



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: April 20, 2018

The following committee meetings will be held on **Tuesday, April 24, 2018** prior to the City Council meeting:

5:45 p.m. – PUBLIC WORKS COMMITTEE: (Townzen, Wright and Kendall) **Committee Room 1**

To Discuss: (a) Monthly Report from RWU

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

To Discuss: (a) Amending Various Sections of Chapter 14 of Code of Ordinances to Establish Upper Density Limitations for Upper-Floor Residential Space in Commercial Zones

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

To Discuss: (a) Request from S&K to close M Street between Rachel Lane and Kara Lane for the purpose of installing water and sewer lines from Wednesday, April 25, 2018 to Wednesday, May 9, 2018 (excluding Sunday April 29th and Sunday, May 6) from Sunrise to Sunset
(b) Memorializing the Intent to Fund a Portion of the 8th Street Sidewalk Improvements if Awarded a Grant from the Arkansas Department of Transportation

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

- To Discuss:
- (a) Appropriating \$1,400,000 from General Fund Reserves to Acct# 100-10-80122, Museum Expansion in Furtherance of the Final Phase of the Museum Expansion

 - (b) Recognizing a Donation from First Baptist Church of Rogers in the Amount of \$2,500; Increasing the Grants/Donations Acct #100-03-45600 in the Amount of \$2,500; Appropriating \$2,500 to Police Small Tools and Equipment Acct #100-03-70205 from Grants/Donations Acct #100-03-45600

 - (c) Recognizing Donations from First Baptist Church of Rogers in the Amount of \$2,500 and an Individual in the Amount of \$1,000; Increasing the Grants/Donations Acct #100-04-45600 in the Amount of \$3,500; Appropriating \$3,500 to Fire Acct #100-04-70015 Uniform Expense from Grant/Donation Acct #100-04-45600



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ROGERS CITY COUNCIL

AGENDA

APRIL 24, 2018

6:30 P.M.

PUBLIC HEARING:

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES: April 10, 2018

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Appropriating \$1,400,000 from General Fund Reserves to Acct# 100-10-80122, Museum Expansion in Furtherance of the Final Phase of the Museum Expansion - Finance Committee

2. RES. Re: Recognizing a Donation from First Baptist Church of Rogers in the Amount of \$2,500; Increasing the Grants/Donations Acct #100-03-45600 in the Amount of \$2,500. Also, appropriating \$2,500 to Police Small Tools and Equipment Acct #100-03-70205 from Grants/Donations Acct #100-03-45600 - Finance Committee

3. RES. Re: Recognizing Donations from First Baptist Church of Rogers in the Amount of \$2,500 and an Individual in the Amount of \$1,000; Increasing the Grants/Donations Acct #100-04-45600 in the Amount of \$3,500; Appropriating \$3,500 to Fire Acct 100-04-70015 Uniform Expense from Grant/Donation Acct #100-04-45600 - Finance Committee

ROGERS CITY COUNCIL AGENDA

APRIL 24, 2018

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| 4. RES. Re: | Memorializing the Intent to Fund a Portion of the 8 th Street Sidewalk Improvements if Awarded a Grant from the Arkansas Department of Transportation | - Transportation Committee |
| 5. Ord. Re: | Amending Various Sections of Chapter 14 of Code of Ordinances to Establish Upper Density Limitations for Upper-Floor Residential Space in Commercial Zones | -Community Environment & Welfare Committee |

OLD BUSINESS:

NEW BUSINESS:

1. ORD. Re: Rezone from RMF-15B to the A-1 at 422 S. Horsebarn Road - Laurel Matula

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R-18-_____

A RESOLUTION APPROPRIATING ONE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000.00) FROM GENERAL FUND RESERVES TO ACCOUNT NUMBER 100-10-80122 MUSEUM EXPANSION IN FURTHERANCE OF THE FINAL PHASE OF THE ROGERS HISTORICAL MUSEUM EXPANSION; AND FOR OTHER PURPOSES.

WHEREAS, the final phase of the expansion of the Rogers Historical Museum is well underway in part due to the generous support of the citizens of Rogers, patrons of the Museum, and the Rogers Museum Foundation;

WHEREAS, the City Council of the City of Rogers has passed Resolution No. R-17-47 in which the City of Rogers committed to fund the final phase of the Rogers Historical Museum expansion in an amount up to two million five hundred thousand dollars (\$2,500,000.00); and

WHEREAS, the expansion has progressed and pledged funds are now needed for funding exhibit building and installation, landscaping, final exterior masonry, FFE, security, fiber optics, and final architects and engineer fees.

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

Section 1: The amount of one million four hundred thousand dollars (\$1,400,000.00) is appropriated from General Fund Reserves to Account Number 100-10-80122 Museum Expansion;

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.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES,
Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: John Burroughs, Director of the Rogers Historical Museum
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration By the Finance Committee

RESOLUTION NO. R-18 _____

A RESOLUTION AMENDING THE 2018 BUDGET; RECOGNIZING A DONATION FROM THE FIRST BAPTIST CHURCH OF ROGERS IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00); INCREASING THE GRANTS/DONATIONS ACCOUNT 100-03-45600 IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00); APPROPRIATING THE SUM OF TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) TO POLICE SMALL TOOLS AND EQUIPMENT ACCOUNT 100-03-70205 FROM GRANT/DONATIONS ACCOUNT 100-03-45600; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers City Council recognizes a donation for the City of Rogers Police Department in the amount of two thousand five hundred dollars (\$2,500.00) from First Baptist Church of Rogers;

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

Section 1: The 2018 Budget is hereby amended to recognize donation in the amount of two thousand five hundred dollars (\$2,500.00) in Account Number 100-03-45600 Grants and Donations;

Section 2: The 2018 Budget is further amended to appropriate said two thousand five hundred dollars (\$2,500.00) to Account Number 100-03-70205 Small Tools & Equipment;

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 _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Hayes Minor, Chief of Police
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration By: the Finance Committee

RESOLUTION NO. R-18 _____

A RESOLUTION AMENDING THE 2018 BUDGET; RECOGNIZING DONATIONS FROM THE FIRST BAPTIST CHURCH OF ROGERS IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) AND AN INDIVIDUAL IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00); INCREASING THE GRANTS/DONATIONS ACCOUNT 100-04-45600 IN THE AMOUNT OF THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00); APPROPRIATING THE SUM OF THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00) TO FIRE ACCOUNT 100-04-70015 UNIFORM EXPENSE FROM GRANT/DONATIONS ACCOUNT 100-04-45600; AND FOR OTHER PURPOSES.

WHEREAS, City of Rogers Fire Department has received donations in the amount of three thousand five hundred dollars (\$3,500.00) from First Baptist Church of Rogers and an individual;

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

Section 1: The 2018 Budget is hereby amended to recognize donations in the amount of three thousand five hundred dollars (\$3,500.00) in Account Number 100-04-45600 Grants and Donations;

Section 2: The 2018 Budget is further amended to appropriate said three thousand five hundred dollars (\$3,500.00) to Account Number 100-04-70015 Uniform Expense; and

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 _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Thomas Jenkins, Fire Chief
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. 18- ____

A RESOLUTION MEMORIALIZING THE INTENT OF THE CITY OF ROGERS TO FUND A PORTION OF THE 8TH STREET SIDEWALK IMPROVEMENTS IF AWARDED A GRANT FROM THE ARKANSAS DEPARTMENT OF TRANSPORTATION; AND FOR OTHER PURPOSES.

WHEREAS, grant funds may be available through the Federal-aid Transportation Alternatives Program (TAP) at 80% federal participation and 20% local match to develop or improve 8th Street Sidewalks, and the Department of Community Development has expressed its intent to apply for said grant;

WHEREAS, the City Council anticipates that if the grant is awarded to the City, the final cost of the City's portion of improvements after reimbursements will not exceed one hundred twenty-five thousand dollars (\$125,000.00); however, the City understands that any Federal-aid funds awarded for this project would be awarded on a reimbursable basis, requiring work to be accomplished and proof of payment prior to actual monetary reimbursement; and

WHEREAS, this project, using federal funding, will be open and available for use by the general public and maintained by the City for the life of the project.

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

Section 1: If the City of Rogers is awarded the grant funds under the Federal-aid Transportation Alternatives Program (TAP), the City will participate in accordance with requirements of the grant and will maintain the sidewalks constructed or improved on Eighth street as a part of this project after the project's completion;

Section 2: The Mayor may execute agreements and contracts necessary to effectuate the receipt of grant funds; and

Section 3: The Arkansas Department of Transportation is authorized to initiate action to implement this project.

Section 4 - 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 5 - 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 _____ 2018.

APPROVED:

C. GREG HINES,
Mayor

Attest:

PEGGY DAVID, City Clerk

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

Prepared by: Jennifer Waymack, Senior Staff Attorney

For Consideration By: the Transportation Committee

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 14 OF CODE OF ORDINANCES, CITY OF ROGERS; TO ESTABLISH UPPER DENSITY LIMITATIONS FOR UPPER-FLOOR RESIDENTIAL SPACE IN COMMERCIAL ZONES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Planning Commission approved changes to the schedules of use in the O, R-O, C-2, C-3, and C-4 zoning districts to allow multifamily residential (above the first floor) by right; and

WHEREAS, the current use intensity restrictions in commercial zones do not include density controls for residential components of commercial developments;

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

Section 1: Chapter 14, Section 706, Subsection (c) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision “(6)” to read as shown in the attached Exhibit “A”;

Section 2: Chapter 14, Section 707, Subsection (c) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision “(4)” to read as shown in the attached Exhibit “B”;;

Section 3: Chapter 14, Section 709, Subsection (d) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision “(4)” to read as shown in the attached Exhibit “C”;

Section 4: Chapter 14, Section 710, Subsection (c) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision “(4)” to read as shown in the attached Exhibit “D”;

Section 5: Chapter 14, Section 71, Subsection (d) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision “(4)” to read as shown in the attached Exhibit “E”;

Section 6 - Emergency Clause: That the need to amend said City Code Sections 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 7 - 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 8 - 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 _____, 2018.

APPROVED:

C. GREG HINES,
Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: John McCurdy, Director, Department of Community Development
Prepared by: Jennifer A. Waymack, Senior Staff Attorney
For Consideration By: Community Environment & Welfare Committee

Exhibit "A"

- 6) *Density calculation for multifamily residential (above the first floor):*
 - i) *Base density: 6 units per acre.*
 - ii) If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.

Exhibit "B"

- 4) *Density calculation for multifamily residential (above the first floor):*
 - a. *Base density: 6 units per acre.*
 - b. If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.

Exhibit "C"

- 4) *Density calculation for multifamily residential (above the first floor):*
 - a. *Base density:* 6 units per acre.
 - b. If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.

Exhibit "D"

- 4) *Density calculation for multifamily residential (above the first floor):*
 - a. *Base density: 6 units per acre.*
 - b. If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.

Exhibit "E"

- 4) *Density calculation for multifamily residential (above the first floor):*
 - a. *Base density: 6 units per acre.*
 - b. If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM RMF-15B TO A-1, 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 A-1 than RMF-15B 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 A-1 and that said lands being in Benton County, Arkansas, are described as:

Property to be zoned A-1: Legal Description

Tract 1: Tract No. 2 in survey of the N ½ of the SE¼ of Section 8, Township 19 North, Range 30 West, Benton County Arkansas, being more particularly described as follows: beginning at a point South 01°28'07", West 361.20 feet from the NE corner of the said N ½ of the SE ¼ of the SE ¼; thence North 88°43'27" West 350.49 feet; thence South 01°28'07" West 301.08 feet; thence South 88°42'18" East 350.49 feet; thence North 01°28'07" East 301.20 feet to the place of the beginning. Together with an easement for ingress as recorded in the Deed Book 688 at Page 699 of the records of Benton County, Arkansas (Purchase Tract)

AND

Tract 2; Lot 5, Block 6, Replat of Banks addition, Bentonville, Benton Count, Arkansas, as shown on the Plat Record "K" at page 83. (Collateral Tract)

LAYMAN'S DESCRIPTION: 422 Horsebarn Road. 2.18 acres, more or less, at the intersection of Horsebarn Rd. and Horsebarn Lane.

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 _____, 2018.

ROGERS, ARKANSAS

ATTEST:

APPROVED:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR