



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: July 28, 2026

The following committee meetings will be held on **Tuesday, July 28, 2026** prior to the City Council Meeting:

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

Committee Room #1 OR <https://us02web.zoom.us/j/84815432923> OR (312)626-6799 ID: 848 1543 2923

To Discuss: (a) RWU Monthly Report

06:00 p.m. - TRANSPORTATION COMMITTEE: (Kendall*, Surly, Minor)

Committee Room #1 OR <https://us02web.zoom.us/j/84815432923> OR (312)626-6799 ID: 848 1543 2923

- To Discuss:
- (a) A Resolution Amending The 2026 Budget By Reallocation Of Certain Street Fund Appropriations
 - (b) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Contract With Building Exteriors, LLC Of Springdale, Arkansas; Amending The 2026 Budget To Appropriate \$113,620.00 From Street Fee In Lieu Of Reserves Into Account #200-25-70974 Fee In Lieu Of Expense-Trees
 - (c) A Resolution Amending The 2026 Budget To Appropriate \$17,000.00 From Street Fund Fee In Lieu Of Reserves Into Account #200-25-70976 Fee In Lieu Of Expense

06:00 p.m. - RESOURCES & POLICY COMMITTEE: (Hayes*, Reithemeyer, Brashear)

Committee Room #2 OR <https://us02web.zoom.us/j/84784742758> OR (312)626-6799 ID: 847 8474 2758

- To Discuss:
- (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Right-Of-Way And Utility Easement Agreement With Carroll Electric Cooperative Corp. Of Berryville, Arkansas

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

Committee Room #2 OR <https://us02web.zoom.us/j/84784742758> OR (312)626-6799 ID: 847 8474 2758

- To Discuss:
- (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A 50/50 Matching Grant Agreement With The Walton Family Foundation To Receive Up To \$815,087.00; Amending The 2026 Budget To Recognize \$200,000.00 Into General Fund-Parks Account #100-08-45211 WFF Tree Canopy Grant And Appropriate That Same Amount Into Account #100-08-85211 WFF Tree Canopy Grant Capital Expense; Recognizing \$295,493.00 Into Street Fund Account #200-25-45211 WFF Tree Canopy Grant And Appropriating That Same Amount Into Account #200-25-75211 WFF Tree Canopy Grant Expense

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

Committee Room #1 OR <https://us02web.zoom.us/j/84815432923> OR (312)626-6799 ID: 848 1543 2923

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 HC
 - (b) An Ordinance Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From I-1 To T5.1
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ROGERS CITY COUNCIL **AGENDA**

JULY 28, 2026
6:30 PM

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.

In Person Rogers City Council Chambers

OR via [ZOOM LINK](#) OR By Phone (312) 626-6799 ID: 861 8235 4084

PUBLIC FORUM:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

1. July 14, 2026

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Amending The 2026 Budget By Reallocation Of Certain Street Fund Appropriations Transportation Committee
2. RES. Re: Authorizing The Mayor And City Clerk To Enter Into A Contract With Building Exteriors, LLC Of Springdale, Arkansas; Amending The 2026 Budget To Appropriate \$113,620.00 From Street Fee In Lieu Of Reserves Into Account #200-25-70974 Fee In Lieu Of Expense-Trees Transportation Committee
3. RES. Re: Amending The 2026 Budget To Appropriate \$17,000.00 From Street Fund Fee In Lieu Of Reserves Into Account #200-25-70976 Fee In Lieu Of Expense Transportation Committee

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|----|----------|---|---|
| 4. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into A Right-Of-Way And Utility Easement Agreement With Carroll Electric Cooperative Corp. Of Berryville, Arkansas | Resources and Policy Committee |
| 5. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into A 50/50 Matching Grant Agreement With The Walton Family Foundation To Receive Up To \$815,087.00; Amending The 2026 Budget To Recognize \$200,000.00 Into General Fund-Parks Account #100-08-45211 WFF Tree Canopy Grant And Appropriate That Same Amount Into Account #100-08-85211 WFF Tree Canopy Grant Capital Expense | Finance Committee |
| 6. | ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From T2 To HC; Providing For The Emergency Clause; (Nguyen Pleasant Grove) | Community Environment and Welfare Committee |
| 7. | ORD. Re: | Amending The City Of Rogers Unified Development Code Section 1.4.3 By Re-Zoning Certain Lands From I-1 To T5.1; Providing For The Emergency Clause (Panchal) | Community Environment and Welfare Committee |

OLD BUSINESS:

NEW BUSINESS:

- | | | |
|----|----------|---|
| 1. | ORD. Re: | Ordinance Calling A Special Election In The City Of Rogers, Arkansas On The Questions Of Issuing Bonds Under Amendment No. 62 To The Constitution Of The State Of Arkansas For The Purpose Of Refinancing And Financing The Cost Of Capital Improvements; Levying A One Percent (1%) Sales And Use Tax For The Purpose Of Retiring Such Bonds; And Prescribing Other Matters Pertaining Thereto |
| 2. | ORD. | Accepting A Final Plat Of Lot Split Plat Lot 7C Pleasant Crossing Phase 1, Rogers, Benton County, Arkansas; The Dedication Of Rights Of Way Therein; Providing For The Emergency Clause |

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R26-_____

A RESOLUTION AMENDING THE 2026 BUDGET BY REALLOCATION OF CERTAIN STREET FUND APPROPRIATIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City's Finance department identified a coding correction in 2026 that affected the 2026 Budget appropriations as noted on RES 26-31, an invoice was coded to the incorrect general ledger code in 2025 which overstated the carryover appropriations on Account #200-25-70974 Fee in Lieu of Expense - Trees and understated Account #200-25-75200 Federal Canopy Recovery Plan Grant Expense; and

WHEREAS, The City Finance department identified a correction in the final award amount of the Federal Canopy Recovery Plan Grant as noted in RES 25-08, the Grant award was overstated by thirty-four dollars and forty-three cents (\$34.43).

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

Section 1: The 2026 budget is hereby amended to move the appropriations in the amount of fifteen thousand one hundred eighty dollars (\$15,180.00) from Account #200-25-70974 Fee in Lieu of Trees and appropriate that same amount into Account #200-25-75200 Federal Canopy Recovery Plan Grant Expense;

Section 2: The 2026 budget is hereby amended to decrease the revenue Account #200-25-45200 Federal Canopy Recovery Plan Grant Revenue by thirty-four dollars and forty-three cents (\$34.43) and to decrease the expense Account #200-25-75200 Federal Canopy Recovery Plan Grant by thirty-four dollars and forty-three cents (\$34.43);

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 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 _____, 2026.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Casey Wilhelm, Director of Finance
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R26-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH BUILDING EXTERIORS, LLC OF SPRINGDALE, ARKANSAS; AMENDING THE 2026 BUDGET TO APPROPRIATE ONE HUNDRED THIRTEEN THOUSAND SIX HUNDRED TWENTY DOLLARS (\$113,620.00) FROM STREET FEE IN LIEU OF RESERVES INTO ACCOUNT #200-25-70974 FEE IN LIEU OF EXPENSE-TREES; AND FOR OTHER PURPOSES

WHEREAS, the City of Rogers desires to continue to work on the post tornado tree canopy restoration by contracting with Building Exteriors, LLC as the lowest bidder to plant 260 trees within the City right-of-way; and

WHEREAS, the City desires to enter into a contract with Building Exteriors, LLC of Springdale, Arkansas for the planting of 260 trees within the City right-of-way in an amount not to exceed one hundred thirteen thousand six hundred twenty dollars (\$113,620.00).

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

Section 1: The 2026 Budget is hereby amended to appropriate one hundred thirteen thousand six hundred twenty dollars (\$113,620.00) from Street Fee in Lieu of Reserves into Account #200-25-70974 Fee in Lieu of Expense-Trees;

Section 2: The Mayor and City Clerk are authorized to enter into a contract with Building Exteriors, LLC of Springdale, Arkansas for the planting of 260 trees within the City right-of-way in an amount not to exceed one hundred thirteen thousand six hundred twenty dollars (\$113,620.00);

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 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 _____, 2026.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R26-_____

A RESOLUTION AMENDING THE 2026 BUDGET TO APPROPRIATE SEVENTEEN THOUSAND DOLLARS (\$17,000.00) FROM STREET FUND FEE IN LIEU OF RESERVES INTO ACCOUNT #200-25-70976 FEE IN LIEU OF EXPENSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to construct approximately one hundred (100) feet of missing side path along the J.B. Hunt trail connection; and

WHEREAS, the cost of said project is not to exceed the amount of seventeen thousand dollars (\$17,000.00).

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

Section 1: The City of Rogers' 2026 budget is hereby amended to appropriate seventeen thousand dollars (\$17,000.00) from Street Fund Fee in Lieu of Reserves into Account #200-25-70976 Fee in Lieu of Expense;

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

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

RESOLVED this _____ day of _____, 2026.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: John McCurdy, Director of Community Development
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R26-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A RIGHT-OF-WAY AND UTILITY EASEMENT AGREEMENT WITH CARROLL ELECTRIC COOPERATIVE CORP. OF BERRYVILLE, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, The City of Rogers desires to grant Carroll Electric Cooperative Corp. of Berryville, Arkansas a right-of-way and utility easement to place underground utility lines as part of the Fire Station #4 project; and

WHEREAS, the City believes it appropriate to grant Carroll Electric Cooperative Corp. a right-of-way and utility easement containing the following described property:

The east half (E1/2) of the northeast quarter (NE1/4) of the northeast quarter (NE1/4) of section ten (10) in township 19 north of range 30 west, except the following tract therefrom: Beginning at the northwest corner of said 20 acre tract, run thence east 485 feet, thence south 345 feet, thence west 485 feet, thence north 345 feet to the place of beginning; and part of the west half (W1/2) of the northwest quarter (NW1/4) of section 11 in township 19 north of range 30 west described as follows: Beginning at the SW corner of said N1/2 of section 11, run thence south 82.5' feet, thence east 790 feet, thence north 269 feet, thence west 790 feet, thence south 186.5' feet to the place of beginning.

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 a right-of-way and utility easement agreement, and sign all necessary documents, with Carroll Electric Cooperative Corp. of Berryville, Arkansas for the purpose of placing underground utility lines as described above;

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

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

RESOLVED this _____ day of _____, 2026.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: David Hook, Facilities Development Manager
Prepared by: John M. Pesek, Senior Staff Attorney
For Consideration By: Resources & Policy Committee

RESOLUTION NO. R26-_____

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A 50/50 MATCHING GRANT AGREEMENT WITH THE WALTON FAMILY FOUNDATION TO RECEIVE UP TO EIGHT HUNDRED FIFTEEN THOUSAND EIGHTY-SEVEN DOLLARS (\$815,087.00); AMENDING THE 2026 BUDGET TO RECOGNIZE TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) INTO GENERAL FUND-PARKS ACCOUNT #100-08-45211 WFF TREE CANOPY GRANT AND APPROPRIATE THAT SAME AMOUNT INTO ACCOUNT #100-08-85211 WFF TREE CANOPY GRANT CAPITAL EXPENSE; RECOGNIZING TWO HUNDRED NINETY-FIVE THOUSAND FOUR HUNDRED NINETY-THREE DOLLARS (\$295,493.00) INTO STREET FUND ACCOUNT #200-25-45211 WFF TREE CANOPY GRANT AND APPROPRIATING THAT SAME AMOUNT INTO ACCOUNT #200-25-75211 WFF TREE CANOPY GRANT EXPENSE;
AND FOR OTHER PURPOSES**

WHEREAS, the City of Rogers was approved to receive up to eight hundred fifteen thousand eighty-seven dollars (\$815,087.00) from the Walton Family Foundation in a 50/50 matching grant to be used for the post tornado tree canopy restoration in the public right-of-way;

WHEREAS, phase one of the grant will be four hundred ninety-five thousand four hundred ninety-three dollars (\$495,493.00) for post tornado tree canopy restoration in the right-of-ways and equipment for maintenance of trees; and

WHEREAS, the City's matching funds will be from the USDA Grant award in the amount of three hundred eighty-one thousand eight hundred seventy-three dollars (\$381,873) and monies from the Street Fee in Lieu of funds in the amount of one hundred thirteen thousand six hundred twenty dollars (\$113,620) to be used for the Canopy Recovery Plan.

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 a grant agreement with the Walton Family Foundation in which the City will receive up to eight hundred fifteen thousand eighty-seven dollars (\$815,087.00) in grant funds; and

Section 2: The 2026 Budget is hereby amended to recognize grant funds in the amount of two hundred thousand dollars (\$200,000.00) into general fund-parks Account #100-08-45211 WFF Tree Canopy Grant and appropriating that same amount into Account #100-08-85211 WFF Tree Canopy Grant Capital Expense;

Section 3: The 2026 Budget is further amended to recognize grant funds in the amount of two hundred ninety-five thousand four hundred ninety-three dollars (\$295,493.00) into Street Fund Account #200-25-45211 WFF Tree Canopy Grant and appropriating that same amount into Account #200-25-75211 WFF Tree Canopy Grant Expense;

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 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 _____, 2026.

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

For Consideration By: Finance Committee

ORDINANCE NO. 26-__

**AN ORDINANCE AMENDING THE CITY OF ROGERS UNIFIED DEVELOPMENT
CODE SECTION 1.4.3 BY RE-ZONING CERTAIN LANDS FROM T2 TO HC;
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 HC 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 HC and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION

PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID SW 1/4 OF THE SE 1/4, THENCE S 86°44'48" E 329.77 FEET TO THE POINT OF BEGINNING, THENCE S 86°44'48" E 480.41 FEET TO THE 28TH STREET RIGHT OF WAY LINE, THENCE ALONG SAID RIGHT OF WAY LINE AS FOLLOWS: N 03°14'51" E 40.57 FEET, S 86°29'07" E 50.00 FEET, N 27°01'44" E 89.67 FEET, N 14°29'24" E 300.54 FEET, N 22°46'18" E 195.25 FEET, N 00°22'04" E 56.81 FEET, THENCE LEAVING SAID RIGHT OF WAY LINE N 86°53'13"W 694.85 FEET, THENCE S 02°36'41" W 656.29 FEET TO THE POINT OF BEGINNING, CONTAINING 9.23 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY OF PLEASANT GROVE ROAD ALONG THE SOUTH SIDE OF THE PROPERTY. ALSO SUBJECT TO OTHER EASEMENTS OF RECORD OR FACT.

LESS AND EXCEPT TRACT 318-R OF WARRANTY DEED TO ARKANSAS STATE HIGHWAY COMMISSION RECORDED IN/AS BOOK 585 AT PAGE 278 AMONG THE RECORDS OF BENTON COUNTY, AR, MORE PARTICULARLY DESCRIBED AS FOLLOWS: PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: STARTING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE S00°55'48"E ALONG THE EAST LINE THEREOF A DISTANCE OF 1,975.50 FEET TO A POINT; THENCE S89°41'37"W A DISTANCE OF 303.44 FEET TO A POINT ON THE SOUTHWESTERLY PROPOSED RIGHT OF WAY LINE OF RELOCATED U.S. HIGHWAY #71 FOR THE POINT OF BEGINNING; THENCE S03°09'56"E ALONG SAID PROPOSED RIGHT OF WAY LINE A DISTANCE OF 53.82 FEET TO A PONT; THENCE S19°10'16"W ALONG SAID PROPOSED RIGHT OF WAY LINE A DISTANCE OF 108.39 FEET TO A

POINT; THENCE N00°54'27"W A DISTANCE OF 155.94 FEET TO A POINT; THENCE N89°41'37"E A DISTANCE OF 35.09 FEET TO THE POINT OF BEGINNING. SUBJECT TO RECORDED INSTRUMENTS, COVENANTS, RIGHTS OF WAY, AND EASEMENT, IF ANY. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES IF ANY.

LAYMAN'S DESCRIPTION:

02-02087-327, 02-02087-328, and 02-02087-329

Section 3: Zoning: The above described lands are better suited for HC (Highway Commercial) than T2 (Rural) zoning and same should be and are hereby zoned HC;

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 _____, 2026.

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. 26-__

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

PROPERTY DESCRIPTION

TRACT 2: A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPLE MERIDIAN, ROGERS, BENTON COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT, ALSO BEING THE INTERSECTION OF SOUTH 8TH STREET AND OLRICH STREET, THENCE ALONG THE CENTERLINE OF SAID SOUTH 8TH STREET AND THE WEST BOUNDARY OF THE SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, S02°37'45"W A DISTANCE OF 45.49'; THENCE, LEAVING SAID WEST BOUNDARY LINE S87°22'14"E A DISTANCE OF 45.12' TO A SET MAG NAIL LOCATED ON THE SOUTHERLY RIGHT-OF-WAY OF OLRICH STREET; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY OF OLRICH STREET; THENCE N 88°18'07" E A DISTANCE OF 23.80' TO A SET MAG NAIL; THENCE N 60°48'53" E A DISTANCE OF 38.16' TO A SET MAG NAIL; THENCE N86°58'31"E A DISTANCE OF 24.01' TO A SET MAG NAIL; THENCE S 85°50'48" E A DISTANCE OF 107.45' TO A SET 1/2" REBAR BEING THE TRUE POINT OF BEGINNING; THENCE S 85°50'48" E A DISTANCE OF 35.11' TO A SET 1/2" REBAR, THENCE S 85°50'48" E A DISTANCE OF 106.40' A FOUND 5/8" REBAR CAPPED (PLS 1086); THENCE LEAVING SAID RIGHT-OF-WAY, S 02°24'27" WA DISTANCE OF 308.04'; THENCE N 86°28'06" WA DISTANCE OF 101.22' TO A SET 1/2" REBAR; THENCE N 03°05'29" E A DISTANCE OF 231.74' TO A SET 1/2" REBAR, THENCE N86°52'55"W A DISTANCE OF 23.45' TO A SET 1/2" REBAR, THENCE N02°48'00"E A DISTANCE OF 32.73' TO A SET 1/2" REBAR. THENCE N 85°50'48" WA DISTANCE OF 20.35' TO A SET 1/2" REBAR, THENCE N 03°06'21" E A DISTANCE OF 45.01' TO THE POINT OF BEGINNING. CONTAINING 0.77 ACRES MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

LAYMAN'S DESCRIPTION:

706 W Olrich Street
02-01507-000

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

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 _____, 2026.

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: Christina Moore, Planner

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. _____

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF ROGERS, ARKANSAS ON THE QUESTIONS OF ISSUING BONDS UNDER AMENDMENT NO. 62 TO THE CONSTITUTION OF THE STATE OF ARKANSAS FOR THE PURPOSE OF REFINANCING AND FINANCING THE COST OF CAPITAL IMPROVEMENTS; LEVYING A ONE PERCENT (1%) SALES AND USE TAX FOR THE PURPOSE OF RETIRING SUCH BONDS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the City Council of the City of Rogers, Arkansas (the "City") has determined that the City is greatly in need of the following capital improvements of a public nature, including new facilities and/or improvements to existing facilities: (a) streets, roads, trails and bridges, including any curb, gutter, drainage, flood control and other related improvements, equipment and land acquisition to accomplish such improvements, and street lighting, utility adjustments, sidewalks and traffic signals related thereto (the "Street Improvements"); (b) park and recreational facilities and improvements and any necessary land acquisition and parking, furnishings, equipment, drainage, flood control, lighting, road, trail, and utility improvements therefor (the "Park and Recreational Improvements"); (c) fire department facilities, equipment and apparatus and parking, furnishings, drainage, flood control, lighting, road, and utility improvements therefor (the "Fire Improvements"); (d) police department facilities, equipment and apparatus and parking, furnishings, drainage, flood control, lighting, road, and utility improvements therefor (the "Police Improvements"); and (e) animal services facilities, equipment and apparatus and parking, furnishings, drainage, flood control, lighting, road and utility improvements therefor (the "Animal Services Improvements"); and

WHEREAS, pursuant to a special election held August 14, 2018, the City has outstanding its Sales and Use Tax Bonds, Improvement Series 2018B and Sales and Use Tax Bonds, Series 2022 (collectively, the "Series 2018 Voter Approved Bonds"); and

WHEREAS, the 2018 Voter Approved Bonds financed various capital improvements and are secured by and payable from collections of a 1% City-wide sales and use tax levied pursuant to Ordinance No. 18-26 of the City adopted May 22, 2018 (the "2018 Tax"); and

WHEREAS, the City Council has determined that the Street Improvements, the Park and Recreational Improvements, the Fire Improvements, the Police Improvements, and the Animal Services Improvements (collectively, "Capital Improvements") can be immediately financed without a tax increase if the 2018 Voter Approved Bonds are refunded; and

WHEREAS, the City Council proposes to finance all or a portion of the costs of the refunding of the 2018 Voter Approved Bonds (the "Refunding") and the Capital Improvements by the issuance of capital improvement bonds (the "Bonds") under the authority of Amendment No. 62 to the Constitution of the State of Arkansas ("Amendment 62") and Title 14, Chapter 164, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation"), allocated as follows: \$195,500,000 in maximum aggregate principal amount for the Street Improvements; \$81,500,000 in maximum aggregate principal amount for the Park and Recreational Improvements; \$32,750,000 in maximum aggregate principal amount for the Fire Improvements; \$20,750,000 in maximum aggregate principal amount for the Police Improvements; \$8,750,000 in

maximum aggregate principal amount for the Animal Services Improvements; and \$118,000,000 in maximum aggregate principal amount for the Refunding; and

WHEREAS, the City can pay the principal of and interest on the Bonds from the proceeds of a City-wide 1% sales and use tax to be levied under the authority of the Authorizing Legislation that will replace the 2018 Tax; and

WHEREAS, the purpose of this Ordinance is to submit to the electors of the City the questions of issuing the Bonds for the Capital Improvements and for the Refunding under Amendment 62 and the Authorizing Legislation at a special election to be called for that purpose and to levy a sales and use tax at the rate of one percent (1%) on the receipts from the sales at retail within the City of all items which are subject to taxation under the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. §§26-52-101, et seq.), and the receipts from storing, using, distributing or consuming within the City tangible personal property under the Arkansas Compensating Tax Act of 1949, as amended (A.C.A. §§26-53-101, et seq.) (collectively, the "2026 Tax" or the "Sales and Use Tax");

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

Section 1: There is hereby called a special election to be held on November 3, 2026, at which election there shall be submitted to the electors of the City the questions of issuing the Bonds under Amendment 62 and the Authorizing Legislation to pay all or a portion of the costs of accomplishing the Refunding and the Capital Improvements in the maximum aggregate principal amounts described above, to be payable from collections of the Sales and Use Tax remaining after deduction of the administration charges of the State of Arkansas and required rebates;

Section 2: In order to provide for the payment of the principal of and interest on the Bonds and all obligations of the City in connection therewith, there is hereby levied the Sales and Use Tax. The levy of the Sales and Use Tax shall not become effective until the special election called in Section 1 above has been held and the issuance of the Bonds for one or more of the purposes is approved by the voters; provided, however, that no Bonds will be issued unless the issuance of the Bonds for the refunding of the 2018 Voter Approved Bonds is approved. The effective date of the 2026 Tax will be the day following the date the 2018 Tax expires. The Sales and Use Tax shall be levied and collected on the gross receipts, gross proceeds or sales price in the maximum amount allowed from time to time by Arkansas law, subject to rebates and limitations as from time to time required by Arkansas statutes for certain single transactions;

Section 3: The questions of issuing the Bonds shall be placed on the ballot for the election in substantially the following form:

The bonds described below that are approved may be combined into a single issue or may be issued in series from time to time. If the bonds for one or more of the purposes are approved, there will be levied a new 1% sales and use tax, the net collections of which remaining after deduction of the administration charges of the State of Arkansas and required rebates will be used solely to retire the bonds and obligations of the City with respect thereto. The tax will replace the City's existing 1% sales and use tax levied in 2018 for the sole purpose of retiring bonds. The

effective date of the new tax will be the day following the date the existing tax expires. The rate of taxation will be 1% even if bonds for more than one purpose are approved. No bonds will be issued for any purpose unless the Refunding Bonds are also approved.

REFUNDING BONDS

Bonds of the City of Rogers in the maximum aggregate principal amount of \$118,000,000 for the purpose of refunding the City's outstanding Sales and Use Tax Bonds, Improvement Series 2018B and Sales and Use Tax Bonds, Series 2022 and, in order to pay the bonds, the levy and pledge of a 1% local sales and use tax within the City.

FOR..... ☐

AGAINST ☐

STREET IMPROVEMENT BONDS

Bonds of the City of Rogers in the maximum aggregate principal amount of \$195,500,000 for the purpose of financing all or a portion of the costs of streets, roads, trails and bridges, including any curb, gutter, drainage, flood control and other related improvements, equipment and land acquisition to accomplish such improvements, and street lighting, utility adjustments, sidewalks and traffic signals related thereto and, in order to pay the bonds, the levy and pledge of a 1% local sales and use tax within the City.

FOR..... ☐

AGAINST ☐

PARK AND RECREATIONAL IMPROVEMENT BONDS

Bonds of the City of Rogers in the maximum aggregate principal amount of \$81,500,000 for the purpose of financing all or a portion of the costs of park and recreational facilities and improvements and any necessary land acquisition and parking, furnishings, equipment, drainage, flood control, lighting, road, trail, and utility improvements therefor and, in order to pay the bonds, the levy and pledge of a 1% local sales and use tax within the City.

FOR..... ☐

AGAINST ☐

FIRE IMPROVEMENT BONDS

Bonds of the City of Rogers in the maximum aggregate principal amount of \$32,750,000 for the purpose of financing all or a portion of the costs of fire department facilities, equipment and apparatus and parking, furnishings, drainage, flood control, lighting, road, and utility improvements therefor and, in order to pay the bonds, the levy and pledge of a 1% local sales and use tax within the City.

FOR..... ☐

AGAINST ☐

POLICE IMPROVEMENT BONDS

Bonds of the City of Rogers in the maximum aggregate principal amount of \$20,750,000 for the purpose of financing all or a portion of the costs of police department facilities, equipment and apparatus and parking, furnishings, drainage, flood control, lighting, road, and utility improvements therefor and, in order to pay the bonds, the levy and pledge of a 1% local sales and use tax within the City.

FOR..... ☐

AGAINST ☐

ANIMAL SERVICES IMPROVEMENT BONDS

Bonds of the City of Rogers in the maximum aggregate principal amount of \$8,750,000 for the purpose of financing all or a portion of the costs of animal services facilities, equipment and apparatus and parking, furnishings, drainage, flood control, lighting, road and utility improvements therefor and, in order to pay the bonds, the levy and pledge of a 1% local sales and use tax within the City.

FOR..... ☐

AGAINST ☐

Section 4: The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections unless otherwise provided in the Authorizing Legislation and only qualified voters of the City shall have the right to vote at the election;

Section 5: The results of the election shall be proclaimed by the Mayor, and his Proclamation shall be published one time in a newspaper having a general circulation in the City,

which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication;

Section 6: A copy of this Ordinance shall be filed with the Benton County Clerk at least 70 days prior to the date of the special election. A copy of this Ordinance shall be given to the Benton County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical;

Section 7: The Mayor and City Clerk, for and on behalf of the City are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance;

Section 8: When provision has been made for the retirement of the 2018 Voter Approved Bonds as a result of the issuance of the Refunding Bonds, the 2018 Tax shall be abolished at the proper time so that the 2018 Tax and the 2026 Tax are not in effect at the same time. Collections of the 2018 Tax received after the date the Bonds are issued shall be used if necessary or appropriate, to provide for the payment of the Bonds;

Section 9: If the Bonds are approved, the City intends to negotiate with Stephens Inc. and Crews & Associates, Inc., which have assisted the City in preparation of the Bond size and repayment structure, for the sale of the Bonds;

Section 10: The provisions of this Ordinance are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this Ordinance; and

Section 11: All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this _____ day of _____, 2026.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

(SEAL)

CERTIFICATE

The undersigned, City Clerk of the City of Rogers, Arkansas (the "City"), hereby certifies that the foregoing pages are a true and correct copy of Ordinance No. _____, passed at a _____ session of the City Council of the City, held at the regular meeting place of the City Council, at _____ o'clock p.m. on the _____ day of _____, 2026, and that the Ordinance is of record in Ordinance Record Book No. _____ at Page _____, now in my possession.

GIVEN under my hand and seal this _____ day of _____, 2026.

City Clerk

(SEAL)

AN ORDINANCE ACCEPTING A FINAL PLAT OF LOT SPLIT PLAT LOT 7C PLEASANT CROSSING PHASE 1, ROGERS, BENTON COUNTY, ARKANSAS; THE DEDICATION OF RIGHTS OF WAY THEREIN; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, a Final Plat has been submitted for Lot Split Plat Lot 7C Pleasant Crossing Phase 1, Rogers, Benton County, Arkansas which is more particularly described as follows, to-wit:

PARENT TRACT PARCEL #02-16160-002:

LOT 7C OF PLEASANT CROSSING PHASE 1, AS PER PLAT RECORD 2005-723 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS.

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 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, THAT:

Section 1: The Final Plat of Lot Split Plat Lot 7C Pleasant Crossing Phase 1, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved, and confirmed;

Section 2: All dedication of rights-of-way 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 _____, 2026.

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