



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

COMMITTEE SCHEDULE

DISCLAIMER: The City of Rogers makes no claims, promises, or guarantees regarding the participants ability to attend any public meeting virtually. Technology resources, virtual meeting platforms, and the Internet may occasionally be interrupted or made unavailable by causes beyond the City's reasonable control. The City cannot guarantee that participants will have the opportunity to participate virtually at all times. Public Forums, Public Hearings, and scheduled items of business will not be tabled or postponed due to technological issues. If you are representing a published item of business or wish to speak at a public hearing, in person attendance is required.

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: August 12, 2025

The following committee meetings will be held on **Tuesday, August 12, 2025** 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/86953718855> OR (312)626-6799 ID: 869 5371 8855

- To Discuss:
- (a) An Ordinance Authorizing An Amendment To The Agreement For Interconnection Of Municipal Water Systems With The City Of Bentonville
 - (b) An Ordinance Authorizing Execution Of A Contract For Sale And Purchase Of Water With Benton County Water District #1 Public Water Authority Of The State Of Arkansas

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

Committee Room #2 OR <https://us02web.zoom.us/j/81120494079> OR (312)626-6799 ID: 811 2049 4079

- To Discuss:
- (a) An Ordinance Vacating Of A Certain Portion Of South B Street
 - (b) A Resolution Declaring Certain Real Property As Surplus; Authorizing The Mayor And City Clerk To Enter Into A Real Estate Sales Agreement With Inicio, LLC Of Rogers, Arkansas For The Sale Of Certain Real Property Owned By The City Of Rogers
 - (c) A Resolution Authorizing The Mayor And City Clerk Enter Into An Agreement With Hight Jackson & Associates Of Rogers, Arkansas For The Design Of The Rogers Animal Shelter

05:55 p.m. - TRANSPORTATION COMMITTEE: (Kendall*, Surly, Minor)

Committee Room #1 OR <https://us02web.zoom.us/j/86953718855> OR (312)626-6799 ID: 869 5371 8855

- To Discuss:
- (a) A Resolution Authorizing The Mayor And City Clerk To Accept And Enter Into A Grant Agreement With The Federal Aviation Administration For The Construction Of The Westside Taxilane- Phase I Project At The Rogers Executive Airport
 - (b) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Leeboy Of Lincolnton, North Carolina For The Purchase Of A New Asphalt Machine In The Amount Of \$278,151.70; Amending The 2025 Budget To Move \$154,364.00 From Account #200-16-70931 Traffic Light Installation Into Account #200-16-80100.005 Capital Expenditures Cat B

- (c) A Resolution Amending The 2025 Budget To Appropriate \$500,000.00 From Street Fund Reserves Into Account #200-16-70950 Street Projects
- (d) Street Closure Request - 2025 LPGA 5K
- (e) Street Closure Request - 2025 Christmas Parade

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

Committee Room #2 OR <https://us02web.zoom.us/j/81120494079> OR (312)626-6799 ID: 811 2049 4079

To Discuss:

- (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Contract With OPENGOV Inc. Of San Francisco, California For Additional OPENGOV Procurement Software; Amending The 2025 Budget To Appropriate \$86,841.01 From General Fund Reserves Into Account #100-09-70258 Support And Subscription Agreement; Waiving Competitive Bidding
- (b) A Resolution Authorizing The Mayor And City Clerk To Enter Into An Agreement With Crossland Heavy Contractors Of Rogers, Arkansas For Repairs To A Handrail And Redi-Rock Wall Located Near The Walmart Amp
- (c) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Contract With Argos Government, LLC Of Indianapolis, Indiana For The Purchase Of Geotab Software And Hardware For The City Of Rogers
- (d) An Ordinance Creating A Restricted Reserves Fund For The City Of Rogers; Codifying The Restrictive Reserve Fund Under Chapter 2, Division 4 Of The Code Of Ordinances

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

Committee Room #1 OR <https://us02web.zoom.us/j/86953718855> OR (312)626-6799 ID: 869 5371 8855

To Discuss:

- (a) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T4.1 (21st Street Property)
- (b) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T3.2 (Shores Ave.)



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ROGERS CITY COUNCIL **AGENDA**

AUGUST 12, 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. An Ordinance Vacating A Certain Portion Of South B Street
2. A Public Hearing Was Approved By Resolution At 414 W. Cedar Street; However, The Dilapidated Structure Was Recently Demolished So There Will Be No Ordinance For Consideration.

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. July 22, 2025

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. ORD. Re: Authorizing An Amendment To The Agreement For PUBLIC WORKS
Interconnection Of Municipal Water Systems With The COMMITTEE
City Of Bentonville

- | | | | |
|-----|----------|--|------------------------------|
| 2. | ORD. Re: | Authorizing Execution Of A Contract For Sale And Purchase Of Water With Benton County Water District #1 Public Water Authority Of The State Of Arkansas | PUBLIC WORKS COMMITTEE |
| 3. | ORD. Re: | Vacating A Certain Portion Of South B Street | RESOURCES & POLICY COMMITTEE |
| 4. | RES. Re: | Declaring Certain Real Property As Surplus; Authorizing The Mayor And City Clerk To Enter Into A Real Estate Sales Agreement With Inicio, LLC Of Rogers, Arkansas For The Sale Of Certain Real Property Owned By The City Of Rogers | RESOURCES & POLICY COMMITTEE |
| 5. | RES. Re: | Authorizing The Mayor And City Clerk Enter Into An Agreement With Hight Jackson & Associates Of Rogers, Arkansas For The Design Of The Rogers Animal Shelter | RESOURCES & POLICY COMMITTEE |
| 6. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into A Contract With OPENGOV Inc. Of San Francisco, California For Additional OPENGOV Procurement Software; Amending The 2025 Budget To Appropriate \$86,841.01 From General Fund Reserves Into Account #100-09-70258 Support And Subscription Agreement; Waiving Competitive Bidding | FINANCE COMMITTEE |
| 7. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into An Agreement With Crossland Heavy Contractors Of Rogers, Arkansas For Repairs To A Handrail And Redi-Rock Wall Located Near The Walmart Amp | FINANCE COMMITTEE |
| 8. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into A Contract With Argos Government, LLC Of Indianapolis, Indiana For The Purchase Of Geotab Software And Hardware For The City Of Rogers | FINANCE COMMITTEE |
| 9. | RES. Re: | Authorizing The Mayor And City Clerk To Accept And Enter Into A Grant Agreement With The Federal Aviation Administration For The Construction Of The Westside Taxilane- Phase I Project At The Rogers Executive Airport | TRANSPORTATION COMMITTEE |
| 10. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into An Agreement With Leeboy Of Lincolnton, North Carolina For The Purchase Of A New Asphalt Machine In The Amount Of \$278,151.70; Amending The 2025 Budget To Move \$154,364.00 From Account #200-16-70931 Traffic Light Installation Into Account #200-16-80100.005 Capital Expenditures Cat B | TRANSPORTATION COMMITTEE |
| 11. | RES. Re: | Amending The 2025 Budget To Appropriate \$500,000.00 From Street Fund Reserves Into Account #200-16-70950 Street Projects | TRANSPORTATION COMMITTEE |
| 12. | ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To T4.1 (21 st Street Property) | 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 T2 To T3.2 (Shores Ave.) | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |

OLD BUSINESS:

- | | | |
|----|---|----------------------|
| 1. | ORD. Re: Creating A Restricted Reserves Fund For The City Of Rogers; Codifying The Restrictive Reserve Fund Under Chapter 2, Division 4 Of The Code Of Ordinances | FINANCE
COMMITTEE |
| 2. | ORD. Re: Accepting The Final Plat For The Gaffigan Family Trust Property, Rogers, Benton County, Arkansas | |

NEW BUSINESS:

- | | | |
|----|---|--|
| 1. | ORD. Re: Accepting A Final Plat Of Better Body Bar Of Rogers, Benton County, Arkansas | |
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APPOINTMENTS:

- | | |
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| 1. | The Appointment of Jerry Carmichael to the Airport Commission; term to expire August 12, 2030. |
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ANNOUNCEMENTS:

ORDINANCE NO. 25-__

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR INTERCONNECTION OF MUNICIPAL WATER SYSTEMS WITH THE CITY OF BENTONVILLE; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Waterworks and Sewer Commission (“the Commission”) has been empowered by the Rogers City Council to oversee efficient operation of the Rogers Water Utilities (“RWU”);

WHEREAS, the City of Rogers (“the City”) and the Commission are parties to that certain Agreement for Interconnection of Municipal Water Systems with the City of Bentonville, Arkansas (“the Interconnection Agreement”) entered into by the parties in 2020;

WHEREAS, the Interconnection Agreement contains certain provisions concerning the construction of additional interconnections including provisions regarding sharing of costs and joint contracting with professional services firms and contractors;

WHEREAS, in the case of the planned Mount Hebron Interconnection, it will be advantageous to vary certain terms of the Interconnection Agreement to allow for the Commission and/or RWU to contract directly with professional service firms and other contractors and to obtain certain reimbursements from the City of Bentonville; and

WHEREAS, the Commission has passed its Resolution No. 25-25, authorizing an amendment to the Interconnection Agreement and authorizing the management of RWU to negotiate and approve the final form and content of a satisfactory Amendment to the Interconnection Agreement that will, *inter-alia*, permit the Commission and/or RWU to contract directly with professional service firms and other contractors and to receive certain reimbursements from the City of Bentonville.

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

Section 1: The Mayor and City Clerk should be, and hereby are, authorized to sign an Amendment to the Interconnection Agreement, on behalf of the City of Rogers, on such terms and conditions as may be approved by the Chairman of the Commission and the Superintendent of RWU, said Amendment being authorized by the Commission, the final form and content of such Amendment to be approved by the Mayor, City Clerk, and the Chairman of the Commission, their approval to be evidenced by their signatures thereon;

Section 2: Emergency Clause: The need to enter into said Amendment 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 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 herewith are hereby repealed to the extent of such conflict.

PASSED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

Jessica Rush, City Clerk

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

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

For Consideration By: Public Works Committee

ORDINANCE NO. 25-__

AN ORDINANCE AUTHORIZING EXECUTION OF A CONTRACT FOR SALE AND PURCHASE OF WATER WITH BENTON COUNTY WATER DISTRICT #1 PUBLIC WATER AUTHORITY OF THE STATE OF ARKANSAS; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Waterworks and Sewer Commission (“the Commission”) has been empowered by the Rogers City Council to oversee efficient operation of the Rogers Water Utilities (“RWU”);

WHEREAS, the City of Rogers, through the Commission and RWU, presently sells water, on a wholesale basis, to Benton County Water District #1 Public Water Authority of the State of Arkansas (“BCWD #1”);

WHEREAS, the wholesale water sales and purchase contract (“water sales contract”) between the City of Rogers and BCWD #1 will soon reach the end of its term;

WHEREAS, a new water sales contract is needed to govern sales of water to BCWD No.1; and

WHEREAS, the Commission has passed its Resolution No. 25-21, authorizing execution of a Water Sales Contract with BCWD #1 and authorizing the Chairman of the Commission and the Superintendent of RWU to negotiate the terms of a satisfactory water sales contract with BCWD #1.

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

Section 1: The Mayor and City Clerk should be, and hereby are, authorized to enter into a contract, on behalf of the City of Rogers, for sale of water by the City of Rogers, through the Commission and RWU, to Benton County Water District #1 Public Water Authority of the State of Arkansas (“BCWD #1”) on such terms and conditions as may be approved by the Chairman of the Commission and the Superintendent of RWU, said contract being authorized by the Commission, the final form and content of such contract to be approved by the Mayor, City Clerk, the Chairman of the Commission, and the Superintendent of RWU, their approval to be evidenced by their signatures thereon;

Section 2: Emergency Clause: The need to enter into said contract 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 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 herewith are hereby repealed to the extent of such conflict.

