



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: August 22, 2019

The following committee meetings will be held on **Tuesday, August 27, 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) An Ordinance Rezoning from N-R to NBT, 0.32± Acres located at 1207 S. 4th Street (Ezra Phillips) - Represented by Bill Watkins

6:00 p.m. – TRANSPORTATION COMMITTEE: (Kruger, Townzen and Carmichael) **Committee Room #1**

To Discuss: (a) An Ordinance Vacating an Alley

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

To Discuss: (a) RES. Amending the 2019 Budget to Recognize Funds from SWEPCO’s Arkansas Energy Efficiency Program in the Amount of \$8,889 into Acct. #100-68-49710; Appropriating \$11,113 to Acct. #100-68-70155

(b) RES. Amending the 2019 Budget to Appropriate General Fund Reserves in the Amount of \$30,000 to Acct. #100-01-70290; Authorizing the Mayor and City Clerk to Amend the Existing Contract with the Rogers-Lowell Chamber Of Commerce Economic Development Corporation

6:15 p.m. – PUBLIC WORKS COMMITTEE: (Townzen, Kendall and Brashear) **Committee Room #1**

To Discuss: (a) Monthly Report from RWU



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ROGERS CITY COUNCIL

AGENDA

AUGUST 27, 2019

6:30 P.M.

PUBLIC HEARING: To Vacate a Portion of a Certain Alley

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES: August 13, 2019

REPORTS OF BOARDS AND STANDING COMMITTEES:

- 1. ORD. Re: Vacating an Alley - Transportation Committee
- 2. RES. Re: Amending the 2019 Budget to Recognize Funds from SWEPCO’s Arkansas Energy Efficiency Program in the Amount of \$8,889 into Acct. #100-68-49710; Appropriating \$11,113 to Acct. #100-68-70155 - Finance Committee
- 3. RES. Re: Amending the 2019 Budget to Appropriate General Fund Reserves in the Amount of \$30,000 to Acct. #100-01-70290; Authorizing the Mayor and City Clerk to Amend the Existing Contract with the Rogers-Lowell Chamber Of Commerce Economic Development Corporation - Finance Committee
- 4. ORD. Re: Rezone from N-R to NBT, 0.32± Acres located at 1207 S. 4th Street (Ezra Phillips) - Represented by Bill Watkins - Community Environment & Welfare Committee

ROGERS CITY COUNCIL AGENDA

AUGUST 27, 2019

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OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS

ANNOUNCEMENTS:

ORDINANCE NO. _____

CITY OF ROGERS, ARKANSAS

AN ORDINANCE VACATING AN ALLEY

WHEREAS, a petition was duly filed with the City Council of the City of Rogers, Arkansas, by BCCSO, LLC, and nine other property owners requesting the City Council to vacate the remaining public interest all of that portion of a certain alley described as follows:

All that part of an alley in the Northwest Quarter of the Southeast Quarter (NW1/4, SE1/4) of Section 12, Township 19 North, Range 30 West, lying South of O.L. 31 in the City of Rogers, Benton County, Arkansas, and North of Lot 1, Block 11 and Block 12 of Duckworth's Addition, being more particularly described as follows:

Commencing at the Northwest corner of said Block 12, Thence N86°52'37"W, 65.79 feet, along the South line of said alley; Thence N03°05'55"E, 20.00 feet, leaving said South line, to a point on the North line of said alley, Thence S86°52'37"E, 65.79 feet, along said North line; Thence S03°05'37"W, 20.00, feet, leaving said North line, to the POINT OF BEGINNING. Containing 1,315 square feet or 0.03 acres of land.

WHEREAS, after due notice as required by law, the Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has found as follows:

- A. That the portion of the alley hereinabove described, has heretofore been dedicated to the public use as an alley;
- B. That the right of the public to access or cross said alley was previously vacated by Ordinance No. 565 appearing in Book 390, Page 74 of the Benton County Real Estate Records. Utility and drainage easements over and across the said alley were retained.
- C. That the owner of all of the property abutting upon this portion of said alley to be vacated has filed with the Council their petition for abandonment of the remaining utility and drainage easements within said alley:
- D. That it is necessary and desirable to use the said lands for that purpose; and,
- E. That the written consents of all utilities have been filed with the City Clerk.

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

SECTION 1: Vacating. The City of Rogers, Arkansas, hereby releases, vacates and abandons all of its remaining rights, together with the rights of the public generally in and to the alley described above.

SECTION 2: Recording. A copy of the Ordinance duly certified by the City Clerk shall be filed in the Office of the Recorder of Benton County, Arkansas, and filed in the Deed Records of Benton County, Arkansas.

SECTION 3: Emergency clause. That because the City is herein vacating an alley which is subject to a present use 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 _____, 2019.

ROGERS, ARKANSAS

APPROVED: _____

GREG HINES, MAYOR

ATTEST:

PEGGY DAVID, CITY CLERK

RESOLUTION NO. R-19-_____

A RESOLUTION AMENDING THE 2019 BUDGET TO RECOGNIZE FUNDS FROM SWEPCO'S ARKANSAS ENERGY EFFICIENCY PROGRAM IN THE AMOUNT OF EIGHT THOUSAND EIGHT HUNDRED EIGHTY-NINE DOLLARS (\$8,889.00) INTO ACCOUNT #100-68-49710 REIMBURSEMENT REVENUE; APPROPRIATING ELEVEN THOUSAND ONE HUNDRED THIRTEEN DOLLARS (\$11,113.00) TO EXPENSE ACCOUNT #100-68-70155 BUILDINGS & GROUNDS MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers received eight thousand eight hundred eighty-nine dollars (\$8,889.00) from SWEPCO's Arkansas Energy Efficiency Program for light fixture upgrades in the Rogers Recycling Center building 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 grant funds in the amount of eight thousand eight hundred eighty-nine dollars (\$8,889.00) to Account #100-68-49710 Reimbursement Revenue;

Section 2: The 2019 Budget is further amended to appropriate eleven thousand one hundred thirteen dollars (\$11,113.00) to Account #100-68-70155 Buildings & Gournds Maintenance;

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.

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: Jerrold Haley, Recycling Superintendent
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-19 _____

A RESOLUTION AMENDING THE 2019 BUDGET TO APPROPRIATE GENERAL FUND RESERVES IN THE AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000.00) TO ACCOUNT NUMBER 100-01-70290 ROGERS LOWELL ECONOMIC DEVELOPMENT; AUTHORIZING THE MAYOR AND CITY CLERK TO AMEND THE EXISTING CONTRACT WITH THE ROGERS-LOWELL ECONOMIC DEVELOPMENT CORPORATION; AND FOR OTHER PURPOSES.

WHEREAS, The City of Rogers is committed to assisting in all areas of the 2020 Census data collection to obtain the most accurate data; and

WHEREAS, The Rogers Lowell Chamber of Commerce has the expertise to coordinate an educational/outreach program for the 2020 Census and the City of Rogers has expressed interest in contracting with the Rogers Lowell Chamber of Commerce for the professional services of educational/outreach programming needed to obtain accurate statistical data related to the 2020 Census; and

WHEREAS, Ensuring that accurate information is reported enhances the economic benefit of the 2020 Census to the City of Rogers.

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

Section 1: It is the intent of the City of Rogers to amend the 2019 Budget to appropriate thirty thousand dollars (\$30,000.00) from the General Fund reserves to account # 100-01-70290 Rogers Lowell Economic Development for the contract of professional services with the Rogers Lowell Chamber of Commerce for education/outreach as related to the 2020 Census.

Section 2: The Mayor and City Clerk are authorized to amend the current contract with Rogers Lowell Economic Development to reflect the above listed services and agreement.

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 that are 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: Casey Wilhelm, Director of Finance
Prepared by: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM N-R 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 N-R zoning.

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

SECTION 1: That Rogers Code Section 14-675 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 DESCRIPTION:

Lot 6 & 7, Block 12, McGaughey's Revised Orchard Addition.

LAYMAN'S DESCRIPTION: 1207 S. 4th Street, Rogers, AR, and the vacant lot on the north side thereof

SECTION 3: **Zoning.** That the above described lands are better suited for NBT than N-R zoning and same should be and are hereby zoned NBT.

SECTION 4: **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 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 _____, 2019.

ROGERS, ARKANSAS

APPROVED:

ATTEST:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR