



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 22, 2021

The following committee meetings will be held on **Tuesday, June 22, 2021** prior to the City Council Meeting:

05:20 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall) **Committee Room #1**

To Discuss: (a) RWU Monthly Report

05:30 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Legere, Townzen) **Committee Room #1**

To Discuss: (a) A Resolution Amending The 2021 Budget To Appropriate \$3,368.45 From Street Fund Reserves Into Account #200-16-70268 Professional Services For Relocation Of Cox Facilities Along Laurel Avenue

(b) Parking Space Closure Request - Hapa's Hawaiian (Jason Seto)

05:45 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall) **Committee Room #2**

To Discuss: (a) A Resolution Amending The City Of Rogers' 2021 Budget To Recognize Insurance Proceeds In The Amount Of \$10,326.77 To Account #100-08-49195 Insurance Reimbursement

(b) A Resolution Amending The City Of Rogers' 2021 Budget To Recognize Insurance Proceeds In The Amount Of \$4,809.79 To Account #100-04-49195 Insurance Reimbursement

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

To Discuss: (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-DP To NBT (Montero Farms) [Staff Report](#)

(b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-DP To NBT (Porch Dog) [Staff Report](#)



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ROGERS CITY COUNCIL

AGENDA

JUNE 22, 2021

6:30 PM

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. June 08, 2021

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Amending The 2021 Budget To Appropriate
\$3,368.45 From Street Fund Reserves Into Account
#200-16-70268 Professional Services For Relocation
Of Cox Facilities Along Laurel Avenue
TRANSPORTATION
COMMITTEE
2. RES. Re: Amending The City Of Rogers' 2021 Budget To
Recognize Insurance Proceeds In The Amount Of
\$10,326.77 To Account #100-08-49195 Insurance
Reimbursement
FINANCE
COMMITTEE
3. RES. Re: Amending The City Of Rogers' 2021 Budget To
Recognize Insurance Proceeds In The Amount Of
\$4,809.79 To Account #100-04-49195 Insurance
Reimbursement
FINANCE
COMMITTEE

- | | | | |
|----|----------|--|--|
| 4. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning
Certain Lands From R-DP To NBT (Montero Farms) | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |
| | | | |
| 5. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning
Certain Lands From R-DP To NBT (Porch Dog) | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R21-_____

A RESOLUTION AMENDING THE 2021 BUDGET TO APPROPRIATE THREE THOUSAND THREE HUNDRED SIXTY EIGHT DOLLARS AND FORTY FIVE CENTS (\$3,368.45) FROM STREET FUND RESERVES INTO ACCOUNT #200-16-70268 PROFESSIONAL SERVICES FOR RELOCATION OF COX FACILITIES ALONG LAUREL AVENUE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers has reached an agreement with Cox Advanced Services Arkansas, LLC to relocate certain Cox facilities along Laurel Avenue from the intersection of 26th Street to Dixieland Road; and

WHEREAS, the City of Rogers has reached an agreement to pay Cox three thousand three hundred and sixty eight dollars and forty five cents (\$3,368.45) for it to relocate its facilities along Laurel from the intersection of 26th Street to Dixieland Road.

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 three thousand three hundred and sixty eight dollars and forty five cents (\$3,368.45) from Street Fund Reserves to Account #200-16-70268 Professional Services;

Section 2: This appropriation will be used to relocate Cox facilities along Laurel from the intersection of 26th Street to Dixieland Road;

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

Prepared By: John M. Pesek, Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R21-_____

A RESOLUTION AMENDING THE CITY OF ROGERS' 2021 BUDGET TO RECOGNIZE INSURANCE PROCEEDS IN THE AMOUNT OF TEN THOUSAND THREE HUNDRED TWENTY-SIX DOLLARS AND SEVENTY SEVEN CENTS (\$10,326.77) TO ACCOUNT #100-08-49195 INSURANCE REIMBURSEMENT; APPROPRIATING THAT SAME AMOUNT TO ACCOUNT #100-08-70165 VEHICLE MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers has received ten thousand three hundred twenty-six dollars and seventy seven cents (\$10,326.77) in insurance proceeds for damage to a Parks and Recreation vehicle; and

WHEREAS, this money will be used to repair the damage to the vehicle.

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

Section 1: The City of Rogers' 2021 Budget is amended to recognize ten thousand three hundred twenty-six dollars and seventy seven cents (\$10,326.77) in insurance proceeds to Account #100-08-49195 Insurance Reimbursement.

Section 2: The City of Rogers' 2021 Budget is amended to appropriate ten thousand three hundred twenty-six dollars and seventy seven cents (\$10,326.77) into Account #100-08-70165 Vehicle Maintenance.

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 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 _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Jim White, Parks and Recreation Director
Prepared By: John M. Pesek, Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. R21-_____

A RESOLUTION AMENDING THE CITY OF ROGERS' 2021 BUDGET TO RECOGNIZE INSURANCE PROCEEDS IN THE AMOUNT OF FOUR THOUSAND EIGHT HUNDRED NINE DOLLARS AND SEVENTY-NINE CENTS (\$4,809.79) TO ACCOUNT #100-04-49195 INSURANCE REIMBURSEMENT; APPROPRIATING THAT SAME AMOUNT TO ACCOUNT #100-04-70165 VEHICLE MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers' Fire Department had two vehicles that were damaged in the recent flooding; and

WHEREAS, the City received four thousand eight hundred nine dollars and seventy nine cents (\$4,809.79) in insurance proceeds to repair the damage to the vehicles.

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

Section 1: The City of Rogers' 2021 Budget is amended to recognize four thousand eight hundred nine dollars and seventy nine cents (\$4,809.79) in insurance proceeds to Account #100-04-49195 Insurance Reimbursement.

Section 2: The City of Rogers' 2021 Budget is amended to appropriate four thousand eight hundred nine dollars and seventy nine cents (\$4,809.79) into Account #100-04-70165 Vehicle Maintenance.

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 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 _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Tom Jenkins, Fire Chief
Prepared By: John M. Pesek, Staff Attorney
For Consideration By: Finance Committee

ORDINANCE NO. 21-_____

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM R-DP TO 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 15, 2021, the City Council has found that certain lands hereinafter described are better suited for 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 NBT and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

BEGIN 16 RODS EAST AND 40 RODS NORTH OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 19 NORTH OF RANGE 30 WEST BENTON COUNTY ARKANSAS, RUN THENCE EAST 13 RODS; THENCE SOUTH 100 FEET; THENCE WEST 13 RODS; THENCE NORTH 100 FEET TO THE PLACE OF BEGINNING.

LAYMAN'S DESCRIPTION:

618 & 620 N. 4th St.

SECTION 3: **Zoning.** That the above described lands are better suited for NBT than R-DP zoning and same should be and are hereby zoned 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

Prepared By: Amber Long, Planner I

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 21-_____

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

WHEREAS, pursuant to the provisions of Rogers Code Section 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 15, 2021, the City Council has found that certain lands hereinafter described are better suited for 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 NBT and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Parcel# 02-01116-000

PART SW1/4 NE1/4 OF SECTION 12. TOWNSHIP 19 NORTH, RANGE 30 WEST, BEGINNING 977 FEET NORTH AND 163 FEET WEST OF THE NORTHEAST CORNER OF LOT 2 IN BLOCK 2 OF B. A. RIGGS ADDITION TO THE CITY OF ROGERS AND RUNNING THENCE SOUTH 140 FEET, THENCE EAST 65 FEET, THENCE NORTH 140 FEET, THENCE WEST 65 FEET TO THE POINT OF BEGINNING.

Parcel# 02-01115-000

A part of the SW 1/4 of the NE 1/4 of Section 12, Township 19 North, range 30 West, described as follows: Beginning at a point 540 feet North of the Northeast Corner of Lot 2, Block 2, B. A. Riggs Addition to the City of Rogers; thence West 228 feet; thence North 437 feet; thence East 228 feet; thence South 437 feet to the point of beginning. Except a tract 130 feet East and West and 140 feet North and South out of the Northwest corner thereof.

Parcel# 02-06761-000

Lots 1, 2 and 3 except a strip 30 feet wide off the South side of Lot 4, all in Block 2, Oak View Addition n the City of Rogers, Benton County, Arkansas, as shown in Plat Record Book "31" at Page 9.

Parcel# 02-06763-000

Lot 5, Block 2, Oak View Addition to the City of Rogers, Benton County, Arkansas, as shown on Plat Record 31 at page 9.

Parcel# 02-06764-000

Lot 6 and 25 feet squarely off the North side of Lot 7 in Block 2, Oakview Addition to the City of Rogers, Benton County, Arkansas, as shown in Benton County, Arkansas, Deed Record 31 page 7.

Parcel# 02-06765-000

Lot 8 and 25' squarely off the south side of Lot 7 in Block 2 of Oak View Addition to the city of Rogers, Arkansas

LAYMAN'S DESCRIPTION:

± 2.86 acres at W. Persimmon St. & N. 6th St.

SECTION 3: Zoning. That the above described lands are better suited for NBT than R-DP zoning and same should be and are hereby zoned 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: Bryan Davis

Prepared By: Amber Long, Planner I

For Consideration By: Community Environment & Welfare Committee