



Office of the City Clerk-Treasurer  
301 W. Chestnut  
Rogers, Arkansas 72756  
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[www.rogersar.gov](http://www.rogersar.gov)

### COMMITTEE SCHEDULE

TO: MAYOR  
CITY COUNCIL  
DEPARTMENT HEADS  
PRESS

FROM: PEGGY DAVID, CITY CLERK-TREASURER  
DATE: July 3, 2019

The following committee meetings will be held on **Tuesday, July 9, 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 Waiving Competitive Bidding for the Purchase of a Patrol Vehicle from Superior Chevrolet of Siloam Springs, AR for the Rogers Police Department; Allowing a Contract for Said Purchase

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

- To Discuss: (a) A Resolution Amending 2019 Budget Recognizing an Insurance Reimbursement in the Amount of \$16,665 into Acct. #100-01-49195; Recognizing a Transfer from ACT 988 Fund to the General Fund in the Amount of \$33,000; Appropriating \$49,665 into Acct. #100-03-80100
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- (b) A Resolution Amending the 2019 Budget to Recognize Funds in the Amount of \$104,810 from RX Reimbursements into Acct. #375-75-49261 and \$2,393,955 from Excess Loss Reinsurance into Acct. #375-75-49264; Appropriating \$2,498,765 into Acct. #375-75-61503
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- (c) Mid-Year Budget Review
- 

**6:15 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE:** (Carmichael, Townzen and Hayes) **Committee Room #1**

To Discuss: (a) **Tabled from last meeting:**  
An Ordinance Granting the Director of the City of Rogers Community Development Department the Authority to Approve Waivers of Building and Structure Dispositions Standards, Street Cross Sections and All Related Storm Water Utility Standards, and Sign Placement, Which Would Otherwise be Governed by the City of Rogers Code of Ordinances Chapters 14 and 44, for All Acquisitions Relating to the Walnut Widening Project

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**ROGERS CITY COUNCIL**

**AGENDA**

**JULY 9, 2019**

**6:30 P.M.**

**PUBLIC FORUM:**

**INVOCATION & PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**ACTION ON MINUTES:** June 25, 2019

**REPORTS OF BOARDS AND STANDING COMMITTEES:**

1. ORD. Re: Granting the Director of the City of Rogers Community Development Department the Authority to Approve Waivers of Building and Structure Dispositions Standards, Street Cross Sections and All Related Storm Water Utility Standards, and Sign Placement, Which Would Otherwise be Governed by the City of Rogers Code of Ordinances Chapters 14 and 44, for All Acquisitions Relating to the Walnut Widening Project - Community Environment & Welfare Committee
2. ORD. Re: Waiving Competitive Bidding for the Purchase of a Patrol Vehicle from Superior Chevrolet of Siloam Springs, AR for the Rogers Police Department; Allowing a Contract for Said Purchase - Public Safety Committee
3. RES. Re: Amending 2019 Budget Recognizing an Insurance Reimbursement in the Amount of \$16,665 into Acct. #100-01-49195; Recognizing a Transfer from ACT 988 Fund to the General Fund in the Amount of \$33,000; Appropriating \$49,665 into Acct. #100-03-80100 - Finance Committee

# **ROGERS CITY COUNCIL AGENDA**

**JULY 9, 2019**

## **PAGE 2**

4. RES. Re: Amending the 2019 Budget to Recognize Funds in the Amount of \$104,810 from RX Reimbursements into Acct. #375-75-49261 and \$2,393,955 from Excess Loss Reinsurance into Acct. #375-75-49264; Appropriating \$2,498,765 into Acct. #375-75-61503 - Finance Committee

### **OLD BUSINESS:**

### **NEW BUSINESS:**

1. RES. Re: 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) - Raymond Burns

### **APPOINTMENTS:**

### **ANNOUNCEMENTS:**

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

**AN ORDINANCE GRANTING THE DIRECTOR OF THE CITY OF ROGERS COMMUNITY DEVELOPMENT DEPARTMENT THE AUTHORITY TO APPROVE WAIVERS OF BUILDING AND STRUCTURE DISPOSITION STANDARDS, STREET CROSS SECTIONS AND ALL RELATED STORM WATER UTILITY STANDARDS, AND SIGN PLACEMENT, WHICH WOULD OTHERWISE BE GOVERNED BY THE CITY OF ROGERS CODE OF ORDINANCES CHAPTERS 14 AND 44, FOR ALL ACQUISITIONS RELATING TO THE WALNUT WIDENING PROJECT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers Department of Community Development is beginning land acquisition for the Walnut Widening Project which will include displacement of business signs and loss of business access points;

**WHEREAS**, the Director of the Department of Community Development needs the authority to approve waivers relating to provisions governed by Chapters 14 and 44 of the City of Rogers Code of Ordinances in order to timely effectuate acquisitions, negotiate with businesses in good faith, and minimize any potential delay in this project; and

**WHEREAS**, the waiver authority only extends to acquisitions necessary to implement the Walnut Widening Project and will expire when said acquisitions are complete;

**WHEREAS**, the procedures for obtaining a waiver in Chapters 14 and 44, for building and structure disposition standards, street cross sections and all related storm water utility standards, and sign placement, are suspended in order to give the Director of Community Development the authority to approve said waivers.

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

Section 1: There exists an exceptional circumstance whereby the Director of Community Development shall have the authority to approve waivers for building and structure disposition standards, street cross section and all related storm water and utility standards, and sign placement that would otherwise be governed by Chapters 14 and 44;

Section 2: This authority only extends to waivers for acquisitions being negotiated as part of the City of Rogers Walnut Widening Project and shall not extend further;

Section 3: This authority and suspension of the procedures outlined in Chapters 14 and 44 shall expire upon the completion of the acquisition process;

Section 4 - Emergency Clause: The City of Rogers's need to begin the acquisition process for the Walnut Widening Project purchase 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 5 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

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

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

APPROVED:

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

Attest:

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

Requested By: John McCurdy, Director of Community Development

Prepared By: Bonnie Bridges, Staff Attorney

Reviewed By: Bonnie Bridges, Staff Attorney

For Consideration by the Community Environment & Welfare Committee

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

**AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF A PATROL VEHICLE 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 replace a patrol vehicle that was totaled in a motor vehicle accident; and

**WHEREAS**, Superior Chevrolet of Siloam Springs, Arkansas, can provide a vehicle 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 forty-seven thousand eight hundred and eighty-three dollars and eighty-three cents (\$47,883.83), for the purchase of a replacement patrol vehicle for the Rogers Police Department;

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 vehicle 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 \_\_\_\_\_, **2019**.

APPROVED:

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

Attest:

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PEGGY DAVID, City Clerk

Requested by: Hayes Minor, Chief of Police  
Prepared by: Bonnie Bridges, Staff Attorney  
Reviewed by: Bonnie Bridges, Staff Attorney  
For Consideration by the Public Safety Committee

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

**A RESOLUTION AMENDING THE 2019 BUDGET TO RECOGNIZE AN INSURANCE REIMBURSEMENT IN THE AMOUNT OF SIXTEEN THOUSAND SIX HUNDRED SIXTY-FIVE DOLLARS (\$16,665.00) INTO ACCOUNT #100-01-49195 INSURANCE REIMBURSEMENT; RECOGNIZING A TRANSFER FROM ACT 988 FUND TO THE GENERAL FUND IN THE AMOUNT OF THIRTY-THREE THOUSAND DOLLARS (\$33,000.00); APPROPRIATING FORTY-NINE THOUSAND SIX HUNDRED SIXTY-FIVE DOLLARS (\$49,665.00) INTO ACCOUNT #100-03-80100 CAPITAL EXPENDITURES; AND FOR OTHER PURPOSES.**

**WHEREAS**, a patrol vehicle belonging to the Rogers Police Department was totaled in a motor vehicle accident and needs to be replaced;

**WHEREAS**, the Rogers Police Department intends to purchase the replacement patrol vehicle from Superior Chevrolet of Siloam Springs, Arkansas; and

**WHEREAS**, the Rogers Police Department has received an insurance reimbursement to pay for a portion of the cost and the remainder will be paid for from Act 988 Funds.

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

Section 1: That the 2019 budget is amended to recognize an insurance reimbursement in the amount of sixteen thousand six hundred and sixty-five dollars (\$16,665.00) into Account #100-01-49195 Insurance Reimbursement;

Section 2: That the 2019 budget is further amended to recognize a transfer from Act 988 Fund to the General Fund in the amount of thirty-three thousand dollars (\$33,000.00), recognizing a transfer out in Act 988 Fund account #339-39-72100 Interfund Transfer Out and recognizing a transfer into the General Fund account #100-03-49900 Interfund Transfer In;

Section 3: That the 2019 budget is further amended to appropriate forty nine thousand six hundred sixty-five (\$49,665.00) to Account #100-03-80100 Capital Expenditures;

Section 4 - Severability Provision: If any part of this Resolution is held to be invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Resolutions: All 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:



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C. GREG HINES, Mayor

Attest:

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PEGGY DAVID, City Clerk

Requested by: Hayes Minor, Chief of Police  
Prepared by: Bonnie Bridges, Staff Attorney  
Reviewed by: Bonnie Bridges, Staff Attorney  
For Consideration by: Finance Committee

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

**A RESOLUTION AMENDING THE 2019 BUDGET TO RECOGNIZE FUNDS IN THE AMOUNT OF ONE HUNDRED FOUR THOUSAND EIGHT HUNDRED AND TEN DOLLARS (\$104,810.00) FROM RX REIMBURSEMENTS INTO REVENUE ACCOUNT #375-75-49261 AND TWO MILLION THREE HUNDRED NINETY-THREE THOUSAND FIFTY-FIVE DOLLARS (\$2,393,955.00) FROM EXCESS LOSS REINSURANCE INTO REVENUE ACCOUNT #375-75-49264; APPROPRIATING TWO MILLION FOUR HUNDRED NINETY-EIGHT THOUSAND SEVEN HUNDRED AND SIXTY-FIVE DOLLARS (\$2,498,765.00) INTO HEALTH CLAIMS EXPENSE ACCOUNT # 375-75-61503; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers operates a self funded health plan in order to maintain visibility of health insurance costs for the benefit of its employees; and

**WHEREAS**, it is not always possible to predict the amounts of health plan related revenue received during a given plan year.

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

Section 1: The 2019 Budget is amended to recognize funds in the amount of one hundred four thousand eight hundred and ten dollars (\$104,810.00) from RX Reimbursements into Revenue Account # 375-75-49261 and two million three hundred ninety-three thousand fifty-five dollars (\$2,393.955.00) from Excess Loss Reinsurance into Revenue Account #375-75-49264;

Section 2: That the 2019 Budget is amended to appropriate two million four hundred ninety-eight thousand seven hundred and sixty-five dollars (\$2,498,765.00) into Health Claims Expense Account #375-75-61503;

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 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:

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

Requested by: Thomas Dunlap, Director of Human Resources

Prepared by: Bonnie Bridges, Staff Attorney

Reviewed by: Bonnie Bridges, Staff Attorney

For Consideration by: Finance Committee

**RESOLUTION NO. \_\_\_\_\_**

***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**, Mundo-Tech, Inc located at 1745 S 1<sup>st</sup> 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**, Mundo-Tech, Inc 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. Mundo-Tech, Inc 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 Mundo-Tech, Inc**
3. This resolution shall take effect immediately.

\_\_\_\_\_  
Mayor, City of Rogers, Arkansas

Date Passed: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk