTH 45°40'33" WEST FOR A DISTANCE OF 45.66 FEET TO A POINT; THENCE NORTH 86°47'56" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 7.88 FEET TO A POINT; THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY LINE ON A CURVE 5.01 FEET TO THE RIGHT, HAVING A RADIUS OF 43.00 FEET, THE CHORD OF WHICH IS NORTH 00°08'15" WEST FOR A DISTANCE OF 5.01 FEET TO A POINT; THENCE NORTH 03°12'04" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 5.00 FEET TO A

POINT; THENCE NORTH 86°47'56" WEST: ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 31.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.08 ACRES (3,568 SQUARE FEET) MORE OR LESS, AS SHOWN ON PLANS REFERENCED AS AHTD .LOB 090338. (AHTD JOB 090338 TCT 044A) AND LESS & EXCEPT: PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT BEING USED AS THE QUARTER CORNER OF SAID SECTIONS 11 AND 12; THENCE NORTH 02°29'58" EAST ALONG THE CONSTRUCTION CENTERLINE NORTH 13TH STREET A DISTANCE OF 100.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 71B (WEST WALNUT STREET) AS ESTABLISHED BY AHTD JOB 090338 FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 02°29'58" EAST ALONG THE CONSTRUCTION CENTERLINE OF NORTH 13TH STREET A DISTANCE OF 125.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF NORTH 13TH STREET AS ESTABLISHED BY AHTD JOB 090338; THENCE SOUTH 87°30'02" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 30.00 FEET TO A POINT; THENCE SOUTH 42°30'02" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 7.07 FEET TO A POINT; THENCE SOUTH 00°06'48" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 120.10 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 71B (WEST WALNUT STREET) AS ESTABLISHED BY AHTD JOB 090338; THENCE NORTH 87°30'02" WEST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.11 ACRES (4,662 SQUARE FEET) MORE OR LESS, AS SHOWN ON PLANS REFERENCED AS AHTD JOB 090338. (AHTD JOB 090338 TCT 044B)

LAYMAN'S DESCRIPTION: 1233 W. Walnut St. Rogers, AR 72756
PARCEL NO.: 02-01243-001

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, the property owners of record did not abate the dilapidated, unsightly, unsafe, and unsanitary conditions on this property, and as a result, the City of Rogers requests a hearing to seek a finding that the structure is a nuisance structure in accordance with § 18-59 of the Code of Ordinances; and

WHEREAS, to make a finding that the structure is a nuisance, this City Council shall set a date and time for a public hearing before the City Council for consideration of the dilapidated, unsightly, unsafe, and unsanitary conditions on the above described property.

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

Section 1: A hearing to determine if the structure shall be deemed a nuisance is scheduled for and shall be held along with the regularly scheduled City Council meeting on Tuesday, February 25, 2025 at 6:30 p.m.;

Section 2: The City's Legal Department will send a copy of this Resolution and its request for a hearing to the property owner as required under Ark. Code Ann. § 14-54-903;

Section 3: Severability Provision: If any part of this Resolution is held to be 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 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 _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John Vanatta, Deputy Fire Chief - Risk Reduction

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Public Safety Committee

RESOLUTION NO. R25-_____

**A RESOLUTION SCHEDULING A PUBLIC HEARING TO DETERMINE A NUISANCE
STRUCTURE ON CERTAIN PROPERTY LOCATED IN ROGERS, ARKANSAS; AND FOR
OTHER PURPOSES.**

WHEREAS, 1513 South Dixieland Road, LLC, is the owner of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

LEGAL DESCRIPTION: N300' TCT 3 & BEG NW/C SW NE S0°E775' POB S0°E19' E330'
N0°W19' W330' POB

LAYMAN'S DESCRIPTION: 1513 S. Dixieland Rd. Rogers, AR 72758
PARCEL NO.: 02-07110-000

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, the property owners of record did not abate the dilapidated, unsightly, unsafe, and unsanitary conditions on this property, and as a result, the City of Rogers requests a hearing to seek a finding that the structure is a nuisance structure in accordance with § 18-59 of the Code of Ordinances; and

WHEREAS, to make a finding that the structure is a nuisance, this City Council shall set a date and time for a public hearing before the City Council for consideration of the dilapidated, unsightly, unsafe, and unsanitary conditions on the above described property.

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

Section 1: A hearing to determine if the structure shall be deemed a nuisance is scheduled for and shall be held along with the regularly scheduled City Council meeting on Tuesday, February 25, 2025 at 6:30 p.m.;

Section 2: The City's Legal Department will send a copy of this Resolution and its request for a hearing to the property owner as required under Ark. Code Ann. § 14-54-903;

Section 3: Severability Provision: If any part of this Resolution is held to be 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 _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John Vanatta, Deputy Fire Chief - Risk Reduction

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Public Safety Committee

ORDINANCE NO. 25-_____

**AN ORDINANCE DECLARING A NUISANCE STRUCTURE AND ORDERING THE
RAZING AND REMOVAL OF SAID STRUCTURE WITHIN THE CITY OF ROGERS,
ARKANSAS, LOCATED AT 425 W. WALNUT STREET; PROVIDING FOR THE
EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, RHL Mott Properties LLC, are the owners of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

LEGAL DESCRIPTION: OUTLOT 145 IN SECTION 12, TOWNSHIP 19 NORTH, RANGE 30 WEST, IN THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING 40 FEET NORTH OF THE SW CORNER OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 12, THENCE NORTH 79 DEGREES EAST 72 FEET AND 8 INCHES TO THE SW CORNER OF BLOCK 35 OF B.F. SIKES ADDITION TO ROGERS, THENCE NORTH ON THE BEARING WITH THE TOWN OF ROGERS 150 FEET; THENCE WEST ON BEARING WITH THE ORIGINAL TOWN OF ROGERS, 84 FEET MORE OR LESS TO THE WEST LINE OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 12, THENCE SOUTH 164 1/2 FEET TO THE POINT BEGINNING. SUBJECT TO COVENANTS, EASEMENTS AND RIGHT OF WAYS, IF ANY.

Layman's Description: 425 W. Walnut Street, Rogers, AR 72756

Tax Parcel No. 02-01156-000

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 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 September 9, 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 25, 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 January 14, 2025, which concluded that violations 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 425 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 _____, 2025.

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. 25-_____

AN ORDINANCE DECLARING A NUISANCE STRUCTURE AND ORDERING THE RAZING AND REMOVAL OF SAID STRUCTURE WITHIN THE CITY OF ROGERS, ARKANSAS, LOCATED AT 1231 W. WALNUT STREET; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, RPC Land Holdings LLC, are the owners of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

LEGAL DESCRIPTION: PT SW NW BEG 264' N SW/C THENCE N174' E308.23' S174' W TO POB (ALSO KNOWN PT OL 111 SW NW)

Layman's Description: 1231 W. Walnut Street, Rogers, AR 72756

Tax Parcel No. 02-01242-000

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 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 September 9, 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 25, 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 January 14, 2025, which concluded that violations 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 1231 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 _____, 2025.

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. R25-_____

A RESOLUTION DESIGNATING AN ELECTRONIC BIDDING SERVICE VENDOR AND WEBSITE FOR PUBLIC WORKS PROJECTS AND RENOVATION OF HISTORIC SITES FOR CALENDAR YEAR 2025; DIRECTING PUBLICATION OF THE DESIGNATIONS; AND FOR OTHER PURPOSES.

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

WHEREAS, the City designates that Central Bidding be designated as an electronic bidding service vendor for the City of Rogers for calendar year 2025.

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

Section 1: Central Bidding is hereby designated as an electronic bidding service vendor for the City of Rogers and all of its departments, agencies, boards, bureaus, commissions, committees and any other authority of the City, however organized and titled, for notices of intention to receive bids under Ark. Code Ann. § 22-9-203 and Ark. Code. Ann. § 22-9-209 for Calendar Year 2025, subject to Central Bidding continuing to be approved by the Office of State Procurement as an electronic bidding service vendor;

Section 2: Central Bidding's website, centrallauctionhouse.com, is hereby designated as a website for the City of Rogers and all of its departments, agencies, boards, bureaus, commissions, committees and any other authority of the City, however organized and titled, for posting of advertisements for notices of intention to receive bids under Ark. Code Ann. § 22-9-203 and Ark. Code. Ann. § 22-9-209 for Calendar Year 2025, subject to Central Bidding continuing to be approved by the Office of State Procurement as an electronic bidding service vendor;

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

Section 4: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 5: Repeal of Conflicting Provisions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day _____ 2025.

C. GREG HINES, Mayor

ATTEST:

JESSICA RUSH, City Clerk

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

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

For Consideration By: Public Works Committee

RESOLUTION NO. R25-_____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO
AN AGREEMENT WITH LOCAL FOOD STRATEGIES, LLC OF FAYETTEVILLE,
ARKANSAS FOR PLANNING AND PROMOTIONAL SERVICES FOR THE ROGERS
LOCAL FOOD MARKET; AND FOR OTHER PURPOSES.**

WHEREAS, the Rogers Parks Department desires to contract with Local Food Strategies, LLC of Fayetteville, Arkansas to coordinate and promote the 2025 Rogers Local Food Market;

WHEREAS, the City has used Local Food Strategies, LLC in the past for this service and has seen success with the event and its management of the Local Food Market;

WHEREAS, the Parks Department is requesting that City Council waive the requirements of competitive bidding for this purchase as operation and management of the Rogers Local Food Market is a service requiring specific and personal knowledge, experience and familiarity with local agriculture, farming, and growers; and

WHEREAS, the cost for this service contract was included in the 2025 budget.

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

Section 1: The Mayor and City Clerk are authorized to enter into a contract with Local Food Strategies, LLC of Fayetteville, Arkansas for the planning and promotional services for the 2025 Rogers Local Food Market;

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 _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Quinton Harris, Director of Parks Department
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Community Services Committee

RESOLUTION NO. R25-_____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO
A CONTRACT WITH CROWNE GROUP, LLC OF FAYETTEVILLE, ARKANSAS,
FOR EVENT MARKETING, PROMOTION, AND PROGRAMMING SERVICES OF
BUTTERFIELD STAGE; AND FOR OTHER PURPOSES.**

WHEREAS, the Railyard Park's Butterfield Stage has become an entertainment destination and attraction to the downtown Rogers area;

WHEREAS, Crowne Group, LLC of Fayetteville, Arkansas has adequately programmed, marketed, and promoted the Butterfield Stage for the previous two years and the City desires to continue the relationship; and

WHEREAS, the cost for this service contract was included in the 2025 budget.

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

Section 1: Crowne Group, LLC of Fayetteville, Arkansas has the knowledge, experience, and local familiarity needed for the City's unique entertainment venues;

Section 2: The Mayor and City Clerk are authorized to enter into a contract with Crowne Group, LLC for marketing, programming, and promotion services of the Butterfield Stage;

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;

Section 4: 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 _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Quinton Harris, Director of Parks Department

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Community Services Committee

RESOLUTION NO. R25-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH NWA ENTERTAINMENT, LLC IN THE AMOUNT OF FORTY THOUSAND DOLLARS (\$40,000.00) FOR THE CITY'S 2025 FOURTH OF JULY FIREWORKS DISPLAY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers annually provides a public fireworks display celebrating the Fourth of July;

WHEREAS, NWA Entertainment, LLC previously provided the fireworks display in past years, including 2020, 2021, 2022, 2023, and 2024 and has been deemed the most appropriate event promotion provider for 2025;

WHEREAS, the 2025 contract terms remain identical to that approved in 2024; and

WHEREAS, the price for the fireworks display is forty thousand dollars (\$40,000.00) and this expense is included in the 2025 Budget for the City of Rogers.

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 NWA Entertainment, LLC in an amount not to exceed forty thousand dollars (\$40,000.00) for its event promotion services for the annual Fourth of July Fireworks display;

Section 2: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2025.

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. R25- _____

A RESOLUTION AMENDING RESOLUTION NO. R24-88 ADOPTING THE CITY OF ROGERS' 2025 BUDGET; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Rogers, Arkansas voted to pass Resolution No. 24-88, titled 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 on November 26, 2024;

WHEREAS, Pursuant to Ark. Code Ann. § 14-58-303(b)(3) the statutory pre-bid purchasing threshold for Cities of the First Class has been raised from thirty-five thousand dollars (\$35,000.00) to forty-two thousand nine hundred twenty-one dollars (\$42,921.00) to account for inflation;

WHEREAS, Section 3 of the Resolution No. 24-88 contained the outdated monetary amount under which the Mayor or his authorized representative was given the authority to sign; and

WHEREAS, the City of Rogers, Arkansas amends the amount found in Section 3 of Resolution No. 24-88 from thirty-five thousand dollars (\$35,000.00) to forty-two thousand nine hundred twenty-one dollars (\$42,921.00).

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

Section 1: 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 forty-two thousand nine hundred twenty-one dollars (\$42,921.00);

Section 2: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting 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.

RESOLVED this _____ day of _____, 2025.

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. R25-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A GRANT AGREEMENT FOR AN URBAN AND COMMUNITY FORESTRY GRANT; AMENDING THE 2025 BUDGET TO RECOGNIZE FUNDS IN THE AMOUNT OF THREE HUNDRED EIGHTY-ONE THOUSAND NINE HUNDRED SEVEN DOLLARS (\$381,907.00) INTO ACCOUNT #200-25-45200 FEDERAL CANOPY RECOVERY PLAN GRANT REVENUE; APPROPRIATING THAT SAME AMOUNT INTO ACCOUNT #200-25-75200 FEDERAL CANOPY RECOVERY PLAN GRANT EXPENSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers' Community Department has received a grant in the amount of three hundred eighty-one thousand nine hundred seven dollars (\$381,907.00) from the Arkansas Department of Agriculture's Forestry Division and the USDA Forest Service in the form of an Urban and Community Forestry Grant; and

WHEREAS, the funds will be used to undertake a robust reforestation program to restore canopy along public rights-of-ways in disadvantaged areas to ensure the future health of the City's residents and its urban forest while spreading awareness of the importance of urban tree canopy.

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

Section 1: The Mayor and City Clerk are hereby authorized to enter into a grant agreement with the Arkansas Department of Agriculture's Forestry Division and the USDA Forest Service for an Urban and Community Forestry Grant in the amount of three hundred eighty-one thousand nine hundred seven dollars (\$381,907.00);

Section 2: The Mayor, or his designee; is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the Canopy Recovery Plan;

Section 3: The 2025 Budget is amended to recognize funds in the amount of three hundred eighty-one thousand nine hundred seven dollars (\$381,907.00) into Account #200-25-45200 Federal Canopy Recovery Plan Grant Revenue;

Section 4: The 2025 Budget is amended to appropriate three hundred eighty-one thousand nine hundred seven dollars (\$381,907.00) from Account #200-25-45200 Federal Canopy Recovery Plan Grant Revenue into Account #200-25-75200 Federal Canopy Recovery Plan Grant Expense;

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 _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Community Development Director

Prepared by: John M. Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

ORDINANCE NO. 25-____

AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T5.1 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 SE 1/4 OF THE SE 1/4 OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 30 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT FILED AS INSTRUMENT NO. L201835548, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF THE SE 1/4 OF SAID SE 1/4, THENCE SOUTH 02°41'18" WEST A DISTANCE OF 253.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 02°41'18" WEST A DISTANCE OF 260.38 FEET; THENCE NORTH 87°03'22" WEST A DISTANCE OF 78.54 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BELLVIEW ROAD; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING 2 COURSES: SOUTH 02°40'45" WEST A DISTANCE OF 1.41 FEET TO A POINT OF CURVATURE; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 61.34 FEET TO THE NORTH RIGHT OF WAY LINE OF WEST PLEASANT GROVE ROAD AND TO A POINT OF CURVATURE, SAID CURVE HAVING A RADIUS OF 46.02 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 40°51'56" WEST 56.90 FEET; THENCE LEAVING SAID CURVE AND SAID WEST RIGHT OF WAY LINE, ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG A NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 141.44 FEET, SAID CURVE HAVING A RADIUS OF 989.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 67°56'01" WEST 141.32 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE AND SAID CURVE NORTH 87°03'22" WEST A DISTANCE OF 220.77 FEET TO THE SOUTH RIGHT OF WAY LINE OF WEST PLEASANT GROVE ROAD; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE NORTH 52°44'59" WEST A DISTANCE OF 14.81 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE NORTH 02°41'18" EAST A DISTANCE OF 132.86 FEET TO THE NORTH RIGHT OF WAY LINE OF WEST PLEASANT GROVE ROAD; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING 3 COURSES: ALONG A NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 32.83 FEET, SAID CURVE HAVING A RADIUS OF 989.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 47°01'17" WEST 32.83 FEET; THENCE LEAVING SAID CURVE NORTH 46°04'14" WEST A DISTANCE OF 225.15 FEET TO A POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 203.13 FEET, TO A POINT OF CURVATURE, SAID CURVE HAVING A RADIUS OF 1089.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 51°24'51" WEST 202.84 FEET; THENCE LEAVING SAID CURVE AND SAID NORTH RIGHT OF WAY LINE, ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 32.41 FEET TO A POINT OF TANGENCY, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 19°36'49" WEST 30.19 FEET; THENCE LEAVING SAID CURVE NORTH 17°31'50" EAST A DISTANCE OF 66.86 FEET; THENCE SOUTH 86°32'55" EAST A DISTANCE OF 299.95 FEET TO

A NON-TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 60.62 FEET TO A POINT OF TANGENCY AND TO THE SOUTH RIGHT OF WAY LINE OF WEST EMERALD HEIGHTS ROAD, SAID CURVE HAVING A RADIUS OF 85 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 66°11'31" EAST 59.35 FEET; THENCE LEAVING SAID CURVE, ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING 2 COURSES: SOUTH 86°37'32" EAST A DISTANCE OF 403.70 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 31.87 FEET TO A POINT OF TANGENCY AND TO THE WEST RIGHT OF WAY LINE OF SOUTH BELLVIEW ROAD, SAID CURVE HAVING A RADIUS OF 20 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 40°58'45" EAST 28.60 FEET; THENCE LAYING SAID CURVE, ALONG SAID WEST RIGHT OF LINE THE FOLLOWING 2 COURSES: SOUTH 04°40'02" WEST A DISTANCE OF 146.56 FEET; SOUTH 07°45'04" WEST A DISTANCE OF 66.68 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY LINE SOUTH 87°03'22" EAST A DISTANCE OF 65.22 FEET TO THE POINT OF BEGINNING, CONTAINING 309411 SQUARE FEET OR 7.10 ACRES, MORE OR LESS, WITH SAID PARCEL BEING SUBJECT TO THE RIGHT OF WAY OF BELLVIEW ROAD ALONG THE EAST BOUNDARY LINE, WEST PLEASANT GROVE ROAD ALONG THE SOUTH BOUNDARY LINE AND WEST EMERALD HEIGHTS ROAD ALONG THE NORTH BOUNDARY LINE.

LAYMAN'S DESCRIPTION:

Located between W. Pleasant Grove Road, W. Emerald Heights Road, and S. Bellview Road
Parcel Numbers: 02-02087-565, 02-02087-570, 02-02087-559

Section 3: Zoning: The above described lands are better suited for T4.2 (Neighborhood High-Intensity) than T5.1 (City Low-Intensity) 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 _____, 2025.

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. 25-__

AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T5.1 AND I-1 TO T4.1; 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 T4.1 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 T4.1 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

A PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, IN BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT 722.72 FEET NORTH OF THE SE CORNER OF THE SOUTH FIRST STREET; THENCE NORTH 88 DEGREES 43 MINUTES 26 SECONDS WEST 215.83 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE ST. LOUIS AND SAN FRANCISCO RAILROAD; THENCE FOLLOWING SAID RAILROAD RIGHT OF WAY LINE NORTH 12 DEGREES 20 MINUTES 03 SECONDS EAST 262.48 FEET; THENCE LEAVING SAID RAILROAD RIGHT OF WAY LINE NORTH 86 DEGREES 51 MINUTES 39 SECONDS EAST 159.97 FEET TO A POINT IN THE CENTERLINE OF SOUTH FIRST STREET; THENCE FOLLOWING SAID CENTERLINE OF SAID STREET AND EAST LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID DESCRIBED SECTION 13, SOUTH 270.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 49,364.56 SQUARE

FEET, MORE OR LESS, SUBJECT TO A 50.00 FOOT RIGHT OF WAY SOUTH FIRST STREET CENTERED ALONG THE EAST LINE OF DESCRIBED BOUNDARY, AND ALSO SUBJECT TO A TELEPHONE LINE EASEMENT ALONG THE EAST SIDE OF THE WEST LINE OF DESCRIBED BOUNDARY, WHICH BOUNDARY LINE EXTENDS ALONG THE EASTERLY RIGHT OF WAY LINE OF DESCRIBED RAILROAD.

LAYMAN'S DESCRIPTION:

920 S 1st Street; Parcels 02-01423-000, 02-01424-000

Section 3: Zoning: The above described lands are better suited for T4.1 (Neighborhood Medium-Intensity) than T5.1 (City Low-Intensity) and I-1 (Light Industrial) zoning and same should be and are hereby zoned T4.1;

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 _____, 2025.

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: Nicholas Little, Planner

For Consideration By: Community Environment & Welfare Committee

RESOLUTION NO. R25-_____

A RESOLUTION AMENDING THE 2024 BUDGET TO APPROPRIATE THREE HUNDRED THIRTY THOUSAND DOLLARS (\$330,000.00) FROM STREET FUND RESERVES INTO ACCOUNT #200-25-70308 ENGINEERING EXPENSE FOR ROUNDABOUT DESIGN; AND FOR OTHER PURPOSES.

WHEREAS, the City desires to install a roundabout at the intersection of West Olive Street and North 24th Street to help traffic flow and emergency services access from Fire Station #4 in all directions; and

WHEREAS, the estimated cost of design plans for the roundabout should not exceed three hundred thirty thousand dollars (\$330,000.00).

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 hereby amended to appropriate three hundred thirty thousand dollars (\$330,000.00) from Street Fund Reserves into Account #200-25-70308 Engineering Expense for the design and construction of a roundabout to be located at the intersection of West Olive Street and North 24th Street;

Section 2: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 3: Repeal of Conflicting Resolutions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy; Director of Community Development

Prepared by: John M. Pesek, Senior Staff Attorney