PASSED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

Jessica Rush, City Clerk

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

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

For Consideration By: Public Works Committee

ORDINANCE NO. 25- _____

**AN ORDINANCE VACATING OF A CERTAIN PORTION OF SOUTH B STREET;
PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, pursuant to Ark. Code Ann. § 14-301-301 a request was made by adjoining property owners to the City of Rogers to vacate a portion of an existing street having the legal description as follows:

A PORTION OF THE PLATTED RIGHT-OF-WAY OF SOUTH B STREET ADJACENT TO THE WEST LINE OF BIKE PARK SUBDIVISION TO THE CITY OF ROGERS, ARKANSAS, AS SHOWN ON PLAT FILED IN BOOK 2014 AT PAGE 61, BEING LOCATED IN A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 7, TOWNSHIP 19 NORTH, RANGE 29 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN EXISTING ALUMINUM MONUMENT ON THE NORTH LINE OF SAID BIKE PARK SUBDIVISION MARKING THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG SAID NORTH LINE OF BIKE PARK SUBDIVISION N87°51'07"W 336.02' TO AN EXISTING REBAR ON THE WEST LINE OF SAID BIKE PARK SUBDIVISION, THENCE ALONG SAID WEST LINE THE FOLLOWING: S08°51'01"W 24.44' TO AN EXISTING REBAR, S81°42'27"E 7.81', S07°06'51"W 46.39', S49°10'34"E 22.43', ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00' FOR A CHORD BEARING AND DISTANCE OF S38°16'38"E 29.98', S10°26'36"W 10.22', N82°49'05"W 31.65' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE CONTINUING ALONG SAID WEST LINE OF BIKE PARK SUBDIVISION S07°10'55"W 499.78', THENCE LEAVING SAID WEST SUBDIVISION LINE N82°49'05"W 25.00', THENCE N07°10'55"E 499.78', THENCE S82°49'05"E 25.00' TO THE POINT OF BEGINNING, CONTAINING 0.29 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

A PORTION OF THE PLATTED RIGHT-OF-WAY OF SOUTH B STREET ADJACENT TO THE WEST LINE OF BIKE PARK SUBDIVISION TO THE CITY OF ROGERS, ARKANSAS, AS SHOWN ON PLAT FILED IN BOOK 2014 AT PAGE 61 AND ADJACENT TO THE EAST LINE OF BLOCK 28 OF B.F. SIKES ADDITION, AS SHOWN ON PLAT BOOK A AT PAGES 7 AND 8, ALSO A PORTION OF EAST PECAN STREET ADJACENT TO THE SOUTH LINE OF BLOCK 28 OF SAID B.F. SIKES ADDITION TO THE CITY OF ROGERS, ARKANSAS, ALL BEING LOCATED IN A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 7, TOWNSHIP 19 NORTH, RANGE 29 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN EXISTING ALUMINUM MONUMENT ON THE NORTH LINE OF SAID BIKE PARK SUBDIVISION MARKING THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG SAID NORTH LINE OF BIKE PARK SUBDIVISION N87°51'07"W 336.02' TO AN EXISTING REBAR ON THE WEST LINE OF SAID BIKE PARK SUBDIVISION, THENCE ALONG SAID WEST LINE THE FOLLOWING: S08°51'01"W 24.44' TO AN EXISTING REBAR, S81°42'27"E 7.81', S07°06'51"W 46.39', S49°10'34"E 22.43', ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00' FOR A CHORD BEARING AND DISTANCE OF S38°16'38"E 29.98', S10°26'36"W 10.22', N82°49'05"W 31.65', THENCE LEAVING SAID WEST LINE N82°49'05"W 25.00' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE S07°10'55"W 325.00' TO THE PLAT CENTERLINE OF EAST PECAN STREET, THENCE ALONG SAID CENTERLINE N82°49'05"W 165.00', THENCE LEAVING SAID CENTERLINE N07°10'56"E 25.00' TO THE SOUTH LINE OF SAID BLOCK 28, THENCE ALONG SAID SOUTH LINE S82°49'05"E 140.00' TO THE SOUTHEAST CORNER OF SAID BLOCK 28, THENCE ALONG THE EAST LINE THEREOF N07°10'55"E 300.00', THENCE LEAVING SAID

EAST LINE S82°49'05"E 25.00' TO THE POINT OF BEGINNING, CONTAINING 0.27 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

A PORTION OF THE PLATTED RIGHT-OF-WAY OF SOUTH B STREET ADJACENT TO THE WEST LINE OF BIKE PARK SUBDIVISION TO THE CITY OF ROGERS, ARKANSAS, AS SHOWN ON PLAT FILED IN BOOK 2014 AT PAGE 61 AND ADJACENT TO THE EAST LINE OF BLOCK 33 OF B.F. SIKES ADDITION, AS SHOWN ON PLAT BOOK A AT PAGES 7 AND 8, ALSO A PORTION OF EAST PECAN STREET ADJACENT TO THE NORTH LINE OF BLOCK 33 OF SAID B.F. SIKES ADDITION TO THE CITY OF ROGERS, ARKANSAS, ALL BEING LOCATED IN A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 7, TOWNSHIP 19 NORTH, RANGE 29 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN EXISTING ALUMINUM MONUMENT ON THE NORTH LINE OF SAID BIKE PARK SUBDIVISION MARKING THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG SAID NORTH LINE OF BIKE PARK SUBDIVISION N87°51'07"W 336.02' TO AN EXISTING REBAR ON THE WEST LINE OF SAID BIKE PARK SUBDIVISION, THENCE ALONG SAID WEST LINE THE FOLLOWING: S08°51'01"W 24.44' TO AN EXISTING REBAR, S81°42'27"E 7.81', S07°06'51"W 46.39', S49°10'34"E 22.43', ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00' FOR A CHORD BEARING AND DISTANCE OF S38°16'38"E 29.98', S10°26'36"W 10.22', N82°49'05"W 31.65', S07°10'55"W 499.78', THENCE LEAVING SAID WEST SUBDIVISION LINE N82°49'05"W 25.00' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE N82°49'05"W 25.00' TO THE EAST LINE OF SAID BLOCK 33 OF B.F. SIKES ADDITION, THENCE ALONG SAID EAST LINE N07°10'55"E 149.78' TO AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF SAID BLOCK 33, THENCE ALONG THE NORTH LINE THEREOF N82°49'05"W 140.00' TO AN EXISTING REBAR, THENCE LEAVING SAID NORTH LINE N07°10'55"E 25.00' TO THE PLATTED CENTERLINE OF EAST PECAN STREET, THENCE ALONG SAID CENTERLINE S82°49'05"E 165.00', THENCE LEAVING SAID CENTERLINE S07°10'55"W 174.78' TO THE POINT OF BEGINNING, CONTAINING 0.18 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

