



Office of the City Clerk-Treasurer  
301 W. Chestnut  
Rogers, Arkansas 72756  
479-621-1117 · (Fax) 479-936-5401  
[www.rogersar.gov](http://www.rogersar.gov)

**COMMITTEE SCHEDULE**

TO: MAYOR  
CITY COUNCIL  
DEPARTMENT HEADS  
PRESS

FROM: JESSICA RUSH, CITY CLERK

DATE: January 9, 2020

The following committee meetings will be held on **Tuesday, January 14, 2020** prior to the City Council Meeting:

**5:45 p.m. – PUBLIC SAFETY COMMITTEE:** (Wolf, Kruger and Carmichael) **Committee Room #1**

- (a) An Ordinance Ordering the Razing and Removal of a Certain Structure Within the City of Rogers, AR, Located at 1917 S. 15<sup>th</sup> Street
- (b) An Ordinance Waiving Competitive Bidding For The Purchase Of Sixteen New Police Patrol Vehicles For The Rogers Police Department, Allowing the Mayor and City Clerk To Enter Into A Contract For Said Purchase
- (c) An Ordinance Waiving Competitive Bidding For The Purchase Of A New Chevy Tahoe For Use By The Rogers Fire Department, Allowing the Mayor and City Clerk To Enter Into A Contract For Said Purchase

**6:00 p.m. – FINANCE COMMITTEE:** (Reithemeyer, Wolf, and Kendall) **Committee Room #2**

- (a) A Resolution Amending Resolution No. R-19-27 Expressing The City’s Intent To Issue Industrial Development Revenue Bonds
- (b) A Resolution Certifying Local Government Endorsement Of Anonymous Coffee Roasters LLC To Participate In The Tax Back Program
- (c) A Resolution Authorizing A Contract With Booksystems Atrium System, Inc., To Purchase An ILS System For The Rogers Public Library; Amending The 2020 Budget To Appropriate \$39,420 from General Fund Reserves To Account #100-09-70256

**6:00 p.m. – COMMUNITY ENVIRONMENT & WELFARE COMMITTEE:** (Carmichael, Towzen, and Hayes) **Committee Room #1**

- (a) An Ordinance Rezoning from C2 to C3, 200 & 204 W Hudson Road (Kum & Go) – represented by John Sewell
- (b) An Ordinance Rezoning from RMF-9A PUD To RMF-9A with a Density Concept Plan, W. Everest Ave and East of S. Kilimanjaro Way (Shadowbrooke) – represented by Geoff Bates
- (c) An Ordinance Rezoning from A-1 To R-SF, between West Shores Ave and city limits (Crescent View) – represented by John Wary
- (d) An Ordinance Rezoning from R-O and C-2 to U-COM, 2225 S. Bellview Road (Bellview Urban Center) – represented by Bill Watkins
- (e) An Ordinance Rezoning from A-1 To R-SF, 100± acres east of Gaston Road, west of Scissortail Subdivision (ABS Option Company) – represented by Bill Watkins
- (f) An Ordinance Rezoning from A-1 To RMF-9A with a Density Concept Plan, 5715 W. Stoney Brook Road (Village View) – represented by Josh Porter
- (g) An Ordinance Rezoning from R-DP to NBT, 326 N. 4th Street (Valley View) - represented by Bill Watkins
- (h) An Ordinance Rezoning from C-2 to U-COR, 1.29 acres northwest of West Park Ave. & S. Pinnacle Hills Parkway (Pinnacle Corner, LLC)- represented by Daniel Ellis
- (i) An Ordinance Rezoning from C-2 to U-COR, 6.66 acres between S. Pinnacle Hills Parkway & JB Hunt Drive (Pinnacle Corner, LLC)- represented by Daniel Ellis
- (j) An Ordinance Rezoning from C-2 to U-COR, 5.68 acres northwest of West Park Ave. & S. Pinnacle Hills Parkway (Pinnacle Corner, LLC)- represented by Daniel Ellis



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**ROGERS CITY COUNCIL**

**AGENDA**

**JANUARY 14, 2020**

**6:30 P.M.**

**PUBLIC HEARING:** Notice of Razing and Removal of Certain  
Structure Located at 1917 S. 15<sup>th</sup> Street

**PUBLIC FORUM:**

**INVOCATION & PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**ACTION ON MINUTES:** December 10, 2019

**REPORTS OF BOARDS AND STANDING COMMITTEES:**

- |             |   |                           |
|-------------|---|---------------------------|
| 1. ORD. Re: | Ordering The Razing And Removal Of A Certain Structure Within The City Of Rogers, Arkansas, Located At 1917 S 15 <sup>TH</sup> Street   | - Public Safety Committee |
| 2. ORD. Re: | Waiving Competitive Bidding For The Purchase Of Sixteen New Police Patrol Vehicles For The Rogers Police Department; Allowing the Mayor and City Clerk To Enter Into A Contract For Said Purchase | - Public Safety Committee |
| 3. ORD. Re: | Waiving Competitive Bidding For The Purchase Of A New Chevy Tahoe For Use By The Rogers Fire Department; Allowing the Mayor and City Clerk To Enter Into A Contract For Said Purchase             | - Public Safety Committee |
| 4. RES. Re: | Amending Resolution No. R-19-27 Expressing The City’s Intent To Issue Industrial Development Revenue Bonds  | - Finance Committee       |

**ROGERS CITY COUNCIL AGENDA**

**JANUARY 14, 2020**

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5. RES. Re: Certifying Local Government Endorsement Of Anonymous Coffee Roasters LLC To Participate In The Tax Back Program - Finance Committee
6. RES. Re: Authorizing A Contract With Booksystems Atrium System, Inc., To Purchase An ILS System For The Rogers Public Library; Amending The 2020 Budget To Appropriate \$39,420 from General Fund Reserves To Account #100-09-70256 - Finance Committee
7. ORD. Re: Rezoning from C2 to C3, 200 & 204 W Hudson Road (Kum & Go) – represented by John Sewell - Community Environment & Welfare Committee
8. ORD. Re: Rezoning from RMF-9A PUD To RMF-9A with a Density Concept Plan, W. Everest Ave and East of S. Kilimanjaro Way (Shadowbrooke) – represented by Geoff Bates - Community Environment & Welfare Committee
9. ORD. Re: Rezoning from A-1 To R-Sf, between West Shores Ave and city limits (Crescent View) – represented by John Wary - Community Environment & Welfare Committee
10. ORD. Re: Rezoning from R-O and C-2 to U-COM, 2225 S. Bellview Road (Bellview Urban Center) – represented by Bill Watkins - Community Environment & Welfare Committee
11. ORD. Re: Rezoning from A-1 To R-SF, 100± acres east of Gaston Road, west of Scissortail Subdivision (ABS Option Company) – represented by Bill Watkins - Community Environment & Welfare Committee
12. ORD. Re: Rezoning from A-1 To RMF-9A with a Density Concept Plan, 5715 W. Stoney Brook Road (Village View) – represented by Josh Porter - Community Environment & Welfare Committee
13. ORD. Re: Rezoning from R-DP to NBT, 326 N. 4th Street (Valley View) - represented by Bill Watkins - Community Environment & Welfare Committee

**ROGERS CITY COUNCIL AGENDA**

**JANUARY 14, 2020**

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14. ORD. Re: Rezoning from C-2 to U-COR, 1.29 acres northwest of West Park Ave. & S. Pinnacle Hills Parkway (Pinnacle Corner, LLC)- represented by Daniel Ellis - Community Environment & Welfare Committee
15. ORD. Re: Rezoning from C-2 to U-COR, 6.66 acres between S. Pinnacle Hills Parkway & JB Hunt Drive (Pinnacle Corner, LLC)- represented by Daniel Ellis - Community Environment & Welfare Committee
16. ORD. Re: Rezoning from C-2 to U-COR, 5.68 acres northwest of West Park Ave. & S. Pinnacle Hills Parkway (Pinnacle Corner, LLC)- represented by Daniel Ellis - Community Environment & Welfare Committee

**OLD BUSINESS:**

**NEW BUSINESS:**

- ORD. Re: Accepting The Final Plat Of The Groves Neighborhood Phase II - Phil Swope

**APPOINTMENTS:**

1. Reappointment of David Hale to the Parks and Recreation Commission for a term to expire on December 31, 2024
2. Reappointment of Paul O'Rourke to the Parks and Recreation Commission for a term to expire on December 31, 2024
3. Reappointment of Betty Evans to the Tree Board for a term to expire on December 31, 2022
4. Reappointment of Greg Lindley to the Tree Board for a term to expire on December 31, 2022
5. Reappointment of Nathan Gairhan to the Tree Board for a term to expire on December 31, 2022

**ANNOUNCEMENTS:**

**AN ORDINANCE ORDERING THE RAZING AND REMOVAL OF A CERTAIN STRUCTURE WITHIN THE CITY OF ROGERS, ARKANSAS, LOCATED AT 1917 S 15th STREET; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Randall Watson, is the owner of certain real property situated in Rogers, Benton County, Arkansas, more particularly described as follows:

Lot 7, Block 8, Norwood Acres, Third Addition to the City of Rogers, Benton County, Arkansas, and a part of Lot 8, Norwood Acres, Third Addition to the City of Rogers, Benton County, Arkansas, Described as follows: Beginning at the NW Corner of said Lot 8, Thence South 85 feet; Thence East 7.4 feet; Thence Northwesterly 85 feet, to a point 6.5 East of the Point of Beginning, Thence West 6.5 feet to the Point of Beginning.

Layman's Description: 1917 S 15<sup>th</sup> Street, Rogers, Benton County, Arkansas.

Tax Parcel No. 02-06274-000

**WHEREAS**, the structure on the property is unfit for human habitation, constitutes a fire hazard, and is otherwise a dangerous to human life, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, and further is unsightly, and is considered an unsafe and unsightly structure in violation of City of Rogers Code of Ordinance, Sections 18-55 through 18-68; more specifically, the following violations have been found to exist:

1. This building has been deemed unsafe and needs to be demolished and removed from the land. (IPMC § 108).

**WHEREAS**, the owner has been notified by the City of Rogers prior to the consideration of this ordinance, that the structure on the property is in violation of variance ordinances of the City of Rogers;

**WHEREAS**, pursuant to City of Rogers Code of Ordinances Section 18-57, the owner was given 14 calendar days from December 9, 2019 to abate or correct documented violations;

**WHEREAS**, pursuant to City of Rogers Code of Ordinances Section 18-57, a follow up inspection was conducted on January 14<sup>th</sup>, 2020;

**WHEREAS**, the owner has failed, neglected, or refused to comply with the Notice to correct the documented violations, and as such, the matter of condemning, razing and removing the building may be referred to the City Council pursuant to City of Rogers Code of Ordinances Section 18-58;

**WHEREAS**, pursuant to City of Rogers Code of Ordinances Section 18-59(d); a Compliance Inspection was conducted by the Office of Building Inspections on January 14<sup>th</sup>, which concluded that violations do currently exist; and

**WHEREAS**, pursuant to Arkansas Code Annotated §14-56-203 and City of Rogers Code of Ordinances Chapter 18, Article III, if repair or removal is not done within the required time frame, the City shall have to power to order the removal or razing of, or to remove or raze any buildings that in the opinion of the council have become dilapidated, unsightly, unsafe, unsanitary, obnoxious, or detrimental to the public welfare.

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

Section 1: That the structure located at 1917 S. 15<sup>th</sup> Street, Rogers, Arkansas, is dilapidated, unsightly, and unsafe; and is in the best interests of the City of Rogers to proceed with the removal of this dilapidated, unsightly, and unsafe structure;

Section 2: That the owner is hereby ordered to raze (demolish) and remove the dilapidated, unsightly, and unsafe structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be completed within 30 days from the passage of this ordinance. The manner of razing (demolishing) and removing said structure shall be to dismantle by hand or bulldoze and then dispose of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner consistent with City of Rogers Code of Ordinances Chapters 10, 18 and 20, and all other state laws and regulations pertaining to the demolition or removal of residential structures;

Section 3: If the aforesaid work is not completed within thirty (30) days, the Mayor, or the Mayor's authorized representative, is hereby directed to cause the aforesaid structure to be razed (demolished) and removed; and the unsafe, unsanitary and unsightly conditions abated; and the City of Rogers shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing said structure and abating said aforementioned conditions, said costs to be determined at a hearing before the City Council;

Section 4 - Emergency Clause: The need to raze and remove a certain structure is immediate and in order to protect the public peace, health, safety and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval;

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

Section 6 - Repeal of Conflicting Ordinances and Resolutions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested By: William Hyde, Community Risk Reduction Division

Prepared by: John M. Pesek, Staff Attorney

For Consideration By: Public Safety Committee

**AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF SIXTEEN NEW POLICE PATROL VEHICLES FROM SUPERIOR CHEVROLET OF SILOAM SPRINGS, ARKANSAS, FOR THE ROGERS POLICE DEPARTMENT; ALLOWING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR SAID PURCHASE; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Rogers Police Department needs to purchase sixteen replacement patrol vehicles for its fleet;

**WHEREAS**, this purchase will be made from the Capital Expenditures Fund, Account #100-03-80100 and was approved and budgeted in the City of Rogers' 2020 Budget; and

**WHEREAS**, Superior Chevrolet of Siloam Springs, Arkansas, can provide the vehicles with the specifications necessary to law enforcement, and has agreed to give the City of Rogers the pricing set by the State of Arkansas procurement guidelines for state purchases.

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

Section 1: That the Mayor and City Clerk are authorized to enter into a contract with Superior Chevrolet of Siloam Springs, Arkansas, in the amount of eight hundred fourteen thousand four hundred sixty two dollars and forty cents (\$814,462.40), for the purchase of replacement patrol vehicles for the Rogers Police Department, See **Exhibit A**;

Section 2: 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 the police patrol vehicles for use by the Rogers Police Department;

Section 3 - Emergency Clause: The need to acquire the patrol vehicle for the Rogers Police Department 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 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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested by: Hayes Minor, Chief of Police  
Prepared by: John Pesek, Staff Attorney  
For Consideration By: Public Safety Committee

EXHIBIT A



# ROGERS POLICE

Hayes Minor  
Chief of Police

1905 S. DIXIELAND RD  
ROGERS, AR 72758  
PH 479-621-1172  
FAX 479-621-1131  
www.rogersar.gov/police

TO: Superior Chevrolet  
ATTN: Don Clark  
490 Highway 412 East  
Siloam Springs, AR 72761  
479-524-3150

DATE: 2020 DRAFT  
FROM: Rogers Police Department  
ATTN: Captain James Baker

Please consider this a purchase order for the following vehicles and options listed below

QTY	ITEM #	DESCRIPTION	UNIT PRICE	LINE TOTAL
16	PPV - CC15706	2020 Chevrolet Tahoe 2WD Police Package with following	\$ 33,455.00	\$ 535,280.00
16	7X6	Left Hand Halogen Spotlamp	Included	\$ -
16	6J7	Flasher System Headlamp & Tail Lamp	\$ 495.00	\$ 7,920.00
16	6J4	Wiring, Horn/Sirens Circuit	\$ 41.00	\$ 656.00
16	6J3	Wiring Grille Lamps/Speaker	\$ 92.00	\$ 1,472.00
16	9U3	Delete Front Center Seat	Included	\$ -
16	475-0973	Jotto Desk Bio-Seat System Rear Seat	\$ 1,135.42	\$ 18,166.72
16				\$ -
16	475-0866	Jotto Desk Partition	\$ 713.22	\$ 11,411.52
16	475-0888	HESP Lower Partition	\$ 97.60	\$ 1,561.60
16	425-6268	Jotto Desk 15 inch console w/425-6164	\$ 634.79	\$ 10,156.64
16	425-2827	Jotto Desk Computer Base	\$ 152.81	\$ 2,444.96
16	425-3704	Jotto Desk Cup Holder	\$ 39.04	\$ 624.64
16	475-2010	0051 Gun Mount Dual	\$ 393.24	\$ 6,291.84
16	425-6260	Jotto Desk Arm Rest	\$ 67.08	\$ 1,073.28
16	GB2SP38T	WC 54 inch Whelen Legacy Bar	\$ 1,835.90	\$ 29,374.40
16	CCSRNT5	Whelen Cencom Carbide with Speaker	\$ 858.00	\$ 13,728.00
SUBTOTAL			\$ 40,010.10	\$ 640,161.60
TOTAL				Continued P2





# ROGERS POLICE

Hayes Minor  
Chief of Police

1905 S. DIXIELAND RD  
ROGERS, AR 72758  
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TO: Superior Chevrolet  
ATTN: Don Clark  
490 Highway 412 East  
Siloam Springs, AR 72761  
479-524-3150

DATE: 2020 DRAFT  
FROM: Rogers Police Department  
ATTN: Captain James Baker

Please consider this a purchase order for the following vehicles and options listed below				
QTY	ITEM #	DESCRIPTION	UNIT PRICE	LINE TOTAL
		From Page 1	\$ 40,010.10	\$ 640,161.60
16	ION*B	Whelen ION Super LED X 2 for grill	\$ 228.80	3,660.80
16	HG22PC62BW	HG2 Side Runner Light	\$ 657.80	10,524.80
16		Jotto Faceplates	\$ -	-
16	RPWS45	Whelen Outer Edge Rear Pillar Lightbar	\$ 830.13	13,282.08
16	Shark Fin	LMR/GIS/Cellular Antenna 700/800 Mhz	\$ 328.90	5,262.40
16	FLASHBACKHD	L-3 Mobile Vision Flashback In Car Camera w/Rear Seat	\$ 5,935.60	94,969.60
16	25202 SL-20LP	Streamlight LED Flashlight w/Charger Mount	\$ 117.00	1,872.00
16		L3 Ceiling Camera Mount	-	-
16	425-3816	Magnetic Mic Holder	27.50	440.00
16	450-4103	CF31 iDock Docking Station for Panasonic Toughbook	768.07	12,289.12
16	INSTALL	Installation	2,000.00	32,000.00
<b>SUBTOTAL</b>			<b>50,903.90</b>	<b>\$ 814,462.40</b>
			<b>TOTAL</b>	<b>\$ 814,462.40</b>

ORDINANCE NO. 20-\_\_\_\_\_

**AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF A NEW CHEVY TAHOE FROM SUPERIOR CHEVROLET OF SILOAM SPRINGS, ARKANSAS, FOR USE BY THE ROGERS FIRE DEPARTMENT; ALLOWING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR SAID PURCHASE; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Rogers Fire Department needs to purchase a replacement Chevrolet Tahoe for use by the department;

**WHEREAS**, this purchase will be made from the Capital Expenditures Fund Account #100-04-80100 and was approved and budgeted in the City of Rogers 2020 Budget; and

**WHEREAS**, Superior Chevrolet of Siloam Springs, Arkansas, can provide the vehicle with the specifications necessary to the Rogers Fire Department, and has agreed to give the City of Rogers the pricing set by the State of Arkansas procurement guidelines for state purchases.

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

Section 1: That the Mayor and City Clerk are authorized to enter into a contract with Superior Chevrolet of Siloam Springs, Arkansas, in the amount of thirty-seven thousand five hundred eighteen dollars (\$37,518.00), for the purchase of replacement vehicle for the Rogers Fire Department, See **Exhibit A**;

Section 2: 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 the vehicle for use by the Rogers Fire Department;

Section 3 - Emergency Clause: The need to acquire the vehicle for the Rogers Fire Department 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 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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested by: Tom Jenkins, Chief of Fire  
Prepared by: John Pesek, Staff Attorney  
For Consideration By: Public Safety Committee

EXHIBIT "A"



Vehicle Locator

Dealer Information

SUPERIOR CHEVROLET BUICK GMC  
490 HWY 412 E  
SILOAM SPRINGS, AR 72761  
Phone: 479-524-3152  
Fax:

1GNSKFEC9KR392037

Model Year: 2019

Make: Chevrolet

Model: Tahoe

CK15706-4WD

PEG: 1FL-Commercial / Fleet Preferred Equipment Group

Primary Color: 01U-Special Color Upper (SEO)

Trim: H0U-Cloth, Jet Black, Interior Trim

Engine: L83-Engine: 5.3L, V-8, SIDI, Active Fuel Mgt

Transmission: MYC-6-Speed Automatic

Event Code: 5000-Delivered to Dealer

Order #: WVVV59

MSRP: \$48,779.25

Order Type: FNR-Fleet Commercial

Stock #: N/A

Inventory Status: N/A

Total Cash Allowance: \* \$3,000.00  
(Expires on 01/02/2020)

Additional Vehicle Information

GM Marketing Information

Vehicle Options

*City of Rogers \$37,518*

01U-Special Color Upper (SEO)

5HP-Single Key System, 6 Spare Keys

5W4-Vehicle Special Service, Municipal (SEO)

9G3-Suspension Package, Off-Road (SEO)

AG2-Seat Adjuster, Front Passenger, Power

AQQ-Keyless Remote Entry

ATD-Seat Delete: Third Row

AY0-Airbags-frontal, front seat and head-curtain

BG9-Floor Covering: Rubberized Vinyl, Black

BVE-Assist Steps

C6A-GVW Rating 7300 Lbs

CJ4-Climate Control, Electronic - Multi-zone

FE9-Federal Emissions

G80-Locking Differential, Rear

H0U-Cloth, Jet Black, Interior Trim

K34-Cruise Control

K4B-Battery, Auxillary, 730 CCA

KI4-110 Volt Electrical Receptacle, In Cab

KW7-Alternator, 170 AMP

MYC-6-Speed Automatic

NQH-T-Case, 4WD, Electronic Autotrac w/ Rotary Dial Ctrls

PZX-Wheels: 18" Aluminum

SAF-Spare Tire Lock

TG5-Compact Disc & MP3 Player

U2J-SiriusXM Satellite Radio, Delete

UDD-Driver Info Display

UK3-Radio Controls -Steering Wheel

UT7-Ground Studs, Auxillary, Rear Compartment

UVC-Rear View Camera System

VK3-License Plate Front Mounting Hardware

VQ2-Holdback N/A, Dealer Fleet Assistance

YK6-SEO Processing Option

Z82-Trailer Package

1FL-Commercial / Fleet Preferred Equipment Group

5T4-Victory Red Exterior Body Colored Parts

6E2-Fleet Common Keys System (SEO)

AG1-Power Seat Adjuster (Driver's Side)

AMF-Remote Keyless Entry Package, Police/Special Svc Unit

AT6-Seats, 2nd Row 60/40 Bench, Manual Configurable

AU3-Power Door Locks

AZ3-Seats: Front 40/20/40 Split-Bench

BTV-Remote Engine Starting Pkg

C49-Defogger, Rear Window, Electric

CE1-Wipers, Front intermittent, Rainsense

DL8-Mirrors, O/S, Power, Heated

FHS-E85 Flex Fuel Capable

GU4-Rear Axle 3.08 Ratio

IO5-Radio, 8" Color Screen, Bluetooth, w/ USB Port

K47-Air Cleaner, High Capacity

KC4-Cooler, Engine Oil

KNP-Transmission Cooling System

L83-Engine: 5.3L, V-8, SIDI, Active Fuel Mgt

N33-Steering Column: Manual Tilt

NZZ-Underbody Shield

R18-Tires: P265/65 R18 All Terrain, Blackwall

TB4-Rear Lift Gate, Manual

TGK-Special Paint (SEO)

UD7-Rear Parking Assist Sensors

UE1-OnStar Communication System

UQ3-Speaker System

UTJ-Theft Protection System, Unauthorized Entry

V76-Recovery Hooks

VPV-Hdlg Charge Arlghtn Assm To Kerr Ind. Rtn to Arlg Assm

VV4-Onstar 4G LTE Wi-Fi Hotspot

Z71-Suspension Package: Off-Road

"~" indicates vehicle belongs to Trading Partner's inventory

**Disclaimer:**

GM has tried to make the pricing information provided in this summary accurate. Please refer to actual vehicle invoice, however, for complete pricing information. GM will not make any sales or policy adjustments in the case of inaccurate pricing information in this summary.

Cash Allowance is calculated based on your dealer's Zip Code. Customer must take delivery by 01/02/2020.

**RESOLUTION NO. R20-\_\_\_\_\_**

**A RESOLUTION AMENDING  
RESOLUTION NO. R-19-27 EXPRESSING  
THE CITY'S INTENT TO ISSUE  
INDUSTRIAL DEVELOPMENT REVENUE BONDS**

**WHEREAS**, pursuant to Regulation No. R-19-27, adopted March 27, 2019, the City of Rogers, Arkansas (the "City") expressed its intent to issue revenue bonds under Title 14, Chapter 164, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Bonds") in the approximate principal amount of \$46,000,000 to finance an approximately 148,200 square foot building at the northeast corner of I-49 and Magnolia Farms Road in the City (the "Project"), to be used for corporate and management offices for industry; and

**WHEREAS**, Resolution No. R-19-27 states that the Project will be leased by the City to HCH Holdings, LLC ("HCH") and, in turn, subleased to Transplace Texas LP; and

**WHEREAS**, HCH has assigned its interest in the Project to Rogers BTS, LP, a Texas limited partnership; and

**WHEREAS**, the estimated cost of the Project has increased and it is now proposed that the Bonds be issued in the approximate principal amount of \$55,000,000;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Rogers, Arkansas:

Section 1. The second **WHEREAS** clause of Resolution No. R-19-27 is hereby amended to read as follows:

"**WHEREAS**, it is proposed that the City issue its revenue bonds under the Act for the purpose of financing an industrial project to be located in the City (the "Project") for use by Rogers BTS, LP, a Texas limited partnership (the "Company"), pursuant to a lease agreement to be entered into between the City, as lessor, and the Company, as lessee (the Lease Agreement"); and"

Section 2. Section 1(a) of Resolution No. R-19-27 is hereby amended to read as follows:

"(a) It is estimated at this time that revenue bonds in the approximate principal amount of \$55,000,000 will be issued to finance the Project. However, the City's commitment is to issue revenue bonds under the Act in such amount for accomplishing all or any part of the Project, whether that amount is more or less than the above estimate."

Section 3. Resolution No. R-19-27, as amended hereby, be and the same shall remain in full force and effect.

This Resolution shall be effective immediately upon its passage.

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared By: Rogers Lowell Chamber Commerce  
For Consideration By: Finance Committee

**RESOLUTION NO. R20- \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF ROGERS, ARKANSAS CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).**

**WHEREAS**, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program; and

**WHEREAS**, the local government must authorize the refund of local sales and use taxes as provided in the Consolidated Incentive Act of 2003; and

**WHEREAS**, said endorsement must be made on specific form available from the Arkansas Economic Development Commission; and

**WHEREAS**, Anonymous Coffee Roasters, LLC located at 101 E Walnut St has sought to participate in the program and more specifically has requested benefits accruing from construction and modernization of the specific facility; and

**WHEREAS**, Anonymous Coffee Roasters, LLC has agreed to furnish the local government all necessary information for compliance.

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

1. Anonymous Coffee Roasters, LLC be endorsed by the city of Rogers, Arkansas for benefits from the sales & use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.
2. **The Department of Finance and Administration is authorized to refund local sales and use taxes to Anonymous Coffee Roasters, LLC**
3. This resolution shall take effect immediately.

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared By: Rogers Lowell Chamber Commerce  
For Consideration By: Finance Committee

**RESOLUTION NO. R20-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH BOOKSYSTEMS ATRIUM SYSTEM, INC., OF HUNTSVILLE, ALABAMA TO PURCHASE AN ILS SYSTEM FOR THE ROGERS PUBLIC LIBRARY; AMENDING THE 2020 BUDGET TO APPROPRIATE THIRTY-NINE THOUSAND FOUR HUNDRED TWENTY DOLLARS (\$39,420.00) FROM GENERAL FUND RESERVES TO ACCOUNT #100-09-70256 SOFTWARE LICENSING FOR SAID PURCHASE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers Public Library needs to enter into a contract with a cataloging servicer to maintain their records and inventory;

**WHEREAS**, the City of Rogers will contract with BookSystems Atrium System, Inc., located in Huntsville, Alabama, to provide this service; and

**WHEREAS**, this need for this project is immediate and the contract will be paid for out of the IT budget for Software Licensing.

**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 BookSystems Atrium System, Inc., of Huntsville, Alabama, to purchase an Integrated Library System to catalog library materials;

Section 2: The 2019 Budget is hereby amended to appropriate thirty-nine thousand four hundred twenty dollars (\$39,420.00) from General Fund Reserves to Account #100-09-70256 Software Licensing;

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 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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested by: Judy Casey, Rogers City Library Director

Prepared by: John M. Pesek, Staff Attorney

For Consideration By: Finance Committee

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM C-2 TO C-3, 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, the City Council has found that certain lands hereinafter described are better suited for C-3 than C-2 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 C-3 and that said lands being in Benton County, Arkansas, are described as:

Property to be zoned C-3:

Tracts A & B as shown on the Lot Line Adjustment recorded in Plat Book 2006, Page 896 and an additional tract as described in Warranty Deed recorded as Doc. No. 92-74536 and entire tract described as follows:

Beginning at the Southeast corner of said Tract B; thence North 87°29'32" West, 269.61 feet along the South line of said tract B to the Southwest corner thereof; thence North 2°43'31" East, 261.04 feet along the West line of said Tract B to the Northwest corner thereof; thence South 86°29'57" East, 19.98 feet along the North line of said Tract B to a point being the Southwest corner of said tract as described in Doc. No. 92-74536; thence North 3°03'11" East, 159.89 feet (measured), 160 feet (deed) to a point on the South right of way of W. Hudson Road (AR Hwy. 102); thence South 86°33'35" East, 164.83 feet along said South right of way; thence South 49°06'52" East, 107.79 feet along said South right of way to a point on the West right of way of S. Second Street (AR Hwy 94); thence South 2°51'53" West, 350.98 feet along said West right of way to the point of beginning. Contains 107,054 square feet or 2.458 acres of land, more or less.

**LAYMAN'S DESCRIPTION:** 200 & 204 W. Hudson Rd.

SECTION 3: 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 4: **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 5: 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 \_\_\_\_\_, 2020.

**APPROVED:**

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared by: John Sewell

For Consideration By: Community Environment & Welfare Committee

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM RMF-9A PUD TO RMF-9A, ACCEPTING THE DENSITY CONCEPT PLAN, 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 January 7, 2020 the City Council has found that certain lands hereinafter described are better suited for RMF-9A 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 RMF-9A and that said lands being in Benton County, Arkansas, are described as:

**PROPERTY DESCRIPTION:**

PART OF LOT 14 THE PEAKS SUBDIVISION PHASE 2, BEING FILED FOR RECORD AUGUST 2, 2004 AS PLAT RECORD 2004-868 AND BEING PART OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 14 THENCE S02°17'41"W 465.93 FEET; THENCE S07°03'19"W 207.68 FEET; THENCE S86°20'17"E 149.39 FEET; THENCE N52°21'29"E 128.38 FEET; THENCE S87°04'35"E 221.73 FEET; THENCE S02° 17'42"W 178.38 FEET; THENCE 47.12 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A CHORD BEARING AND DISTANCE OF S47°17'25"W 42.42 FEET; THENCE N87°42'51"W 15.69 FEET; THENCE 399.08 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 900.00 FEET AND A CHORD BEARING AND DISTANCE OF S79°34'58"W 395.82 FEET; THENCE 120.24 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1831.37 FEET AND A CHORD BEARING AND DISTANCE OF S64°59'55"W 120.22 FEET; THENCE 46.24 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A CHORD BEARING AND DISTANCE OF N72°43'44"W 41.79 FEET; THENCE N28°34'32"W 53.92 FEET; THENCE 282.17 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 475.00 FEET AND A CHORD BEARING AND DISTANCE OF N11°33'27"W 278.04 FEET; THENCE N05°27'37"E 363.86 FEET; THENCE 31.70 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET AND A CHORD BEARING AND DISTANCE OF N20°35'48"E 31.33 FEET; THENCE 133.57 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF N40°47'43"W 97.25 FEET; THENCE 31.70 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET AND A CHORD BEARING AND DISTANCE OF S77°48'47"W 31.33 FEET; THENCE N87°03'06"W 222.45 FEET; THENCE N02°56'57"E 199.74 FEET; THENCE S87°05'36"E 330.22 FEET; THENCE S02°09'46"W 33.01 FEET; THENCE S87°05'33"E 177.71 FEET; TO THE POINT OF BEGINNING, CONTAINING 7.82 ACRES, MORE OR LESS.

**LAYMAN'S DESCRIPTION:** 7.82 acres north of W. Everest Ave. and east of S. Kilimanjaro Way

**SECTION 3: Zoning.** That the above described lands are better suited for RMF-9A than a RMF-9A PUD zoning and same should be and are hereby zoned RMF-9A.

**SECTION 4: Density Concept Plan.** That the Density Concept Plan entered into by and between Jon Brittenum and the City of Rogers, as approved by the Rogers Planning Commission on January 7, 2020, is hereby approved and made binding upon future development of the property described above, unless otherwise modified or amended by this Council, and the Mayor of the City of Rogers is authorized and directed to execute same.

**SECTION 5: Emergency clause.** That because the City is herein zoning property which is subject to a present use and said use should be brought into conformity with the zoning laws of the City of Rogers, Arkansas, 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 6: 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 7: 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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared By: Community Development Department  
For consideration by: Community Environment & Welfare Committee

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM A-1 TO R-SF, 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, the City Council has found that certain lands hereinafter described are better suited for R-SF than A-1 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 R-SF and that said lands being in Benton County, Arkansas, are described as:

SE ¼ of the NW ¼ of Section 5, Township 18 North, Range 30 West, Benton County, Arkansas. LESS and Except the following: A part of the SE ¼ of the NW ¼ of Section 5, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows, to-wit: Beginning at an existing rebar marking the NW corner of said forty acre tract and running thence along the North line thereof South 87°24'04" East 233.15 feet, thence leaving said North line South 03°36'31" West 300.05 feet, thence North 87°24'01" West 226.47 feet to the West line of said forty acre tract, thence along said West line North 02°20'01" East 300.00 feet to the Point of Beginning, containing 1.58 acres, more or less, and being shown as proposed future Lot 100 of Crescent View Subdivision by a survey made by Bates and Associates, Inc., dated February 21, 2019, and designated Job No. 16-367LOT100EXHIBIT

**LAYMAN'S DESCRIPTION:** 38.4 acres, more or less, south of Crescent View Phase 1 Subdivision between West Shores Avenue and city limits

SECTION 3: 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 4: **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 5: **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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared by: Community Development Department  
For consideration by: Community Environment & Welfare Committee

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM R-O AND C-2 TO U-COM, 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, the City Council has found that certain lands hereinafter described are better suited for U-COM than R-O and C-2 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 that said lands being in Benton County, Arkansas, are described as:

Lot 5 Description:

Commencing (POC) at the Northeast Corner of Lot 4 Pinnacle Bellview Subdivision; thence S02°32'40"W, 310.88 feet to the POINT OF BEGINNING (POB1); thence S02°32'40"W, 471.03 feet; thence S02°31'06"W, 1271.21 feet to a non-tangent curve to the right on the East Right-of-Way Line of Bellview Road; thence along said curve and East Line, an arc distance of 47.93 feet, said curve having a radius of 43.13 feet and a chord bearing and distance of N25°40'57"W, 45.50 feet; thence continuing along said East Line, N04°41'13"E, 450.04 feet to a tangent curve to the left; thence continuing along said East Line, along said curve, an arc distance of 445.69 feet, said curve having a radius of 650.00 feet and a chord bearing and distance of N14°57'23"W, 437.01 feet; thence leaving said curve, along said East Line, N34°35'59"W, 204.10 feet to a tangent curve to the right; thence continuing along said East Line, along said curve, an arc distance of 317.12 feet, said curve having a radius of 550.00 feet and a chord bearing and distance of N18°04'55"W, 312.75 feet; thence leaving said curve, along said East Line, N01°33'50"W, 116.87 feet; thence leaving said East Line, S87°27'20"E, 75.76 feet; thence S05°25'30"E, 22.17 feet; thence N84°34'30"E, 87.78 feet; thence N02°32'40"E, 84.56 feet; thence N87°27'20"W, 8.50 feet; thence N02°32'40"E, 188.91 feet; thence S87°27'20"E, 220.06 feet to the POINT OF BEGINNING (POB1). Containing 252792 square feet, 5.80 acres as surveyed. Subject to any easements, rights-of-way, or covenants of record.

Lot 6 Description:

Beginning (POB2) at the Northeast Corner of Lot 4 Pinnacle Bellview Subdivision; thence S02°32'40"W, 310.88 feet; thence N87°27'20"W, 390.31 feet to the East Right-of-Way Line of Bellview Road; thence along said East Line, N02°33'48"E, 310.88 feet; thence leaving said East Line, S87°27'20"E, 390.20 feet to the POINT OF BEGINNING (POB2). Containing 121322 square feet, 2.79 acres as surveyed. Subject to any easements, rights-of-way, or covenants of record.

Lot 7 Description:

Commencing (POC) at the Northeast Corner of Lot 4 Pinnacle Bellview Subdivision; thence S02°32'40"W, 310.88 feet; thence N87°27'20"W, 220.06 feet to the POINT OF BEGINNING (POB3); thence S02°32'40"W, 188.91 feet; thence S87°27'20"E, 8.50 feet; thence S02°32'40"W, 84.56 feet; thence S84°34'30"W, 87.78 feet; thence N05°25'30"W, 22.17 feet; thence N87°27'20"W, 75.76 feet to the East Right-of-Way Line of Bellview Road; thence continuing along said East Line, N01°33'50"W, 111.41 feet to a tangent curve to the right; thence continuing

along said East Line, along said curve, an arc distance of 140.47 feet, said curve having a radius of 1950.00 feet and a chord bearing and distance of N00°29'59"E, 140.44 feet; thence leaving said curve, along said East Line, N02°33'48"E, 12.21 feet; thence leaving said East Line, S87°27'20"E, 170.25 feet to the POINT OF BEGINNING (POB3). Containing 45708 square feet, 1.05 acres as surveyed. Subject to any easements, rights-of-way, or covenants of record.

**LAYMAN'S DESCRIPTION:** 2225 South Bellview Road

SECTION 3: 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 4: **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 5: **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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared by: Bill Watkins

For consideration by: Community Environment & Welfare Committee

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING  
CERTAIN LANDS FROM A-1 TO R-SF, 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, the City Council has found that certain lands hereinafter described are better suited for R-SF than A-1 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 R-SF and that said lands being in Benton County, Arkansas, are described as:

**TRACT A (57.00 Acres)**

A PART OF THE N1/2 OF THE NE1/4 OF THE NE1/4 OF SECTION 26 AND THE SE1/4 OF THE SE 1/4 OF SECTION 23, BOTH IN TOWNSHIP 19 NORTH, RANGE 31 WEST OF THE 5th PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST OF THE SE1/4 OF THE SE1/4 OF SAID SECTION 23; THENCE S02°27'14"W 563.79' ALONG THE EAST LINE OF THE N1/2 OF THE NE1/4 OF THE NE1/4 OF SECTION 26, THENCE LEAVING SAID EAST LINE AND RUNNING N87°28'04"W 1325.30' TO A POINT ON THE WEST LINE OF THE N1/2 OF THE NE1/4 OF THE NE1/4 OF SECTION 26; THENCE N02°28'43"E 563.79' TO THE NORTHWEST CORNER OF SAID N1/2 OF THE NE1/4 OF THE NE1/4 OF SECTION 26; THENCE N02°32'34"E 1310.61' FEET TO THE NORTHWEST CORNER OF THE SE1/4 OF THE SE1/4 OF SAID SECTION 23; THENCE S87°26'12"E 1324.83' ALONG THE NORTH LINE THEREOF TO THE NORTHEAST CORNER OF THE SE1/4 OF THE SE1/4 OF SAID SECTION 23; THENCE S02°31'58"W 1309.89' ALONG THE EAST LINE THEREOF TO THE POINT OF BEGINNING, CONTAINING 57.00 ACRES, MORE OR LESS.SUBJECT TO THE 25 FOOT WIDE FROM CENTERLINE GASTON ROAD RIGHT-OF-WAY ALONG THE WEST LINE; AND ANY OR ALL EASEMENTS OF RECORD OR FACT.

**TRACT B (43.37 Acres)**

A PART OF THE NE1/4 OF THE NE1/4 AND THE N1/2 OF THE SE1/4 OF THE NE 1/4 OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 31 WEST OF THE 5th PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26; THENCE S02°27'14"W 563.79' ALONG THE EAST LINE THEREOF TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S02°27'14"W 1428.99' ALONG THE EAST LINE THEREOF TO THE SOUTHEAST CORNER OF THE N1/2 OF THE SE1/4 OF THE NE1/4 OF SAID SECTION 26; THENCE N87°07'57"W 1325.95' TO THE SOUTHWEST CORNER OF THE N1/2 OF THE SE1/4 OF THE NE1/4 OF SAID SECTION 26; THENCE N02°28'43"E 1421.23' ALONG THE WEST LINE OF THE E1/2 OF THE NE1/4 OF SAID SECTION 26; THENCE LEAVING SAID WEST LINE AND RUNNING S87°28'04"E 1325.30' TO THE POINT OF BEGINNING, CONTAINING 43.37 ACRES, MORE OR LESS.SUBJECT TO THE GASTON ROAD RIGHT-OF-WAY ALONG THE WEST LINE; AND ANY OR ALL EASEMENTS OF RECORD OR FACT.

**LAYMAN'S DESCRIPTION:** 100± acres east of Gaston Rd. and west of Scissortail Subdivision

SECTION 3: 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 4: **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 5: **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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared By: Bill Watkins

For consideration by: Community Environment & Welfare Committee



**ORDINANCE NO. 20-\_\_\_\_\_**

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM A-1 TO RMF-9A, ACCEPTING THE DENSITY CONCEPT PLAN, 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 December 3, 2019 the City Council has found that certain lands hereinafter described are better suited for **RMF-9A, ACCEPTING THE DENSITY CONCEPT PLAN** 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 **RMF-9A, ACCEPTING THE DENSITY CONCEPT PLAN**, and that said lands being in Benton County, Arkansas, are described as:

**PROPERTY DESCRIPTION:**

Part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 17, Township 19 North, Range 30 West, described as beginning North 00°03'14" East 13.45 feet from the SW corner of the said NE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , said point being in the centerline of a county road; thence North 74°15'58" East 540.88 feet along said centerline; thence North 68°13'29" East 144.85 feet along said centerline; thence North 00°03'14" East 149.91 feet; thence South 89°31'41" West 659.79 feet; thence South 00°03'14" West 326.63 feet to the place of beginning. Subject to the right of way of a county road across the southeast side thereof.

**LAYMAN'S DESCRIPTION: 5715 W Stoney Brook Rd. Rogers, AR 72758**

**SECTION 3: Zoning.** That the above described lands are better suited for **RMF-9A, ACCEPTING THE DENSITY CONCEPT PLAN**, than an A-1 zoning and same should be and are hereby zoned **RMF-9A, ACCEPTING THE DENSITY CONCEPT PLAN**.

**SECTION 4: Density Concept Plan.** That the Density Concept Plan entered into by and between Osage Creek Development and the City of Rogers, as approved by the Rogers Planning Commission on January 7, 2020, is hereby approved and made binding upon future development of the property described above, unless otherwise modified or amended by this Council, and the Mayor of the City of Rogers is authorized and directed to execute same.

**SECTION 5: Emergency clause.** That because the City is herein zoning property which is subject to a present use and said use should be brought into conformity with the zoning laws of the City of Rogers, Arkansas, 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 6: 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 7: 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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared By: Josh Porter, Osage Creek Development  
For consideration by: Community Environment & Welfare Committee

**ORDINANCE NO. 20-\_\_\_\_\_**

**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, the City Council has found that certain lands hereinafter described are better suited for NBT than R-DP 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 to be zoned NBT:

LOT 1 AND THE NORTH ½ OF LOT 4 BLOCK 39 OF B.F. SIKES ADDITION IN ROGERS, BENTON COUNTY, ARKANSAS EXCEPT A STIP 60 FEET WIDE SQUARELY OFF OF THE WEST END THEREOF.

**LAYMAN'S DESCRIPTION:** 326 N. 4<sup>th</sup> St.

SECTION 3: 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 4: **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 5: **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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared By: Bill Watkins  
For consideration by: Community Environment & Welfare Committee

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM C-2 TO U-COR, 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, the City Council has found that certain lands hereinafter described are better suited for U-COR than C-2 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-COR and that said lands being in Benton County, Arkansas, are described as:

Property to be zoned U-COR:

LOT 1 OF BLOCK 4 OF PINNACLE HEIGHTS SUBDIVISION, AS PER PLAT RECORD L201861232 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS.

**LAYMAN'S DESCRIPTION:** 1.29 acres NW of the intersection of West Park Ave and South Pinnacle Hills Pkwy.

SECTION 3: 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 4: **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 5: **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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared By: Community Development Department  
For consideration by: Community Environment & Welfare Committee

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM C-2 TO U-COR, 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, the City Council has found that certain lands hereinafter described are better suited for U-COR than C-2 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-COR and that said lands being in Benton County, Arkansas, are described as:

Property to be zoned U-COR:

PART OF LOT 3D4 AND PART OF LOT 3DE OF PINNACLE HEIGHTS AS PER PLAT RECORD L201932598 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH CORNER OF LOT 3D5 OF SAID PINNACLE HEIGHTS SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF JB HUNT DRIVE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING THREE COURSES: THENCE 382.90 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 468.00 FEET AND A LONG CHORD OF S36°21'43"E 372.31 FEET; THENCE S12°55'24"E 410.88 FEET; THENCE 85.41 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 468.00 FEET AND A LONG CHORD OF S07°41'43"E 85.29 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY 24.21 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 15.00 FEET AND A LONG CHORD OF S43°46'01"W 21.67 FEET; THENCE N89°59'56"W 9.05 FEET; THENCE 253.76 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 473.50 FEET AND A LONG CHORD OF N74°38'45"W 250.73 FEET; THENCE N59°17'35"W 80.75 FEET; THENCE 269.23 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 615.00 FEET AND A LONG CHORD OF N71°50'03"W 267.09 FEET; THENCE N03°01'47"W 274.98 FEET; THENCE 287.72 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 423.00 FEET AND A LONG CHORD OF N46°52'06"E 282.20 FEET; THENCE N27°22'57"E 159.95 FEET TO THE POINT OF BEGINNING, CONTAINING 6.66 ACRES MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

**LAYMAN'S DESCRIPTION:** 6.66 acres between S. Pinnacle Hills Parkway & JB Hunt Drive

SECTION 3: 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 4: **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 5: 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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared By: Community Development Department

For consideration by: Community Environment & Welfare Committee

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM C-2 TO U-COR, 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, the City Council has found that certain lands hereinafter described are better suited for U-COR than C-2 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-COR and that said lands being in Benton County, Arkansas, are described as:

Property to be zoned U-COR:

PART OF LOT 3D3 AND PART OF LOT 3D4 OF PINNACLE HEIGHTS AS PER PLAT RECORD L201932598 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 3D3 OF SAID PINNACLE HEIGHTS SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY OF PINNACLE HILLS PARKWAY; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY N02°19'51"E 7.08 FEET; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY 359.87 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 560.00 FEET AND A LONG CHORD OF N16°04'44"W 353.71 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY 25.95 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 15.00 FEET AND A LONG CHORD OF N15°04'02"E 22.83 FEET; THENCE N64°37'24"E 38.29 FEET; THENCE 551.58 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 563.50 FEET AND A LONG CHORD OF S87°20'05"E 529.82 FEET; THENCE S59°17'35"E 80.75 FEET; THENCE 281.36 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 525.00 FEET AND A LONG CHORD OF S74°38'45.5"E 278.0038 FEET; THENCE S89°59'56"E 5.21 FEET; THENCE 25.62 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 15.00 FEET AND A LONG CHORD OF S41°03'59"E 22.62 FEET TO THE WESTERLY RIGHT-OF-WAY OF JB HUNT DRIVE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY 57.14 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 468.00 FEET AND A LONG CHORD OF S11°21'51"W 57.10 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY N63°14'26"W 236.61 FEET; THENCE S26°45'34"W 314.10 FEET; THENCE N87°41'47"W 57.59 FEET; THENCE S02°18'13"W 22.49 FEET; THENCE N87°41'47"W 145.65 FEET; THENCE N73°46'44"W 20.03 FEET; THENCE N87°41'47"W 242.72 FEET TO THE POINT OF BEGINNING, CONTAINING 5.68 ACRES MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

**LAYMAN'S DESCRIPTION:** 5.68 acres northwest of West Park Ave. & S. Pinnacle Hills Parkway

SECTION 3: 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 4: 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 5: 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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared By: Community Development Department

For consideration by: Community Environment & Welfare Committee



**AN ORDINANCE ACCEPTING THE FINAL PLAT OF  
THE GROVES NEIGHBORHOOD PHASE II  
ROGERS, BENTON COUNTY, ARKANSAS,  
THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN;  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Final Plat has been submitted for The Groves Neighborhood Phase II, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

A PART OF 19-A OF THE LOTS 24 AND 25, THE GROVES PHASE III LOT SPLIT AND REPLAT, TO THE CITY OF ROGERS, BEING RECORDED IN INSTRUMENT NUMBER L201918763 IN THE OFFICE OF THE EX OFFICIO RECORDER, BENTONVILLE, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 19-A; THENCE NORTH 87°26'13" WEST ALONG THE SOUTH LINE OF SAID LOT 19-A, A DISTANCE OF 149.85' TO A POINT;  
THENCE NORTH 02°33'47" EAST 148.91' TO A POINT;  
THENCE NORTH 87°26'13" WEST 875.05' TO A POINT;  
THENCE SOUTH 02°33'47" WEST 148.91' TO A POINT;  
THENCE NORTH 87°26'14" WEST 211.26' TO A POINT;  
THENCE NORTH 02°33'47" EAST 289.61' TO A POINT;  
THENCE SOUTH 86°48'36" EAST 1,239.42' TO A POINT;  
THENCE SOUTH 03°13'23" WEST 276.15' TO THE POINT OF BEGINNING, CONTAINING 5.05 ACRES, MORE OR LESS, SUBJECT TO ANY COVENANTS, EASEMENTS, AND RIGHT-OF-WAYS OF RECORD OR FACT.

**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 was 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 The Groves Neighborhood Phase II, 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: 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 and after the date of its passage.

SECTION 4: 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 5: 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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
C. GREG HINES, Mayor

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Prepared by: Community Development Department  
For Consideration By: Community Environment & Welfare Committee