



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: PEGGY DAVID, CITY CLERK-TREASURER

DATE: May 9, 2019

The following committee meetings will be held on **Tuesday, May 14, 2019** prior to the City Council Meeting:

**5:45 p.m. - PUBLIC SAFETY COMMITTEE:** (Wolf, Kruger and Carmichael) **Committee Room #2**

- To Discuss: (a) An Ordinance Authorizing a Contract with Superior Automotive Group of Siloam Springs, AR for the Purchase of Three New Vehicles for the Rogers Fire Department; Waiving Competitive Bidding
- (b) A Resolution Adopting Updated Policies and Procedures of the Rogers Police Department

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

- To Discuss: (a) An Ordinance Amending Various Sections of Chapter 14 of the City of Rogers Code of Ordinances

**6:15 p.m. - TRANSPORTATION COMMITTEE:** (Kruger, Townzen and Carmichael) **Committee Room #1**

- To Discuss: (a) Parking and Street closure requests from Rogers Cycling Festival for the Rogers Cycling Festival – Brick Street CRIT on July 26 and 27, 2019
- (b) Street closure request from Rogers Cycling Festival for the Rogers Cycling Festival – Race for the Spike on July 27, 2019
- (c) Street closure request from Heritage Community Church for the 2<sup>nd</sup> Annual Blessing of the Bikes at 1003 N. 6<sup>th</sup> Street on June 1, 2019
- (d) Closing the Eastbound Lane of Poplar Street between 13<sup>th</sup> Street and 15<sup>th</sup> Street for Road Construction
- (e) Closing all of 1<sup>st</sup> Street between Walnut and Chestnut for Bike Trail Construction
- (f) A Resolution Authorizing a Contract with Clark Machinery, of Fort Smith, AR for the Purchase of a Street Paver for the City of Rogers Street Department; Amending the 2019 Budget; Appropriating \$78,000 from Street Reserves to Acct. #200-16-80100

- 
- (g) A Resolution Authorizing a Contract with Crossland Construction of Columbus, KS for the Uptown Connectivity Phase 1 Project; Accepting the Lowest Qualified Bid of \$673,758.45
- 

**6:15 p.m. - RESOURCES AND POLICY COMMITTEE:** (Hayes, Reithemeyer and Brashear)  
**Committee Room #2**

To Discuss: (a) Authorizing the Destruction of Certain Records by the City of Rogers Finance Department, Human Resources Department, and City Clerk-Treasurer

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**ROGERS CITY COUNCIL**

**AGENDA**

**ROGERS CITY COUNCIL**

**MAY 14, 2019**

**6:30 P.M.**

**PUBLIC FORUM:**

**INVOCATION & PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**ACTION ON MINUTES:** April 23, 2019

**REPORTS OF BOARDS AND STANDING COMMITTEES:**

- |             |  |   |
|-------------|--|---|
| 1. ORD. Re: | Amending Various Sections of Chapter 14 of the City of Rogers Code of Ordinances   | - Community Environment & Welfare Committee |
| 2. RES. Re: | Authorizing a Contract with Clark Machinery, of Fort Smith, AR for the Purchase of a Street Paver for the City of Rogers Street Department; Amending the 2019 Budget; Appropriating \$78,000 from Street Reserves to Acct. #200-16-80100 | - Transportation Committee                  |
| 3. RES. Re: | Authorizing a Contract with Crossland Construction, of Columbus, KS for the Uptown Connectivity Phase 1 Project; Accepting the Lowest Qualified Bid of \$673,758.43  | - Transportation Committee                  |
| 4. RES. Re: | Authorizing the Destruction of Certain Records by the City of Rogers Finance Department, Human Resources Department, and City Clerk-Treasurer  | - Resources & Policy Committee              |

# **ROGERS CITY COUNCIL AGENDA**

**MAY 14, 2019**

## **PAGE 2**

5. ORD. Re: Authorizing a Contract with Superior Automotive Group of Siloam Springs, AR for the Purchase of Three New Vehicles for the Rogers Fire Department; Waiving Competitive Bidding - Public Safety Committee
6. RES. Re: Adopting Updated Policies and Procedures of the Rogers Police Department - Public Safety Committee

### **OLD BUSINESS:**

### **NEW BUSINESS:**

### **APPOINTMENTS:**

### **ANNOUNCEMENTS:**

ORDINANCE NO. 19-\_\_\_\_\_

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 14 OF THE CITY OF ROGERS CODE OF ORDINANCES; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers, City Council finds it to be in the best interest of the City of Rogers to revise certain density management provisions for the purpose of clarifying procedural requirements;

**WHEREAS**, the City of Rogers, City Council finds it in the best interest of the City of Rogers to create new and revise existing building frontage standards in zoning districts;

**WHEREAS**, the City of Rogers, City Council finds it to be in the best interest of the City of Rogers to adopt provisions concerning exceptions to building setback requirements; and

**WHEREAS**, the City of Rogers, City Council finds it to be in the best interest of the City of Rogers to revise certain street design provisions for the purpose of clarifying land development requirements.

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

Section 1: Chapter 14, Article VI, Division 2, Section 14-732, Subsections 4.2, 4.3, 4.4, and 4.5, of the City of Rogers, Code of Ordinances are amended to read as shown in the attached Exhibit “A” and Municode Corporation is hereby instructed to make said amendments;

Section 2: Chapter 14, Article VI, Division 2, Section 14-737, Subsection (b)(1)(A) is amended to read as shown in the attached Exhibit “B” and Municode Corporation is hereby instructed to make said amendment;

Section 3: Chapter 14, Article VI, Division 2, Section 14-737, Subsection (C) is repealed in its entirety as shown in the attached “Exhibit “B” and Municode Corporation is hereby instructed to make said amendment;

Section 4: Chapter 14, Article VI, Division 2, Section 14-737 (C) is amended to read as shown in the attached Exhibit “B” and Municode Corporation is hereby instructed to make said amendment;

Section 5: Chapter 14, Article VI, Division 2, Section 14-710, Subsection (d), of the City of Rogers, Code of Ordinances, is amended to read as shown in the attached Exhibit “C” and Municode Corporation is hereby instructed to make said amendment;

Section 6: Chapter 14, Article V, Division 1, Section 14-552, of the City of Rogers, Code of Ordinances is amended to repeal Section 14-552 in its entirety and Municode Corporation is hereby instructed to make said amendment;

Section 7: Chapter 14, Article III, Division 3, Section 14-256, Subsection (7) of the City of Rogers, Code of Ordinances is amended to read as shown in the attached Exhibit “D” and Municode Corporation is hereby instructed to make said amendment;

Section 8: Chapter 14, Article VI, Division 2, Section 14-722, Subsection (f) of the City of Rogers, Code of Ordinances is amended to read as shown in the attached Exhibit “E” and Municode Corporation is hereby instructed to make said amendment;

Section 9 - Emergency Clause: The need to amend said City Code chapter 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 10 - 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 11 - 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 \_\_\_\_\_, 2019.

APPROVED:

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

Attest:

\_\_\_\_\_  
PEGGY DAVID, City Clerk

Requested By: John McCurdy, Director of Department of Community Development  
Prepared by: John Pesek, Staff Attorney  
Reviewed by: John Pesek, Staff Attorney  
For Consideration by

**EXHIBIT “A”**

**Sec. 14-732. – Uptown Rogers Development Code (URDC)**

**4.2 Uptown Core Mixed Use (U-COR)**

<b>(ii) Building Frontage</b>		
Pedestrian-Priority /Open Space Frontage	90% min.	<b>F</b>
Pedestrian-Friendly Frontage	70% min.	<b>G</b>
General Frontage	<b>60% min.</b>	<b>H</b>

**4.3 Uptown Commercial Mixed Use (U-COM)**

<b>(ii) Building Frontage</b>		
Pedestrian-Priority/Pedestrian-Friendly/Public Open Space Frontage	70% min.	<b>F / G</b>
General Frontage	<b>60% min.</b>	<b>H</b>

**4.4 Uptown Entertainment (U-ENT)**

<b>(i) Build-to Zones (BTZs) and Setbacks</b>		
<b>(Distance from property line to edge of the zone)</b>		
Pedestrian-Priority Frontage/Open Space	0’ min. setback – 20’ max. setback	<b>A</b>
Pedestrian-Friendly Frontage	0’ min. setback –30’ max. setback	<b>B</b>
General Frontage	0’ min. setback – <b>no</b> max. setback	<b>C</b>
Side	0’ min. setback; no max. setback	<b>D</b>
Rear	0’ min. setback; no max. setback	<b>E</b>
<b>(ii) Building Frontage</b>		
Pedestrian-Priority/Open Space Frontage	40% min.	<b>F</b>
Pedestrian-Friendly Frontage	30% min.	<b>G</b>
General Frontage	<b>No min.</b>	<b>H</b>

**4.5 Uptown Neighborhood Transition (U-NBT)**

<b>(i) Building Frontage</b>		
Pedestrian-Friendly Frontage	50% min.	<b>F / G</b>
General Frontage	<b>30% min.</b>	<b>H</b>

## EXHIBIT "B"

### Sec. 14-737. – Density Management.

- (a) *Purpose and Intent.* These provisions are intended to provide a means for objective analysis of residential density in the City of Rogers. It is important for the City to responsibly facilitate growth by encouraging density where appropriate and restricting density where inappropriate. The City's Comprehensive Growth Map (CGM) provides the basis for the highest and best use of land and designates select areas for higher intensity development. The CGM sets density ranges and organizes them by Growth Designation in an effort to accommodate both administrative and discretionary approval processes for residential development proposals. Growth Designations are broad land use categories organized by purpose, character, and level of development intensity, with various zoning districts allowed within each designation.
- (b) *Density Concept Plan.* A Density Concept Plan (DCP) is the mechanism used to assess the impact of exceeding the base density of a given Growth Designation per the City's CGM. Impact is assessed by two primary considerations: the compatibility of a proposed density in terms of land use and building form, and the capacity of the transportation network to support the proposed density.
- (1) *Applicability.* A DCP is required when a development proposal involves a gross residential density above the base limit of the subject Growth Designation per the City's CGM.
- (A) *Calculating Density.* Gross density shall be calculated as the ratio of dwelling units to total site area including public rights-of-way, common open space, and non-buildable land. Net density shall be calculated as the ratio of dwelling units to residential area excluding public rights-of-way, common open space, and non-buildable land. ~~In the Neighborhood Center Growth Designation, the land area used for gross density calculation shall include the entirety of the Neighborhood Center.~~
- (B) *Association with Rezone.* In order to ensure compliance with all conditions of acceptance, a rezone ordinance is the means by which a DCP becomes enforceable and assigned to a specific land area. An accepted DCP shall be filed with and attached to the subject rezone ordinance that reflects the density established in the DCP.
- (C) *Existing Zoning Designations.* In cases where a residential zoning designation is already in place, but the property has not developed, a DCP is required to accompany a development proposal that exceeds the base density of its Growth Designation subject to all procedural requirements of this Section.
- (D) *Modifications.* If a development proposal seeks to deviate from an accepted DCP, and the deviations are minor in that they are warranted due to site-specific constraints and do not substantially alter the overall density, layout, or design, the modification may be approved by staff. If the deviations are significant in that they are not warranted by site-specific constraints or substantially alter the overall density, layout, or design, the modification shall be required to obtain acceptance of a new DCP subject to all procedural requirements of this Section.
- (2) *Submittal and Review Procedure.* A DCP submittal shall be made subject to the following requirements:
- (A) Provide proof of a pre-submittal conference with staff.



(B) Submit a complete DCP application with any relevant supplemental materials including but not limited to site plans, elevation drawings, schematic drawings, written narratives, reports, or other materials requested by staff. All submittals shall, at a minimum, provide the following information:

- (i) Site area;
- (ii) Building setbacks;
- (iii) Building height;
- (iv) Building elevations;
- (v) Building materials breakdown;
- (vi) Lot coverage and open space calculations;
- (vii) Impervious area calculations;
- (viii) Physical constraints, easements, or other encumbrances;
- (ix) Current and proposed zoning;
- (x) Dwelling unit counts; and
- (xi) Gross and net density calculations.

~~(C) Once a complete DCP application has been submitted it will be placed on the agenda for the next available Plans & Policy Committee meeting. Staff will conduct a technical analysis of the DCP in advance of said meeting and provide recommendations to the committee. The Plans & Policy Committee may take the following actions on the proposed DCP:~~

- ~~(i) Recommend for acceptance by the Planning Commission as presented;~~
- ~~(ii) Recommend for acceptance by the Planning Commission with conditions; or~~
- ~~(iii) Deny as presented or table for further consideration.~~

(C) In addition to a complete DCP application, the applicant shall submit a rezone application per Sec. 14-727 to accompany Planning Commission action on the DCP. The rezone public hearing is the means by which the rezone and DCP are considered. The Planning Commission may take the following actions on the proposed DCP and rezone request:

- (i) Accept DCP as presented and recommend rezone and/or DCP for City Council approval;
- (ii) Accept DCP with conditions and recommend rezone and/or DCP for City Council approval; or
- (iii) Deny DCP as presented or table for further consideration.

(D) Once accepted by Planning Commission, the DCP is considered approved upon the City Council's passage of the proposed rezone ordinance per Sec. 14-727. If the rezone request is approved by the City Council, the accepted DCP shall be attached to the rezone ordinance, establishing permanent rules specific to the new zoning district until amended or replaced.

(3) *Review Criteria.* The appropriateness of a proposed density shall be considered with regard to the following considerations:

(A) Compliance with the City's schedule of uses;

(B) Consistency with the purpose, character, and goals of the subject Growth Designation per the City's CGM. Growth Designation character is evaluated by the following:

- (i) Building form, i.e. scale, massing, placement, roof pitch, height, frontage type, and similar considerations;
- (ii) Architectural design, i.e. style, colors, materials, window shape, façade articulation, and similar considerations; and
- (iii) Site layout, i.e. access, open space, building disposition, landscape, sightlines, street design, and similar considerations.

(C) Capacity of the surrounding transportation network to adequately support an increase above base density. Capacity is generally assumed to be adequate in most situations if land use is in compliance with the CGM and all other official plans, policies, and standards. Nonetheless, it remains beneficial to consider additional factors on an as-needed basis determined by the context of a given development proposal, including but not limited to the following:

- (i) Trip generation estimates per ITE Trip Generation Manual (current edition);
- (ii) A current traffic study including average daily traffic (ADT) and peak hour volume data of impacted roadways;
- (iii) Roadway safety characteristics, pavement condition, and impact of existing and proposed nearby development;
- (iv) Traffic management characteristics such as internal circulation routes, access points, calming methods, and parking management techniques; and
- (v) Travel demand factors such as on-site amenities and mixed-use, proximity to essential goods and services, and the integration of non-vehicular infrastructure.

**EXHIBIT “C”**

**Sec. 14-710. – C-3 Neighborhood Commercial District.**

(d) *Bulk and intensity of use restrictions.*

(1) *Maximum structure height:*

- a. *Principal building:* 3 stories.
- b. *Accessory structures:* 16 feet.

(2) *Minimum yard requirements:*

- a. *Front yard:* 5 feet minimum, 30 feet maximum.
- b. *Interior side yard:* 5 feet minimum, no maximum.
- c. *Exterior side yard:* 5 feet minimum, no maximum.
- d. *Rear yard:* 10 feet minimum, no maximum.

(3) *Building frontage requirements:* At least 60% of a building’s primary façade line, measured as a proportion of the lot width, shall be located within the front build-to zone.

## EXHIBIT “D”

### **Sec. 14-256. – Design standards, regulations and required improvements.**

The proposed large-scale development shall meet the following regulations and required improvements. Also, it shall meet the state health department requirements. Unless specified, the following standards, regulations and required improvements apply to all developments:

- (7) Proposed streets or drives must meet the requirements of Article V, Division 3, and/or the Arkansas Department of Transportation.

**EXHIBIT “E”**

**Sec. 14-722. – General district regulations.**

- (f) *Setback exceptions.* For structures such as pools and decks that are no higher than eight (8) inches above grade level, the Director of Community Development or his or her designee may approve rear setback reductions up to six (6) feet from the property line. Appeals of staff decisions shall be made to the Board of Adjustment in accordance with Sec. 14-724.

RESOLUTION NO. R-19-\_\_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH CLARK MACHINERY OF FORT SMITH, ARKANSAS, FOR THE PURCHASE OF A STREET PAVER FOR THE CITY OF ROGERS STREET DEPARTMENT; AMENDING THE 2019 BUDGET; APPROPRIATING SEVENTY-EIGHT THOUSAND DOLLARS (\$78,000.00) FROM STREET RESERVES TO ACCOUNT #200-16-80100 CAPITAL EXPENDITURES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers Street Department need to purchase a street paver;

**WHEREAS**, the Sourcewell cooperative purchasing group price of this street paver is one hundred ninety-two thousand four hundred thirty-three dollars and twenty-five cents (\$192,433.25); and

**WHEREAS**, the Rogers Street Department budgeted one hundred fifteen thousand dollars (\$115,000.00) for Capital Outlay but needs an additional appropriation of seventy-eight thousand dollars (\$78,000.00) to complete this purchase.

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

Section 1: That the Mayor and City Clerk are hereby authorized to enter into a contract for the purchase of a street paver with Clark Machinery, of Fort Smith, Arkansas, in an amount not to exceed one hundred ninety-two thousand four hundred thirty-three dollars and twenty five cents (\$192,433.25);

Section 2: That the 2019 Budget be amended to appropriate seventy-eight thousand dollars (\$78,000.00) from Street Reserves to Account #200-16-80100 Capital Expenditures;

Section 3 - Severability Provision: In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Resolution shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Resolution 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 Resolution shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein; 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 \_\_\_\_\_, 2019.

APPROVED:

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

Attest:

\_\_\_\_\_  
PEGGY DAVID, City Clerk  
Requested by: Frankie Guyll, Street Superintendent  
Prepared by: John Pesek, Staff Attorney

Reviewed by: John Pesek, Staff Attorney  
For Consideration by the Transportation Committee

RESOLUTION NO. R-19-\_\_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH CROSSLAND CONSTRUCTION COMPANY, INC. OF COLUMBUS, KS FOR THE UPTOWN CONNECTIVITY - PHASE 1 PROJECT; ACCEPTING THE LOWEST QUALIFIED BID FOR \$673,758.45; AND FOR OTHER PURPOSES.**

**WHEREAS**, bids were lawfully requested and submitted for the Uptown Connectivity - Phase 1 Project;

**WHEREAS**, Crossland Construction Company, Inc. of Columbus, Kansas submitted the lowest qualified bid in the amount of \$673,758.45; and

**WHEREAS**, as an Improvement Project authorized under the 2018 bond, this contract will be paid for out of Bond proceeds.

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

Section 1: Crossland Construction Company, Inc. is the lowest qualified bidder for the Uptown Connectivity - Phase 1 improvements project;

Section 2: The Mayor and City Clerk are authorized to enter into a contract with Crossland Construction Company, Inc. for construction work associated with the Uptown Connectivity - Phase 1 improvements in the amount of \$673,758.45;

Section 3: The Mayor may execute all agreements necessary for the design, construction, inspection, observation, acquisition, materials, testing, and surveying necessary for or attendant to the Uptown Connectivity - Phase 1 project;

Section 4: The Mayor's duly authorized representative may execute agreements necessary for the design, construction, inspection, observation, acquisition, materials, testing, and surveying necessary for or attendant to the Uptown Connectivity - Phase 1 project for which the contract amount does not exceed twenty thousand dollars (\$20,000.00);

Section 5 - Severability Provision: In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Resolution shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Resolution 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 Resolution shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein; and

Section 6 - 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 \_\_\_\_\_, 2019.

APPROVED:

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

Attest:

\_\_\_\_\_  
PEGGY DAVID, City Clerk

Requested by: John McCurdy, Director of Community Development  
Prepared by: John Pesek, Staff Attorney  
Reviewed by: John Pesek, Staff Attorney  
For Consideration by the Transportation Committee

**A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS BY THE CITY OF ROGERS FINANCE DEPARTMENT, HUMAN RESOURCES DEPARTMENT, AND CITY CLERK-TREASURER; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers Finance Department, Human Resources Department, and City Clerk-Treasurer desire to destroy certain archived records to create space for current finance records; and

**WHEREAS**, the list of records to be destroyed is set out in the attached Affidavit of Destruction.

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

Section 1: The City of Rogers Director of Finance, Director of Human Resources, and City Clerk-Treasurer may destroy the following records of the Rogers Finance Department, pursuant Ark. Code Ann. §14-59-114 and Sec. 2-1 of the Code of Ordinances, City of Rogers, Arkansas:

- (a) Audited records four years or older: FOIA requests, cancelled checks, invoices, bank statements, receipts, deposit slips, bank reconciliations, check book register or listing, receipt listing, monthly financial report, payroll records, budget documents, bids, quotes, and related documentation
- (b) Audited records seven years or older: bond files, board and committee agendas, board and committee files, lobbyist registration filings, meetings calendar, news and press releases, oaths of office (boards, commissions, advisory committees), statements of financial interest, state of the city address, fixed assets and equipment detail records, investment and certificate of deposit records, journals, ledgers, subsidiary ledgers, annual financial reports, payroll timesheets, application for employment (non-hired), and workers comp claims;

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

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

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

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

Attest:

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PEGGY DAVID, City Clerk

Request by: Casey Wilhelm, Director of Finance

Prepared by: John Pesek, Staff Attorney

Reviewed by: John Pesek, Staff Attorney

For Consideration by Resources and Policy Committee

ORDINANCE NO. 19-\_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS, ARKANSAS, FOR THE PURCHASE OF THREE NEW VEHICLES FOR THE ROGERS FIRE DEPARTMENT; WAIVING COMPETITIVE BIDDING; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

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

Section 1: That the Mayor and City Clerk are authorized to enter into a contract with Superior Automotive Group of Siloam Springs, Arkansas, for the purchase of two 2019 Ford F250 trucks and one 2019 Chevy Tahoe, for a total contract price of ninety-two thousand eight hundred thirty-two dollars (\$92,832.00);

Section 2: The purchase price of each 2019 Ford F250 truck is twenty-eight thousand nine hundred dollars (\$28,900.00) and the purchase price of the 2019 Chevrolet Tahoe is thirty-five thousand thirty-two dollars (\$35,032.00). Once trade-in value is applied to the contract price, the final amount to be paid is eighty-seven thousand three hundred and thirty-two dollars (\$87,332.00);

Section 3: The following vehicles will be traded in for the purchase of the three vehicles:

2005 Chevrolet Silverado VIN# 66638  
2004 Chevrolet Silverado VIN# 08520

Section 4: That the purchase of the two Ford F250 trucks was budgeted in the 2019 Budget and the Chevrolet Tahoe is being purchased from excess appropriations in the Capital Expenditures line;

Section 5: That the requirements of competitive bidding are neither practical nor feasible and the City Council, therefore, waives the requirements of competitive bidding;

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

Section 7 - Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict; and

Section 8 - Emergency Clause: The need to waive competitive bidding is immediate in 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.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

---

C. GREG HINES, Mayor

Attest:

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PEGGY DAVID, City Clerk

Requested by: Tom Jenkins, Fire Chief  
Prepared by: Bonnie Bridges, Staff Attorney  
Reviewed by: John Pesek, Staff Attorney  
For Consideration by the Public Safety Committee

RESOLUTION NO. R-19-\_\_\_\_\_

**A RESOLUTION ADOPTING UPDATED POLICIES AND PROCEDURES OF THE ROGERS POLICE DEPARTMENT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Rogers Police Department needs to update the current policies and procedures contained in their Standard Operating Guidelines;

**WHEREAS**, Policies 205.2, 301.2, 305.1, 310.8, 409.7, 411.4 were previously adopted and implemented for use by the Rogers Police Department in Resolution R18-24 on March 13, 2018; and

**WHEREAS**, Policies 205.2, 301.2, 305.1, 310.8, 409.7, 411.4 are being updated to reflect current law enforcement standards and practices; and

**WHEREAS**, Policies 401.0, 409.10, and 414.13 are new policies to be incorporated into Rogers Police Department's Standard Operating Guidelines.

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

Section 1: That the policies and procedures set forth in the attached Exhibit "A" are adopted for use and implementation by the Rogers Police Department;

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

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

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

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

Attest:

\_\_\_\_\_  
PEGGY DAVID, City Clerk

Requested by: Hayes Minor, Police Chief  
Prepared by: John Pesek, Staff Attorney

Reviewed by: John Pesek, Staff Attorney  
For Consideration by Public Safety Committee

EXHIBIT A