



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

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: June 8, 2021

The following committee meetings will be held on **Tuesday, June 8, 2021** prior to the City Council Meeting:

05:10 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Kruger, Legere) **Community Room #1**

To Discuss: (a) Rogers Fire Department Chief Jenkins presentation; fire sprinklers for multi-family projects/townhomes

05:20 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Legere, Townzen) **Community Room #1 and <https://us02web.zoom.us/j/85140488025> OR (312)626-6799 ID: 851 4048 8025**

To Discuss: (a) Parking space closure request - Yeyo's

05:30 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall) **Community Room #1**

To Discuss: (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Construction Contract With Mid-Continental Restoration Co., Inc., Of Fort Scott, Kansas; Amending The Budget To Appropriate \$200,000.00 From General Fund Reserves For Victory Theatre

(b) A Resolution Amending The 2021 Budget To Appropriate \$450,000.00 From General Fund Reserves For Citywork Conversion

05:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Legere*, Townzen, Hayes) **Community Room #1**

To Discuss: (a) An Ordinance Adopting Changes To The Comprehensive Growth Map

(b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To U-Com And U-NBT (JW Partners) [Staff Report](#)

06:00 p.m. - City Council Chambers

To Discuss: (a) Civic Clerk - Agenda Management Software Training



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ROGERS CITY COUNCIL
AGENDA

JUNE 8, 2021
6:30 PM

PUBLIC FORUM:

ROLL CALL:

ACTION ON MINUTES:

1. May 25, 2021

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Authorizing The Mayor And City Clerk To Enter Into
A Construction Contract With Mid-Continental
Restoration Co., Inc., Of Fort Scott, Kansas; Amending
The Budget To Appropriate \$200,000.00 From General
Fund Reserves For Victory Theatre
FINANCE
COMMITTEE
2. RES. Re: Amending The 2021 Budget To Appropriate
\$450,000.00 From General Fund Reserves For
Citywork Conversion
FINANCE
COMMITTEE
3. ORD. Re: Adopting Changes To The Comprehensive Growth
Map
COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE
4. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning
Certain Lands From A-1 To U-Com And U-NBT (JW
Partners)
COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

Appointment to Board of Adjustments; Josh Allen with a term to expire June 08, 2024

Appointment to Board of Adjustments; Elizabeth Cisneros with a term to expire June 08, 2024

ANNOUNCEMENTS:

RESOLUTION NO. R21-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONSTRUCTION CONTRACT WITH MID-CONTINENTAL RESTORATION CO., INC., OF FORT SCOTT, KANSAS; AMENDING THE BUDGET TO APPROPRIATE TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) FROM GENERAL FUND RESERVES TO ACCOUNT #100-01-70157; AND FOR OTHER PURPOSES.

WHEREAS, restoration of the Victory Theater must be performed to assure the safety of the performers and audience;

WHEREAS, Mid-Continental Restoration Co., of Fort Scott, Kansas has estimated the cost of this restoration to be two hundred and twenty-five thousand dollars (\$225,000.00);

WHEREAS, there is carry over money from the 2020 budget that will also fund the restoration; and

WHEREAS, this project will be through a procurement alliance.

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 Mid-Continental Restoration Co., Inc., of Fort Scott, Kansas, in an amount not to exceed two hundred twenty-five thousand dollars (\$225,000.00), for restoration of the Victory Theater;

Section 2: The 2021 Budget is hereby amended to appropriate two hundred thousand dollars (\$200,000.00) from General Fund Reserves to Account #100-01-70157;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: David Hook, Facilities Development Manager

Prepared by: Bonnie Bridges, Staff Attorney

For Consideration By: Finance Committee

RESOLUTION NO. R21-_____

A RESOLUTION AMENDING THE 2021 BUDGET TO APPROPRIATE FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000.00) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-09-70268 PROFESSIONAL SERVICES FOR CITYWORKS SOFTWARE CONVERSION AND IMPLEMENTATION; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers City Council selected the Timmons Group of Richmond, Virginia to provide integration and implementation services for the conversion from CityView software to Cityworks software;

WHEREAS, Resolution 20-60 allowed the Mayor and City Clerk to enter into a contract with Timmons Group;

WHEREAS, this project sets the foundation for various city departments to utilize software components such as asset management, permitting, collecting alcohol tax, code enforcement, inspections, and licensing; and

WHEREAS, the Timmons Group estimates the cost of this project will not exceed four hundred fifty thousand dollars (\$450,000.00).

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

Section 1: The 2021 Budget is amended to appropriate four hundred fifty thousand dollars (\$450,000.00) from General Fund Reserves to Account #100-09-70268 Professional Services;

Section 2: This appropriation will be used to integrate and implement Cityworks software and convert CityView software data into Cityworks software;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director of Community Development
Tom Jenkins, Fire Chief
Casey Wilhelm, Director of Finance
Jim White, Parks Director
Ryan Breese, Information Technology Director
Dave Stewart, Application Specialist
Jeff Williams, Project Manager

Prepared By: Bonnie Bridges, Staff Attorney
For Consideration By: Finance Committee

ORDINANCE NO. 21-_____

**AN ORDINANCE ADOPTING CHANGES TO THE COMPREHENSIVE GROWTH MAP;
PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, on May 4, 2021, the Planning Commission recommended approval of several updates to the Downtown Regional Center Zoning Plan of the Comprehensive Growth Map; and

WHEREAS, pursuant to A.C.A §14-56-423, after adoption of plans, ordinances, and regulations and proper filing in the offices of city clerk and county recorder, amendments to plans, ordinances, or regulations may be made by a majority vote of the city council.

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

Section 1: Parcel 02-01096-000, located at W. Persimmon and N. 8th streets, is changed to COM on the Downtown Regional Center Zoning Plan;

Section 2: Parcels 02-05222-000, 02-05223-000, 02-05224-000, 02-05225-000, and 02-05226-000, located between W. Pine Street, S. 2nd Street, and the railroad, are changed to NBT on the Downtown Regional Center Zoning Plan;

Section 3: Parcels 02-05733-000, 02-05734-000, 02-05734-002, 02-05734-001, and 02-05735-000, located between W. Oak Street, S. 2nd Street, and the railroad, are changed to NBT on the Downtown Regional Center Zoning Plan;

Section 4: Parcels 02-06749-000, 02-06750-000, 02-06750-001, 02-06751-000, 02-06752-000, 02-05118-000, 02-05101-000, 02-22701-000, 02-02911-000, 02-02910-000, and all parcels between E. Pine Street, S. Arkansas Street, S. Monte Ne Road, E. Oak Street, and the Railyard Bike Park, are changed to NBT on the Downtown Regional Center Zoning Plan;

Section 5: Emergency Clause: The need to adopt these changes is immediate in order to protect the public peace, health, safety, and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 6: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 7: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Ethan Hunter, City Planner

Reviewed by: Bonnie Bridges, Staff Attorney

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 21-_____

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM A-1 TO U-COM AND U-NBT, PROVIDING FOR
THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES**

WHEREAS, pursuant to the provisions of Rogers Code Section 14-725, et seq, and upon the consideration of the report and recommendations of the Planning Commission of the City of Rogers, Benton County, Arkansas, on June 1, 2021, the City Council has found that certain lands hereinafter described are better suited for U-COM and U-NBT zoning.

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

SECTION 1: That Section 14-675 of the Code of Ordinances, City of Rogers, should be and the same hereby is amended as hereinafter provided.

SECTION 2: That the land hereinafter described should be and the same is hereby zoned as U-COM and U-NBT and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

U-COM:

PART OF THE NE1/4 OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHEAST CORNER OF SAID SECTION 28; THENCE S02°20'11"W 574.94 FEET;
THENCE N87°39'49"W 41.95 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT-OF-WAY OF SOUTH BELLVIEW ROAD AS DESCRIBED IN DEED RECORD 2015-4901;
THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FOUR COURSES:THENCE S01°31'50"W 4.20 FEET;
THENCE S02°11'00"W 197.98 FEET; THENCE S03°10'01"W 34.30 FEET; THENCE S04°09'03"W 111.29 FEET;
THENCE S05°25'27"W 140.47 FEET; THENCE LEAVING SAID RIGHT-OF-WAY N86°48'34"W 267.04 FEET;
THENCE S02°20'11"W 260.00 FEET; THENCE S86°48'34"E 203.05 FEET THE WEST RIGHT-OF-WAY OF SOUTH BELLVIEW ROAD AS DESCRIBED IN DEED RECORD 2015-4885; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING EIGHT COURSES:THENCE S02°47'34"W 51.40 FEET; THENCE S87°12'26"E 26.94 FEET;
THENCE 39.67 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A LONG CHORD OF S41°45'17"E 35.63 FEET; THENCE S03°41'52"W 92.26 FEET; THENCE S02°59'03"W 269.88 FEET; THENCE S04°13'42"W 178.24 FEET; THENCE N88°22'07"W 115.60 FEET; THENCE S02°34'55"W 125.07 FEET;
THENCE LEAVING SAID RIGHT-OF-WAY N39°18'31"W 252.34 FEET; THENCE N48°34'23"W 46.20 FEET;
THENCE N77°28'54"W 69.22 FEET; THENCE S83°33'52"W 154.98 FEET; THENCE N47°51'58"W 347.47 FEET;
THENCE N58°03'50"W 307.59 FEET; THENCE N49°35'11"W 270.22 FEET; THENCE N45°13'56"W 48.79 FEET;
THENCE N31°12'42"W 53.81 FEET; THENCE N13°28'59"W 20.63 FEET; THENCE N11°21'40"W 376.98 FEET;

THENCE N21°50'35"W 35.29 FEET; THENCE N18°38'53"W 251.65 FEET; THENCE N07°35'13"E 156.02 FEET;
THENCE N02°48'01"E 245.82 FEET TO THE SOUTH RIGHT-OF-WAY OF INTERSTATE 49 AS DESCRIBED IN DEED RECORD 2006-26682; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE COURSES:
THENCE S83°45'51"E 723.51 FEET; THENCE S56°29'18"E 203.04 FEET; THENCE S66°24'52"E 200.00 FEET;
THENCE S75°52'36"E 304.14 FEET; THENCE S66°03'06"E 205.71 FEET; THENCE LEAVING SAID RIGHT-OF-WAY S00°09'29"W 23.84 FEET TO THE POINT OF BEGINNING, CONTAINING 44.45 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

ALSO

PART OF THE NE1/4 OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHEAST CORNER OF SAID SECTION 28; THENCE S02°20'11"W 1062.92 FEET;
THENCE N87°39'49"W 52.95 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT-OF-WAY OF SOUTH BELLVIEW ROAD AS DESCRIBED IN DEED RECORD 2015-4893; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE COURSES: THENCE S05°25'27"W 129.54 FEET;
THENCE S04°09'03"W 97.20 FEET; THENCE 38.70 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A LONG CHORD OF S48°29'55"W 34.95 FEET; THENCE N87°09'14"W 28.64 FEET;
THENCE S02°50'46"W 8.60 FEET; THENCE LEAVING SAID RIGHT-OF-WAY N86°48'34"W 203.05 FEET;
THENCE N02°20'11"E 260.00 FEET; THENCE S86°48'34"E 267.04 FEET TO THE POINT OF BEGINNING, CONTAINING 1.54 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

U-NBT:

PART OF THE NE1/4 OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 30 WEST IN BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHEAST CORNER OF SAID SECTION 28; THENCE S02°20'11"W 1859.62 FEET;
THENCE N87°39'49"W 617.72 FEET TO THE POINT OF BEGINNING; THENCE S83°33'52"W 64.13 FEET;
THENCE N82°26'34"W 210.54 FEET; THENCE N64°47'34"W 94.72 FEET; THENCE N27°40'36"W 187.24 FEET; THENCE N66°39'19"W 308.70 FEET; THENCE N58°44'48"W 176.11 FEET; THENCE N39°25'49"W 203.92 FEET; THENCE N87°35'04"W 50.16 FEET; THENCE N86°30'33"W 24.85 FEET; THENCE N13°28'59"W 5.02 FEET; THENCE S86°48'34"E 26.27 FEET; THENCE N20°15'34"W 36.86 FEET; THENCE N18°41'39"E 86.69 FEET; THENCE N26°23'47"E 225.09 FEET; THENCE N33°16'42"E 140.91 FEET; THENCE S11°21'40"E 376.98 FEET; THENCE S13°28'59"E 20.63 FEET; THENCE S31°12'42"E 53.81 FEET; THENCE S45°13'56"E 48.79 FEET; THENCE S49°35'11"E 270.22 FEET; THENCE S58°03'50"E 307.59 FEET; THENCE S47°51'58"E 347.47 FEET TO THE POINT OF BEGINNING, CONTAINING 5.29 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

LAYMAN'S DESCRIPTION:

± 51.33 acres located between S. Bellview Rd. & S. 28th Pl.

SECTION 3: Zoning. That the above described lands are better suited for U-COM and U-NBT than A-1 zoning and same should be and are hereby zoned U-COM and U-NBT.

SECTION 4: Emergency Clause. That it is necessary to bring proposed uses of the property into conformance with the Rogers City Zoning Ordinances and because of such an emergency is declared to exist and in order to protect the public peace, health, safety and welfare, this ordinance shall be in full force and effect from the date of its passage and approval.

SECTION 5: Severability Provision. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 6: Repeal of Conflicting Ordinances and Resolutions. All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this _____ day of _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Bill Watkins

Reviewed by: Amber Long, Planner I

For Consideration By: Community Environment & Welfare Committee