WHEREAS, notice was placed on the above described land as required by law and the Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question; and

WHEREAS, the City Council has ascertained that the above-described land has not been used as a public street for the previous five (5) years to the petition and all adjoining property owners agree with this street vacation; and,

WHEREAS, the adjoining landowners have agreed to dedicate easements in the vacated street as needed to preserve existing utility lines.

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

Section 1: The City Council finds, after proper notice and hearing, that the above described street has been unused for a period of five (5) years prior to this request and all adjoining property owners have consented to this vacation;

Section 2: The City Council orders that the portion of South B Street described above is vacated;

Section 3: The City Council directs the Department of Community Development to post notice of this vacation for at least a period of thirty (30) days on the property described above. A copy of the Ordinance, duly certified by the City Clerk, shall be filed in the office of the recorder of Benton County and recorded in the deed records of Benton County, thirty-one (31) days after the passing and posting of this Ordinance;

Section 4: Emergency Clause: The need to vacate a portion of South B street as described above is immediate; therefore, in order to protect the public peace, health, safety and welfare, an emergency is deemed to exist, and this Ordinance shall become effective upon its passage and approval;

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

Section 6: Repeal of Conflicting 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 Community Development Department

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Resources & Policy Committee

RESOLUTION NO. R25-_____

**A RESOLUTION DECLARING CERTAIN REAL PROPERTY AS SURPLUS;
AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A REAL
ESTATE SALES AGREEMENT WITH INICIO, LLC OF ROGERS, ARKANSAS FOR
THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF ROGERS;
AND FOR OTHER PURPOSES.**

WHEREAS, The City of Rogers is the record owner of a certain portion of land originally platted as South B Street and more accurately described in the attached Exhibit A, which has been vacated and is no longer needed or used by the City;

WHEREAS, the City of Rogers desires to enter into an agreement for the sale of the surplus property as allowed under Ark. Code Ann. § 14-54-302(a)(1) to Inicio, LLC of Rogers, Arkansas;

WHEREAS, the property has been appraised by an Arkansas licensed appraiser for twelve thousand five hundred dollars (\$12,500.00); and,

WHEREAS, the City desires to sell the property for a total of twelve thousand five hundred dollars (\$12,500.00).

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

Section 1: The City of Rogers is the record owner of a certain portion of land originally platted as South B Street and more accurately described in the attached Exhibit A, which is hereby declared surplus;

Section 2: The Mayor and City Clerk are hereby authorized to enter into a real estate sales contract with Inicio, LLC of Rogers, Arkansas, and sign all necessary documents for the sale of a certain portion of land originally platted as South B Street and more accurately described in the attached Exhibit A, at a purchase price of twelve thousand five hundred dollars (\$12,500.00);

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 _____, 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: Resources & Policy Committee

Exhibit A- Legal Description:

A PORTION OF THE PLATTED RIGHT-OF-WAY OF SOUTH B STREET ADJACENT TO THE WEST LINE OF BIKE PARK SUBDIVISION TO THE CITY OF ROGERS, ARKANSAS, AS SHOWN ON PLAT FILED IN BOOK 2014 AT PAGE 61, BEING LOCATED IN A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 7, TOWNSHIP 19 NORTH, RANGE 29 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN EXISTING ALUMINUM MONUMENT ON THE NORTH LINE OF SAID BIKE PARK SUBDIVISION MARKING THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG SAID NORTH LINE OF BIKE PARK SUBDIVISION N87°51'07"W 336.02' TO AN EXISTING REBAR ON THE WEST LINE OF SAID BIKE PARK SUBDIVISION, THENCE ALONG SAID WEST LINE THE FOLLOWING: S08°51'01"W 24.44' TO AN EXISTING REBAR, S81°42'27"E 7.81', S07°06'51"W 46.39', S49°10'34"E 22.43', ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00' FOR A CHORD BEARING AND DISTANCE OF S38°16'38"E 29.98', S10°26'36"W 10.22', N82°49'05"W 31.65' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE CONTINUING ALONG SAID WEST LINE OF BIKE PARK SUBDIVISION S07°10'55"W 499.78', THENCE LEAVING SAID WEST SUBDIVISION LINE N82°49'05"W 25.00', THENCE N07°10'55"E 499.78', THENCE S82°49'05"E 25.00' TO THE POINT OF BEGINNING, CONTAINING 0.29 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

A PORTION OF THE PLATTED RIGHT-OF-WAY OF SOUTH B STREET ADJACENT TO THE WEST LINE OF BIKE PARK SUBDIVISION TO THE CITY OF ROGERS, ARKANSAS, AS SHOWN ON PLAT FILED IN BOOK 2014 AT PAGE 61 AND ADJACENT TO THE EAST LINE OF BLOCK 28 OF B.F. SIKES ADDITION, AS SHOWN ON PLAT BOOK A AT PAGES 7 AND 8, ALSO A PORTION OF EAST PECAN STREET ADJACENT TO THE SOUTH LINE OF BLOCK 28 OF SAID B.F. SIKES ADDITION TO THE CITY OF ROGERS, ARKANSAS, ALL BEING LOCATED IN A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 7, TOWNSHIP 19 NORTH, RANGE 29 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN EXISTING ALUMINUM MONUMENT ON THE NORTH LINE OF SAID BIKE PARK SUBDIVISION MARKING THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG SAID NORTH LINE OF BIKE PARK SUBDIVISION N87°51'07"W 336.02' TO AN EXISTING REBAR ON THE WEST LINE OF SAID BIKE PARK SUBDIVISION, THENCE ALONG SAID WEST LINE THE FOLLOWING:

S08°51'01"W 24.44' TO AN EXISTING REBAR, S81°42'27"E 7.81', S07°06'51"W 46.39', S49°10'34"E 22.43', ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00' FOR A CHORD BEARING AND DISTANCE OF S38°16'38"E 29.98', S10°26'36"W 10.22', N82°49'05"W 31.65', THENCE LEAVING SAID WEST LINE N82°49'05"W 25.00' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE S07°10'55"W 325.00' TO THE PLAT CENTERLINE OF EAST PECAN STREET, THENCE ALONG SAID CENTERLINE N82°49'05"W 165.00', THENCE LEAVING SAID CENTERLINE N07°10'56"E 25.00' TO THE SOUTH LINE OF SAID BLOCK 28, THENCE ALONG SAID SOUTH LINE S82°49'05"E 140.00' TO THE SOUTHEAST CORNER OF SAID BLOCK 28, THENCE ALONG THE EAST LINE THEREOF N07°10'55"E 300.00', THENCE LEAVING SAID EAST LINE S82°49'05"E 25.00' TO THE POINT OF BEGINNING, CONTAINING 0.27 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

A PORTION OF THE PLATTED RIGHT-OF-WAY OF SOUTH B STREET ADJACENT TO THE WEST LINE OF BIKE PARK SUBDIVISION TO THE CITY OF ROGERS, ARKANSAS, AS SHOWN ON PLAT FILED IN BOOK 2014 AT PAGE 61 AND ADJACENT TO THE EAST LINE OF BLOCK 33 OF B.F. SIKES ADDITION, AS SHOWN ON PLAT BOOK A AT PAGES 7 AND 8, ALSO A PORTION OF EAST PECAN STREET ADJACENT TO THE NORTH LINE OF BLOCK 33 OF SAID B.F. SIKES ADDITION TO THE CITY OF ROGERS, ARKANSAS, ALL BEING LOCATED IN A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 7, TOWNSHIP 19 NORTH, RANGE 29 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT AN EXISTING ALUMINUM MONUMENT ON THE NORTH LINE OF SAID BIKE PARK SUBDIVISION MARKING THE NORTHEAST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG SAID NORTH LINE OF BIKE PARK SUBDIVISION N87°51'07"W 336.02' TO AN EXISTING REBAR ON THE WEST LINE OF SAID BIKE PARK SUBDIVISION, THENCE ALONG SAID WEST LINE THE FOLLOWING: S08°51'01"W 24.44' TO AN EXISTING REBAR, S81°42'27"E 7.81', S07°06'51"W 46.39', S49°10'34"E 22.43', ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00' FOR A CHORD BEARING AND DISTANCE OF S38°16'38"E 29.98', S10°26'36"W 10.22', N82°49'05"W 31.65', S07°10'55"W 499.78', THENCE LEAVING SAID WEST SUBDIVISION LINE N82°49'05"W 25.00' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE N82°49'05"W 25.00' TO THE EAST LINE OF SAID BLOCK 33 OF B.F. SIKES ADDITION, THENCE ALONG SAID EAST LINE N07°10'55"E 149.78' TO AN EXISTING REBAR MARKING THE NORTHEAST CORNER OF SAID BLOCK 33, THENCE ALONG THE NORTH LINE THEREOF N82°49'05"W 140.00' TO AN EXISTING REBAR, THENCE LEAVING SAID NORTH LINE N07°10'55"E 25.00' TO THE PLATTED CENTERLINE OF EAST PECAN STREET, THENCE ALONG SAID CENTERLINE S82°49'05"E 165.00', THENCE LEAVING SAID CENTERLINE S07°10'55"W 174.78' TO THE POINT OF BEGINNING, CONTAINING 0.18 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

RESOLUTION NO. R25-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH OPENGOV INC. OF SAN FRANCISCO, CALIFORNIA FOR ADDITIONAL OPENGOV PROCUREMENT SOFTWARE; AMENDING THE 2025 BUDGET TO APPROPRIATE EIGHTY-SIX THOUSAND EIGHT HUNDRED FORTY-ONE DOLLARS AND ONE CENT (\$86,841.01) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-09-70258 SUPPORT AND SUBSCRIPTION AGREEMENT; WAIVING COMPETITIVE BIDDING; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to enter into an contract with OpenGov Inc. of San Fransisco, California to purchase additional OpenGov procurement software, including the government app builder software for an amount not to exceed eighty-six thousand eight hundred forty-one dollars and one cent (\$86,841.01); and

WHEREAS, the City is requesting that the City Council waive the requirements for competitive bidding for this agreement due to the City currently utilizes OpenGov software for bidding procedures and this added component of OpenGov procurement and the OpenGov Government App builder will connect the request for purchase to the bidding process and overall contract management components of the software.

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

Section 1: The Mayor and City Clerk are authorized to enter into a contract amendment with OpenGov Inc. of San Fransisco, California in an amount not to exceed eighty-six thousand eight hundred forty-one dollars and one cent (\$86,841.01) plus applicable taxes, if any;

Section 2: The 2025 City of Rogers budget is amended to appropriate eighty-six thousand eight hundred forty-one dollars and one cent (\$86,841.01) from General Fund Reserves into Account #100-09-70258 Support and Subscription Agreement;

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 additional OpenGov procurement software from OpenGov Inc. of San Fransisco, California;

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

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

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Casey Wilhelm, Director of Finance

Prepared by: John M. Pesek, Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R25-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH CROSSLAND HEAVY CONTRACTORS OF ROGERS, ARKANSAS FOR REPAIRS TO A HANDRAIL AND REDI-ROCK WALL LOCATED NEAR THE WALMART AMP; AMENDING THE 2025 BUDGET TO APPROPRIATE FORTY-SEVEN THOUSAND TWENTY-THREE DOLLARS (\$47,023.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-18-70154 TRAILS MAINTENANCE; WAIVING COMPETITIVE BIDDING; AND FOR OTHER PURPOSES.

WHEREAS, the City desires to enter into an agreement with Crossland Heavy Contractors of Rogers, Arkansas to complete repairs to a section of Redi-Rock wall near the Walmart AMP costing forty-seven thousand and twenty-three dollars (\$47,023.00);

WHEREAS, on March 10, 2025, a drunk driver drove his vehicle into a section of the wall causing substantial damage for which the City is seeking insurance reimbursement and restitution through Benton County criminal case number 04CR-25-435; and

WHEREAS, the City is requesting that the City Council waive the requirements for competitive bidding for this agreement due to Crossland's the recent completion of the wall and knowledge of the structure.

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 Crossland Heavy Contractors of Rogers, Arkansas to complete repairs to a section of Redi-Rock wall near the Walmart AMP for an amount not to exceed forty-seven thousand twenty-three dollars (\$47,023.00);

Section 2: The City of Rogers' 2025 Budget is amended to appropriate forty-seven thousand and twenty-three dollars (\$47,023.00) from General Fund Reserves into Account #100-18-70154 Trails Maintenance;

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 repairs to the Redi-Rock wall near the Walmart AMP;

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

Section 5: Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are 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, Community Development Department

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 CONTRACT WITH ARGOS GOVERNMENT, LLC OF INDIANAPOLIS, INDIANA FOR THE PURCHASE OF GEOTAB SOFTWARE AND HARDWARE FOR THE CITY OF ROGERS; WAIVING COMPETITIVE BIDDING; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to purchase Geotab software and tracking devices for better tracking of location and maintenance of city vehicles, mowers, large equipment, and trailers;

WHEREAS, the City of Rogers desires to enter to a contract with Argos Government, LLC of Indianapolis Indiana for the purchase of Geotab software in an amount not to exceed seventy-six thousand two hundred thirty dollars (\$76,230.00); and

WHEREAS, the City is requesting that the City Council waive the requirements for competitive bidding for this agreement due to Argos Government, LLC's ability to provide Geotab software that integrates with the City's preexisting Cityworks software; and

WHEREAS, the purchase of a vehicle maintenance and tracking software was appropriated in the 2025 Budget under the CityWorks implementation 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 hereby authorized to enter into an agreement not to exceed seventy-six thousand two hundred thirty dollars (\$76,230.00) with Argos Government LLC, of Indianapolis, Indiana, for the purchase of Geotab software and tracking devices;

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 Geotab software and tracking devices from Argos Government, LLC;

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

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

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Casey Wilhelm, Director of Finance

Prepared by: John Pesek, Senior Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R25-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT AND ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE CONSTRUCTION OF THE WESTSIDE TAXILANE-PHASE I PROJECT AT THE ROGERS EXECUTIVE AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Executive Airport anticipates receipt of a grant from the Federal Aviation Administration;

WHEREAS, the anticipated amount of said grant is three million six hundred thousand dollars (\$3,600,000.00) with the exact amount to be determined by the FAA based on available funding; and

WHEREAS, the grant will be used to construct an aircraft taxilane and related infrastructure and has been given the tentative FAA project identification number 3-05-0055-048-2025.

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 accept and enter into an Airport Improvement Program (AIP) grant agreement with the Federal Aviation Administration (FAA), with tentative identification number 3-05-0055-048-2025, for the Construct Westside Taxilane Phase I project at the at the Rogers Executive Airport;

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

RESOLUTION NO. R25-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH LEEBOY OF LINCOLNTON, NORTH CAROLINA FOR THE PURCHASE OF A NEW ASPHALT MACHINE IN THE AMOUNT OF TWO HUNDRED SEVENTY-EIGHT THOUSAND ONE HUNDRED FIFTY-ONE DOLLARS AND SEVENTY CENTS (\$278,151.70); AMENDING THE 2025 BUDGET TO MOVE ONE HUNDRED FIFTY-FOUR THOUSAND THREE HUNDRED SIXTY-FOUR DOLLARS (\$154,364.00) FROM ACCOUNT #200-16-70931 TRAFFIC LIGHT INSTALLATION INTO ACCOUNT #200-16-80100.005 CAPITAL EXPENDITURES CAT B; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Street Department desires to enter into an agreement with LeeBoy of Lincolnton, North Carolina, for the purchase of a new asphalt machine for a total of two hundred seventy-eight thousand one hundred fifty-one dollars and seventy cents (\$278,151.70);

WHEREAS, the Rogers Street Department desires to move monies from the department's traffic light installation account to purchase the asphalt machine as there are no plans for new traffic light installation in 2025; and

WHEREAS, this purchase is through a Sourcewell cooperative purchasing agreement and therefore competitive bidding is not required.

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 LeeBoy of Lincolnton, North Carolina, for the purchase of an asphalt machine in an amount not to exceed two hundred seventy-eight thousand one hundred fifty-one dollars and seventy cents (\$278,151.70);

Section 2: The City of Rogers' 2025 Budget is hereby amended to move one hundred fifty-four thousand three hundred sixty-four dollars (\$154,364.00) from Account #200-16-70931 Traffic Light Installation into Account #200-16-80100.005 Capital Expenditures CAT B;

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 that are 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: Frankie Gyll, Street Department Superintendent

Prepared By: John M. Pesek, Senior Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R25-_____

A RESOLUTION AMENDING THE 2025 BUDGET TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) FROM STREET FUND RESERVES INTO ACCOUNT #200-16-70950 STREET PROJECTS; AND FOR OTHER PURPOSES.

WHEREAS, the City desires to complete street improvements, including installing box culverts for drainage related to street improvements at the intersection of W. Walnut Street and S. 24th Street.

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 amended to appropriate five hundred thousand dollars (\$500,000.00) from Street Fund Reserves into Account #200-16-70950 Street Projects;

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 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: Frankie Gyll, Street Department Superintendent
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R25-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK ENTER INTO AN AGREEMENT WITH HIGHT JACKSON & ASSOCIATES OF ROGERS, ARKANSAS FOR THE DESIGN OF THE ROGERS ANIMAL SHELTER; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers published a Request for Qualifications (“RFQ”) for all qualified firms to submit qualifications for the design of the future Animal Services building;

WHEREAS, Hight, Jackson & Associates of Rogers, Arkansas was selected as the most qualified provider to complete the design process; and

WHEREAS, the City desires to enter into negotiations and an agreement with Hight, Jackson & Associates of Rogers, Arkansas for the design of the future Animal Services building.

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 contract negotiations, and if successful, an agreement with Hight, Jackson & Associates of Rogers, Arkansas for the design of the future Animal Services building;

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

RESOLVED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

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

ORDINANCE NO. 25-__

AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T2 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:

Legal Description from Warranty Deed Book 2003 Page 34885

The S1/2 of the NE1/4 of the NW1/4 of the SW1/4 of Section 23, Township 19 North, Range 30 West.

LAYMAN'S DESCRIPTION:

2140 S 21st Street, Rogers, AR 72756

Parcel 02-01859-000

Section 3: Zoning: The above described lands are better suited for T4.1 (Neighborhood Medium-Intensity) than T2 (Rural) 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: Loral Scates, 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 T2 TO T3.2;
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 T3.2 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 T3.2 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

LOCATED IN A PART OF THE SE1/4 OF THE SW1/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, MORE PRECISELY DESCRIBED AS FOLLOWS: STARTING AT THE SW CORNER OF THE SE1/4 OF THE SW1/4 OF SECTION 32 FOR THE TRUE POINT OF BEGINNING; THENCE ALONG THE WEST LINE OF THE SE1/4 OF THE SW1/4 NORTH 02°42'43" EAST 660.50 FEET; THENCE SOUTH 86°50'27" EAST 331.65 FEET; THENCE SOUTH 02°42'43" WEST 660.50 FEET; THENCE ALONG THE SOUTH LINE OF THE SE1/4 OF THE SW1/4 NORTH 86°50'26" WEST 331.65 FEET TO THE TRUE POINT OF BEGINNING. SUBJECT TO THE RIGHT OF WAY OF BENTON COUNTY ROAD #1108 AND ANY EASEMENTS OF RECORD.

LAYMAN'S DESCRIPTION:

6303 W Shores Ave, Rogers, AR 72718
Parcel 02-14174-020

Section 3: Zoning: The above described lands are better suited for T3.2 (Neighborhood Low-Intensity) than T2 (Rural) zoning and same should be and are hereby zoned T3.2;

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: Laural Scates, Planner

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 25-_____

AN ORDINANCE CREATING A RESTRICTED RESERVES FUND FOR THE CITY OF ROGERS; CODIFYING THE RESTRICTIVE RESERVE FUND UNDER CHAPTER 2, DIVISION 4 OF THE CODE OF ORDINANCES; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers has identified a need to create a Restricted Reserve Fund using current General Fund Reserves and desires to codify the rules and regulations governing the Restrictive Reserve Fund;

WHEREAS, the City understands that it is in its best interest and for the protection of the health, safety, and welfare of its citizens to have funds available should an emergency occur such that immediate monies are available allowing the City to respond to an emergency expeditiously;

WHEREAS, the City was able to respond to the May 2024 tornado in an expediated manner due to its robust general reserve fund, and understands the continued need to have immediate funds available to respond to emergencies that may occur in the future and the limited assistance available from State and Federal partners; and

WHEREAS, there are no State laws currently mandating the requirements or amounts for municipal reserves; however, the City is creating its Restricted Reserve Fund under its general home rule making power under Ark. Code Ann. § 14-43-602.

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

Section 1: The City of Rogers hereby establishes a Restricted Reserves Fund for the City of Rogers;

Section 2: The City of Rogers hereby creates Chapter 2, Article III – Restricted Reserve Fund in its Code of Ordinances and the Municode Corporation is hereby instructed to create this Article;

Section 3: The Municode Corporation is hereby instructed to add all sections found in Exhibit “A” to the City of Rogers’ Code of Ordinances;

Section 4: Emergency Clause: The need to amend the Rogers’ Code of Ordinances Chapter 2, Article III – Restricted Reserve Fund 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: C. Greg Hines, Mayor and Casey Wilhelm, Finance Director
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Finance Committee

EXHIBIT “A”

Chapter 2, Article III – Restricted Reserve Fund

Sec. 2-482 – Title.

This article shall be known as the “Restricted Reserve Fund” for the City of Rogers, Arkansas.

Sec. 2-483 – Definition

Restricted Reserve Fund means a portion of the City’s General Fund Reserves that is set aside from its other reserve funds and is not available for appropriation without complying with the requirements of this article.

Sec. 2-484 – Restrictive Reserve Fund Source

The Restricted Reserve Fund shall be funded by monies in the City’s General Fund Reserves.

Sec. 2-485 – Restrictive Reserve Fund Balance

(a) The balance in the Restricted Reserve Fund shall be calculated as 40% of the current budget year’s general fund Budgeted Expenditures for Human Resources and Operating and Maintenance;

(b) The balance in the Restricted Reserve Fund shall be adjusted annually within 90 days of the passage of the current year’s operating budget.

Sec. 2-486 – Use of the Restricted Reserve Fund

(a) The Restricted Reserve Fund shall only be used in the event of a City Council Declared Disaster Declaration Resolution;

(b) Upon a Resolution declaring a disaster has occurred and monies from the Restrictive Reserve Fund are needed, the City Council shall pass a Resolution to appropriate the funds to be use toward the disaster or emergency situation;

(c) In the event Restricted Reserve Funds were used for an emergency or disaster in a budgeted year, Restrictive Reserve Funds shall be replenished during the City’s annual budgeting process, where current year anticipated operating revenues will be allocated annually as needed to replenish the restricted reserve fund in such amounts as determined by City Council to assure that the Restricted Reserve Fund is replenished to the requirements of this Article.

Sec. 2-486 – Amendments to this Article

Any revisions, amendments, or dissolution of this Article shall require two-thirds (2/3) vote of the entire City Council to become effective.

ORDINANCE NO. 25- _____

AN ORDINANCE ACCEPTING THE FINAL PLAT FOR THE GAFFIGAN FAMILY TRUST PROPERTY, ROGERS, BENTON COUNTY, ARKANSAS; THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Final Plat has been submitted for the Gaffigan Family Trust Property, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

LEGAL DESCRIPTION:

TRACT 2, OF A TRACT SPLIT FILED IN PLAT RECORD "29" AT PAGE 235 AND BEING LOCATED IN A PART OF THE NW 1/4 OF THE NW 1/4 AND A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS MORE PRECISELY DESCRIBED AS FOLLOWS: STARTING AT THE NW CORNER OF THE SOUTH 1/2 OF THE NW 1/4 OF THE NW 1/4; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 6.97 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 48 SECONDS WEST 526.44 FEET; THENCE SOUTH 89 DEGREES 53 MINUTES 49 SECONDS EAST 259.08 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 53 MINUTES 49 SECONDS EAST 394.14 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 59 SECONDS WEST 426.00 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 49 SECONDS WEST 394.14 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 59 SECONDS EAST 426.00 FEET TO THE TRUE POINT OF BEGINNING. SUBJECT TO PRICE-ALLEY ROAD ALONG THE NORTH AND EAST SIDES AND ANY EASEMENTS OF RECORDS. SUBJECT TO EXISTING EASEMENTS, MINERAL RESERVATIONS, CONVEYANCES AND/OR LEASES, AND COVENANTS AND RESTRICTIONS OF RECORD, IF ANY.

WHEREAS, the City Council finds that said Final Plat is in conformance with the City of Rogers Code of Ordinances; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public ways be accepted and confirmed.

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

Section 1: The Final Plat of Gaffigan Family Trust Property, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved, and confirmed;

Section 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat;

Section 3: Emergency Clause: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

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

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

PASSED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director Community Development
Prepared by: John M. Pesek, Senior Staff Attorney

ORDINANCE NO. 25- _____

AN ORDINANCE ACCEPTING A FINAL PLAT OF BETTER BODY BAR OF ROGERS, BENTON COUNTY, ARKANSAS; THE DEDICATION OF EASEMENTS AND OTHER PUBLIC WAYS THEREIN; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Final Plat has been submitted for the Better Body Bar in Rogers, Benton County, Arkansas which is more particularly described as follows, to-wit:

Tract #1

A part of the NE 1/4 of the SE 1/4 of Section 9, Township 19 North, Range 30 West in Benton County, Arkansas, described as follows: Commencing at the SW corner of said NE 1/4 of the SE 1/4; thence North 218 feet to the point of beginning; thence North 89 degrees 54 minutes 20 seconds East 215.90 feet; thence North 00 degrees 19 minutes West 147.00 feet; thence South 89 degrees 09 minutes West 215.10 feet; thence South 144.20 feet to the point of beginning and subject to a 20 foot wide easement across the Southerly side, and an easement on the Westerly side of road and utility purposes. The above-described lands being one and the same as shown on Boundary Survey made by Matthew D. James (PLS No. 1845) of James Layout Services, LLC, dated October 3, 2023, designated as Job No. 23-199, and being described as follows:

A part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 9, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Commencing at the Southwest (SW) corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 9; thence North 03°10'49" East a distance of 218.00 feet to the Point of Beginning; thence North 03°10'49" East a distance of 144.50 feet; thence South 87°35'07" East a distance of 215.10 feet to a found 1/2" rebar; thence South 02°48'26" West a distance of 146.79 feet to a found 1/2" rebar; thence North 86°58'32" West a distance of 216.04 feet to the Point of Beginning containing 0.72 acres or 31,395 square feet more or less.

Tract #2

A part of the NE 1/4 of the SE 1/4 of Section 9, Township 19 North, Range 30 West in Benton County, Arkansas, described as follows: Commencing at the SW corner of said NE 1/4 of the SE 1/4; thence North 218.00 feet; thence North 89 degrees 54 minutes 20 seconds East 215.90 feet to the point of beginning; thence North 89 degrees 54 minutes 20 seconds East 70.80 feet; thence North 00 degrees 19 minutes West 150.00 feet; thence South 87 degrees 28 minutes 20 seconds West 70.85 feet; thence South 00 degrees 19 minutes East 147.00 feet to the point of beginning and subject to a 20 foot wide easement across the Southerly side. The above-described lands being one and the same as shown on Boundary Survey made by Matthew D. James (PLS No. 1845) of James Layout Services, LLC, dated October 3, 2023, designated as Job No. 23-199, and being described as follows:

A part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 9, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Commencing at the Southwest (SW) corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 9; thence North 03°10'49" East a distance of 218.00 feet; thence South 86°58'32" East a distance of 216.04 feet to a found 1/2" rebar being the Point of Beginning; thence North 02°48'26" East a distance of 146.79 feet to a found 1/2" rebar; thence South 89°31'41" East a distance of 71.02 feet to a found 1/2" rebar; thence South 02°55'20" West a distance of 149.95 feet to a found 1/2" rebar;

thence North 86°58'36" West a distance of 70.66 feet to the Point of Beginning containing 0.24 acres or 10,506 square feet more or less.

WHEREAS, the City Council finds that said Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of easements and other public ways be accepted and confirmed.

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

Section 1: The Final Plat of Better Body Bar in Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved, and confirmed;

Section 2: All dedication of easements and public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat;

Section 3: Emergency Clause: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

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

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

PASSED this _____ day of _____, 2025.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director Community Development
Prepared by: John M. Pesek, Senior Staff Attorney