



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

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: PEGGY DAVID, CITY CLERK-TREASURER

DATE: June 19, 2019

The following committee meetings will be held on **Tuesday, June 25, 2019** prior to the City Council Meeting:

5:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Carmichael, Townzen and Hayes) **Committee Room #1**

- To Discuss:
- (a) A Resolution Authorizing More Than One Professional Services Contract with Crafton, Tull & Associates, Inc. and CEI Engineering Associates in an Cumulative Amount Not to Exceed \$72,000 for Professional Consulting Services Associated with Community Development Planning Reviews; Amending the 2019 Budget to Appropriate Up to \$72,000 from General Fund Reserves to Acct. #100-18-70830

 - (b) 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

 - (c) An Ordinance Rezoning from C-2 and R-O to C-3, Accepting the Density Concept Plan, 7.7 Acres at the northeast corner of S. Bellview and S. Hampton Place (Great Northwest Development LLC and Creekside Development LLC) - represented by Charlie Baverman

6:00 p.m. - PUBLIC WORKS COMMITTEE: (Townzen, Kendall and Brashear) **Committee Room #1**

- To Discuss: (a) Monthly report from RWU
-

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

- To Discuss:
- (a) Request from Rogers Downtown Partners to close parking lots and street parking for Bikes on the Bricks on Saturday, September 28, 2019
 - (b) Request from Downtown Rogers, Inc. to close streets and parking lots for Frisco Festival on Friday and Saturday, August 23 & 24, 2019
 - (c) Consider Ozark Regional Transit's participation with Frisco Festival
 - (d) Review Ozark Regional Transit's plan for additional funding
 - (e) A Resolution Amending the 2019 Budget to Recognize Funds from SWEPCO's Arkansas Energy Efficiency Program in the Amount of \$11,388 into Acct. #200-16-49710; Appropriating the Same Amount to Acct. #200-16-70155
 - (f) A Resolution Scheduling a Hearing Concerning the Vacation of a Certain Portion of Valley West Drive; Directing Notice of the Hearing

6:15 p.m. - FINANCE COMMITTEE: (Reithemeyer, Wolf and Kendall) **Committee Room #2**

- To Discuss:
- (a) A Resolution Amending the 2019 Budget; Appropriating \$68,500 from General Fund Reserves to Acct. #100-08-70460; Appropriating \$31,000 from General Fund Reserves to Acct. #100-08-70465
 - (b) A Resolution Amending the 2019 Budget to Appropriate \$6,000 from General Fund Reserves to Acct. #100-09-70268 for Use by the Finance Dept. to Purchase Server Upgrades

6:15 p.m. – Combined INTERNAL AFFAIRS COMMITTEE: (Kendall, Wolf and Reithemeyer) and **FINANCE COMMITTEE:** (Reithemeyer, Wolf and Kendall) **Committee Room #2**

- To Discuss:
- (a) A Resolution Creating the Positions of Planner I and Engineer for the Department of Community Development; Amending the 2019 Budget to Appropriate \$71,939 from General Fund Reserves to the Accounts Listed to Fund the New Positions



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ROGERS CITY COUNCIL

AGENDA

JUNE 25, 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. RES. Re: Amending the 2019 Budget; Appropriating \$68,500 from General Fund Reserves to Acct. #100-08-70460; Appropriating \$31,000 from General Fund Reserves to Acct. #100-08-70465 - Finance Committee
- 2. RES. Re: Amending the 2019 Budget to Appropriate \$6,000 from General Fund Reserves to Acct. #100-09-70268 for Use by the Finance Dept. to Purchase Server Upgrades - Finance Committee
- 3. RES. Re: Creating the Positions of Planner I and Engineer for the Department of Community Development; Amending the 2019 Budget to Appropriate \$71,939 from General Fund Reserves to the Accounts Listed to Fund the New Positions - Internal Affairs Committee/
Finance Committee
- 4. RES. Re: Scheduling a Hearing Concerning the Vacation of a Certain Portion of Valley West Drive; Directing Notice of the Hearing - Transportation Committee

ROGERS CITY COUNCIL AGENDA

JUNE 25, 2019

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5. RES. Re: Amending the 2019 Budget to Recognize Funds from SWEPCO's Arkansas Energy Efficiency Program in the Amount of \$11,388 into Acct. #200-16-49710; Appropriating the Same Amount to Acct. #200-16-70155 - Transportation Committee -
6. RES. Re: Authorizing More Than One Professional Services Contract with Crafton, Tull & Associates, Inc. and CEI Engineering Associates in an Cumulative Amount Not to Exceed \$72,000 for Professional Consulting Services Associated with Community Development Planning Reviews; Amending the 2019 Budget to Appropriate Up to \$72,000 from General Fund Reserves to Acct. #100-18-70830 - Community Environment & Welfare Committee
7. 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
8. ORD. Re: Rezoning from C-2 and R-O to C-3, Accepting the Density Concept Plan, 7.7 Acres at the northeast corner of S. Bellview and S. Hampton Place (Great Northwest Development LLC and Creekside Development LLC) - represented by Charlie Baverman - Community Environment & Welfare Committee

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R-19-_____

A RESOLUTION TO AMEND THE 2019 BUDGET; APPROPRIATING SIXTY-EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$68,500.00) FROM GENERAL FUND RESERVES TO ACCOUNT #100-08-70460 HORTICULTURE MAINTENANCE; APPROPRIATING THIRTY-ONE THOUSAND DOLLARS (\$31,000.00) FROM GENERAL FUND RESERVES TO ACCOUNT #100-08-70465 CONTRACT MOWING; AND FOR OTHER PURPOSES.

WHEREAS, the increased growth of the City of Rogers has necessitated a greater demand for landscaping and mowing duties for the City of Rogers Parks Department;

WHEREAS, these funds will assist the City of Rogers Parks Department to undertake and manage the increased mowing and landscaping duties throughout the City; and

WHEREAS, the Parks Department intends to use a portion of the funds to change landscape areas to rock in lieu of mulch.

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

Section 1: That the 2019 Budget is amended to appropriate sixty-eight thousand five hundred dollars (\$68,500.00) from General Fund Reserves to Account # 100-08-70460 Horticulture Maintenance;

Section 2: That the 2019 Budget is further amended to appropriate thirty-one thousand dollars (\$31,000.00) from General Fund Reserves to Account # 100-08-70465 Contract Mowing;

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.

PASSED this _____ day of _____, **2019**.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: Jim White, Director of the Parks and Recreation Department

Prepared by: Bonnie Bridges, Staff Attorney

Reviewed by: Bonnie Bridges, Staff Attorney

For Consideration by the Finance Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO APPROPRIATE SIX THOUSAND DOLLARS (\$6,000.00) FROM GENERAL FUND RESERVES TO ACCOUNT #100-09-70268 PROFESSIONAL SERVICES FOR USE BY THE FINANCE DEPARTMENT TO PURCHASE SERVER UPGRADES; AND FOR OTHER PURPOSES.

WHEREAS, in order to meet Tyler Technology’s New World minimum operating requirements, the City will need to upgrade servers to Windows 2016;

WHEREAS, Tyler Technologies will be performing the service of installing the servers, overseeing configuration of the servers, and performing the appropriate data migration from the City’s old servers to the new servers.

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

Section 1: The 2019 Budget is hereby amended to appropriate six thousand dollars (\$6,000.00) from General Fund Reserves to Account #100-09-70268 Professional Services;

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:

PEGGY DAVID, City Clerk

Requested by: Casey Wilhelm, Director of Finance
Prepared by: Bonnie Bridges, Staff Attorney
Reviewed by: Bonnie Bridges, Staff Attorney
For Consideration by: Finance Committee

RESOLUTION NO. R-19- _____

A RESOLUTION CREATING THE POSITIONS OF PLANNER I AND ENGINEER FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT; AMENDING THE 2019 BUDGET TO APPROPRIATE SEVENTY-ONE THOUSAND NINE HUNDRED THIRTY-NINE DOLLARS (\$71,939.00) FROM GENERAL FUND RESERVES TO THE BELOW LISTED ACCOUNTS IN ORDER TO FUND NEW POSITIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Department of Community Development has a need to create the positions of Planner I and Engineer in order to execute upcoming street, trail, and improvement projects, in addition to completing existing infrastructure projects attendant to the 2018 Bond Issue;

WHEREAS, the Department of Community Development is experiencing an increased demand for planning and development services due to high growth rates and development activities across the City;

WHEREAS, these positions will enable the Department of Community Development to effectively and timely serve the citizens of Rogers with their planning and development needs; and

WHEREAS, the 2019 Budget will need to be amended to appropriate fifty-eight thousand five hundred dollars(\$58,500.00) to Account #100-18-60105 Salaries and Wages, four thousand four hundred seventy-six dollars (\$4,476.00) to Account #100-18-61150 FICA Expense, and eight thousand nine hundred sixty-three dollars (\$8,963.00) to Account #100-18-6115 Retirement Expense - APERS.

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

Section 1: That the position of Planner I and Engineer are created for the Department of Community Development;

Section 2: That the 2019 Budget is amended to appropriate the sum seventy-one thousand nine hundred thirty-nine dollars (\$71,939.00) from General Fund Reserves to the following accounts to fund the newly created positions:

100-18-60105 – Salaries and Wages	\$ 58,500.00
100-18-61150 – FICA Expense	\$ 4,476.00
100-18-61155 – Retirement Expense - APERS	\$ 8,963.00
	<u>\$ 71,939.00</u>

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.

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: Internal Affairs/Finance Committees

RESOLUTION NO. R-19- _____

A RESOLUTION SCHEDULING A HEARING CONCERNING THE VACATION OF A CERTAIN PORTION OF VALLEY WEST DRIVE; DIRECTING NOTICE OF THE HEARING; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Code of Ordinances, City of Rogers, Sec. 14-523, a request by an adjoining property owner has been made to vacate a portion of a “proposed future street” having the legal description as follows:

RESERVED AREA LOCATED BETWEEN LOTS 3 AND 4, BLOCK 2, REPLAT OF THE VALLEY WEST SUBDIVISION, AS SHOWN ON PLAT BOOK G AT PAGE 186, ROGERS, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 OF THE VALLEY WEST SUBDIVISION AS SHOWN ON PLAT BOOK “G”, PAGE 186; THENCE SOUTH 87°15’57” EAST A DISTANCE OF 150.28 FEET TO A FOUND 5/8” REBAR; THENCE SOUTH 02°50’08” WEST A DISTANCE OF 60.44 FEET TO A FOUND 5/8” REBAR; THENCE NORTH 86°37’19” WEST A DISTANCE OF 149.62 FEET TO A FOUND 5/8” REBAR PLS 1214; THENCE NORTH 02°10’51” EAST A DISTANCE OF 58.76 FEET TO THE POINT OF BEGINNING CONTAINING 0.21 ACRES OR 8,937 SQUARE FEET MORE OR LESS; AND

WHEREAS, upon request for vacating a street by an adjoining landowner, the City shall set a date and time for a hearing before the City Council for consideration of the request.

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

Section 1: A hearing on the vacation of the proposed future street described herein is scheduled for and shall be held with the regularly scheduled City Council meeting on Tuesday, August 13, 2019;

Section 2: The City Clerk and Department of Community Development are hereby directed to publish and post notice as required under City of Rogers, Code of Ordinances, Sec. 14-523;

Section 3 - 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 4 - Repeal of Conflicting Resolutions: All Resolutions and orders of the City Council, or parts of Resolutions of the City Council in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____ **2019.**

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: John McCurdy, Director of the Department of Community Development

Prepared by: Jennifer Moore, Project Manager

Reviewed by: Bonnie Bridges, Staff Attorney

For Consideration by: Transportation Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO RECOGNIZE FUNDS FROM SWEPCO’S ARKANSAS ENERGY EFFICIENCY PROGRAM IN THE AMOUNT OF ELEVEN THOUSAND THREE HUNDRED EIGHTY-EIGHT DOLLARS (\$11,388.00) INTO ACCOUNT #200-16-49710 REIMBURSEMENT REVENUE; APPROPRIATING THAT SAME AMOUNT TO EXPENSE ACCOUNT #200-16-70155 BUILDING AND GROUNDS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers received eleven thousand three hundred eighty-eight dollars (\$11,388.00) from SWEPCO’s Arkansas Energy Efficiency Program for light fixture upgrades in Street buildings to reduce energy consumption in Arkansas.

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

Section 1: The 2019 Budget is hereby amended to recognize funds from SWEPCO’S Arkansas Energy Efficiency Program in the amount of eleven thousand three hundred eighty-eight dollars (\$11,388.00) to Account #200-16-49710 Reimbursement Revenue;

Section 2: The 2019 Budget is further amended to appropriate eleven thousand three hundred eighty-eight dollars (\$11,388.00) to Account #200-16-70155 Building and Grounds;

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: Frankie Gyll, Street Superintendent
Prepared by: Bonnie Bridges, Staff Attorney
Reviewed by: Bonnie Bridges, Staff Attorney
For Consideration by: Transportation Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO MORE THAN ONE PROFESSIONAL SERVICES CONTRACT WITH CRAFTON, TULL & ASSOCIATES, INC. AND CEI ENGINEERING ASSOCIATES, INC. IN AN CUMULATIVE AMOUNT NOT TO EXCEED SEVENTY-TWO THOUSAND DOLLARS (\$72,000.00) FOR PROFESSIONAL CONSULTING SERVICES ASSOCIATED WITH COMMUNITY DEVELOPMENT PLANNING REVIEWS; AMENDING THE 2019 BUDGET TO APPROPRIATE UP TO SEVENTY-TWO THOUSAND DOLLARS (\$72,000.00) FROM GENERAL FUND RESERVES TO ACCOUNT #100-18-70830 CONTRACT SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, within the Community Development Department, there is a vacant Planning Engineer position and a need for temporary, highly skilled consultants to provide review of Large Scale Development Plans, Subdivision Plats, Drainage Reports, and Incidental projects during the hiring process of a qualified Planning Engineer; and

WHEREAS, it is in the best interest of public health, safety, and welfare that reviews of such plans are done to ensure compliance with the City development code and drainage manual and to facilitate continued responsible development within the City in a timely manner.

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

Section 1: The Mayor and City Clerk may enter into contracts with CEI Engineering Associates, Inc. and Crafton, Tull and Associates, Inc for professional consulting services associated with Community Development Planning Review Services for a cumulative amount not to exceed seventy-two thousand dollars (\$72,000.00);

Section 2: That the sum of seventy-two thousand dollars (\$72,000.00) may be appropriated from General Fund Reserves into Account # 100-18-70830 Contract Services;

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: John McCurdy, Director, Department of Community Development

Prepared by: Jennifer Moore, Project Manager

Reviewed by: Bonnie Bridges, Staff Attorney

For Consideration by: Community Environment & Welfare Committee

RESOLUTION NO. R-19-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO MORE THAN ONE PROFESSIONAL SERVICES CONTRACT WITH CRAFTON, TULL & ASSOCIATES, INC. AND CEI ENGINEERING ASSOCIATES, INC. IN AN CUMULATIVE AMOUNT NOT TO EXCEED SEVENTY-TWO THOUSAND DOLLARS (\$72,000.00) FOR PROFESSIONAL CONSULTING SERVICES ASSOCIATED WITH COMMUNITY DEVELOPMENT PLANNING REVIEWS; AMENDING THE 2019 BUDGET TO APPROPRIATE UP TO SEVENTY-TWO THOUSAND DOLLARS (\$72,000.00) FROM GENERAL FUND RESERVES TO ACCOUNT #100-18-70830 CONTRACT SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, within the Community Development Department, there is a vacant Planning Engineer position and a need for temporary, highly skilled consultants to provide review of Large Scale Development Plans, Subdivision Plats, Drainage Reports, and Incidental projects during the hiring process of a qualified Planning Engineer; and

WHEREAS, it is in the best interest of public health, safety, and welfare that reviews of such plans are done to ensure compliance with the City development code and drainage manual and to facilitate continued responsible development within the City in a timely manner.

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

Section 1: The Mayor and City Clerk may enter into contracts with CEI Engineering Associates, Inc. and Crafton, Tull and Associates, Inc for professional consulting services associated with Community Development Planning Review Services for a cumulative amount not to exceed seventy-two thousand dollars (\$72,000.00);

Section 2: That the sum of seventy-two thousand dollars (\$72,000.00) may be appropriated from General Fund Reserves into Account # 100-18-70830 Contract Services;

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: John McCurdy, Director, Department of Community Development

Prepared by: Jennifer Moore, Project Manager

Reviewed by: Bonnie Bridges, Staff Attorney

For Consideration by: Community Environment & Welfare Committee

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM C-2/R-O TO C-3, 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 June 18, 2019 the City Council has found that certain lands hereinafter described are better suited for C-3 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 DESCRIPTION:

Parcel No. 02-01671-200

Part of Northeast 1/4 of the Northeast 1/4 of Section 21, Township 19 North, Range 30 West, Rogers, Benton County, Arkansas being more particularly described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of the Northeast 1/4 of said Section 21; thence South 02°31'23" West a distance of 575.99 feet to a 1/2" Rebar PLS 985 being the point of beginning; thence South 02°31'23" West a distance of 669.78 feet to a found 5/8" rebar; thence North 75°16'36" West a distance of 368.70 feet to a found 5/8" rebar; thence along a curve to the right with a radius of 500.00 feet a cord bearing of S 33°15'46" West and a chord length of 58.03 feet to a found 5/8" rebar; thence North 02°33'43" East a distance of 642.07 feet to a found 60D nail; thence South 87°25'40" East a distance of 369.60 feet to the point of beginning containing 5.64 acres or 245,556 square feet more or less.

Parcel No. 02-01671-205

Part of Northeast 1/4 of the Northeast 1/4 of Section 21, Township 19 North, Range 30 West, Rogers, Benton County, Arkansas being more particularly described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of the Northeast 1/4 of said Section 21; thence South 02°31'23" West a distance of 1,245.77 feet to a 5/8" rebar being the point of beginning; thence South 01°23'40" West a distance of 15.53 feet to a found 5/8" rebar PLS 1789; thence North 87°20'54" West a distance of 390.04 feet to a found 5/8" rebar; thence North 02°06'50" East a distance of 42.69 feet to a 5/8" rebar with cap; thence along a curve to the left having a radius of 500.00 feet a chord bearing of North 33°15'48" East and a chord distance of 58.03 feet to a found 5/8" rebar with cap; thence South 75°16'36" East a distance of 368.70 feet to the point of beginning containing .51 acres or 22,117 square feet more or less.

Parcel No. 02-23036-000

Lot 1, Pinnacle Bellview subdivision to the City of Rogers, Arkansas, as shown on the lot split of S. Bellview Road & S. Hampton Place Recorded in Book 2016 at Page 77, records of Benton County, Arkansas.

LAYMAN'S DESCRIPTION: Northeast corner of South Bellview Road and South Hampton Place, Rogers, AR.

SECTION 3: Zoning. That the above described lands are better suited for C-3 than a C-2/R-O zoning and same should be and are hereby zoned C-3.

SECTION 4: Density Concept Plan. That the Density Concept Plan entered into by and between Cameron General Contractors, Inc. and the City of Rogers, as approved by the Rogers Planning Commission on June 18, 2019, 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 _____, 2019.

ROGERS, ARKANSAS

ATTEST:

APPROVED:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR