



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: Jessica Rush, CITY CLERK-TREASURER

DATE: April 28, 2020

The following committee meetings will be held on **Tuesday, April 28, 2020** prior to the City Council Meeting:

**05:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE:** (Carmichael\*, Townzen, Hayes) **Council Chambers**

- To Discuss:
- (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 (PUD) To RMF-23B, Accepting The Density Concept Plan (Blossom Way)

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  - (b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From RMF-15B And C-2 To C-3, Accepting The Density Concept Plan (Landmarc)

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  - (c) An Ordinance Accepting The Annexation Of Certain Territory To The City Of Rogers; Approving The Schedule Of Services To Be Extended To Said Area; Assigning Such To Wards

**06:00 p.m. - RESOURCES & POLICY COMMITTEE:** (Hayes\*, Reithemeyer, Brashear) **Council Chambers**

- To Discuss:
- (a) A Resolution Approving The 2020 Action Plan For The Use Of 2020 Community Development Block Grant Funds

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  - (b) A Resolution Authorizing The Destruction Of Certain Records Of The Rogers District Court

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  - (c) A Resolution Authorizing The Rogers Police Department To Dispose Of Obsolete Property No Longer Used By The City Through Internet Auction Or Other Available Means

**05:45 p.m. - FINANCE COMMITTEE:** (Reithemeyer\*, Wolf, Kendall) **Community Room**

- To Discuss:
- (a) A Resolution Amending The 2020 Budget To Appropriate \$40,000.00 From Act 988 Fund Reserves Into Account #339-39-80100 Capital Expenditures And \$40,000.00 From Act 833 Fund Reserves Into Account #324-24-80100 Capital ; To Purchase A Brush Firefighting Bed, Rig, And Chassis For Fire Station #8

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  - (b) An Ordinance Waiving Competitive Bidding For The Purchase Of A Ford F350 X1

Chassis; Allowing The Mayor And City Clerk To Enter Into A Contract With Superior Automotive Group Of Siloam Springs, Arkansas

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- (c) An Ordinance Waiving Competitive Bidding For Construction Of A Brush Firefighting Bed And Rig; Allowing The Mayor And City Clerk To Enter Into A Contract With Chief Fire And Safety Of Chickasaw, Oklahoma
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**06:00 p.m. - TRANSPORTATION COMMITTEE:** (Kruger\*, Carmichael, Townzen) **Community Room**

To Discuss:

- (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Lease Agreement With The Recon Group, Inc., Of Rogers, Arkansas, For Certain Space Located In Real Property Known As The Rogers Street Department Building
  - (b) A Resolution Authorizing The Mayor And City Clerk To Accept And Enter Into A Grant Agreement With The Federal Aviation Administration Under The Coronavirus Aid, Relief, And Economic Security (CARES) Act For The Rogers Executive Airport In The Amount Of \$157,000.00; Amending The 2020 Budget To Recognize That Amount Into Account #315-15-48050 Grant Revenue
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**06:15 p.m. - PUBLIC WORKS COMMITTEE:** (Townzen\*, Brashear, Kendall) **Community Room**

To Discuss:

- (a) RWU Monthly Report
-



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**ROGERS CITY COUNCIL**

**AGENDA**

**APRIL 28, 2020**

**6:30 PM**

**PUBLIC HEARING:**

**PUBLIC FORUM:**

**INVOCATION & PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**ACTION ON MINUTES:**

- 1. April 14, 2020

**REPORTS OF BOARDS AND STANDING COMMITTEES:**

- 1. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 (PUD) To RMF-23B, Accepting The Density Concept Plan (Blossom Way) COMMUNITY ENVIRONMENT & WELFARE COMMITTEE
- 2. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From RMF-15B And C-2 To C-3, Accepting The Density Concept Plan (Landmarc) COMMUNITY ENVIRONMENT & WELFARE COMMITTEE

3. ORD. Re: Accepting The Annexation Of Certain Territory To The City Of Rogers; Approving The Schedule Of Services To Be Extended To Said Area; Assigning Such To Wards  
COMMUNITY ENVIRONMENT & WELFARE COMMITTEE
4. RES. Re: Approving The 2020 Action Plan For The Use Of 2020 Community Development Block Grant Funds  
RESOURCES & POLICY COMMITTEE
5. RES. Re: Authorizing The Destruction Of Certain Records Of The Rogers District Court  
RESOURCES & POLICY COMMITTEE
6. RES. Re: Authorizing The Rogers Police Department To Dispose Of Obsolete Property No Longer Used By The City Through Internet Auction Or Other Available Means  
RESOURCES & POLICY COMMITTEE
7. RES. Re: Amending The 2020 Budget To Appropriate \$40,000.00 From Act 988 Fund Reserves Into Account #339-39-80100 Capital Expenditures And \$40,000.00 From Act 833 Fund Reserves Into Account #324-24-80100 Capital Expenditures; To Purchase A Brush Firefighting Bed, Rig, And Chassis For Fire Station #8  
FINANCE COMMITTEE
8. ORD. Re: Waiving Competitive Bidding For The Purchase Of A Ford F350 Xl Chassis; Allowing The Mayor And City Clerk To Enter Into A Contract With Superior Automotive Group Of Siloam Springs, Arkansas  
FINANCE COMMITTEE
9. ORD. Re: Waiving Competitive Bidding For Construction Of A Brush Firefighting Bed And Rig; Allowing The Mayor And City Clerk To Enter Into A Contract With Chief Fire And Safety Of Chickasaw, Oklahoma  
FINANCE COMMITTEE

10. RES. Re: Authorizing The Mayor And City Clerk To Enter Into A Lease Agreement With The Recon Group, Inc., Of Rogers, Arkansas, For Certain Space Located In Real Property Known As The Rogers Street Department Building TRANSPORTATION COMMITTEE
  
11. RES. Re: Authorizing The Mayor And City Clerk To Accept And Enter Into A Grant Agreement With The Federal Aviation Administration Under The Coronavirus Aid, Relief, And Economic Security (Cares) Act For The Rogers Executive Airport TRANSPORTATION COMMITTEE

### **OLD BUSINESS:**

### **NEW BUSINESS:**

### **APPOINTMENTS:**

1. New Public Arts Commissioners Kristen Boozman and Barry Cobb three year term beginning April 28, 2020

### **ANNOUNCEMENTS:**

1. Mayor's 2020 Youth Academy  
Stephanie Escobar  
Marion Dunlap  
Susana Alvarez  
Matthew Hicks  
Brady Herbert  
Nick Cuccia  
Amy Lawrence  
Emma Robbins  
Ripley Abbott  
Kora Foster  
Baylor Lubert  
Caleb Naylor  
David Jurado  
Connor Gates

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM C-2 (PUD) TO RMF-23B, 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 April 21, 2020 the City Council has found that certain lands hereinafter described are better suited for RMF-23B 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 RMF-23B and that said lands being in Benton County, Arkansas, are described as:

**PROPERTY DESCRIPTION:**

Lot 3 of The Green at Blossom Way, as per plat record 2006-1053 in the Office of the Circuit Clerk and Ex-Officio Recorder of Benton County, Arkansas.

**LAYMAN'S DESCRIPTION:**

Parcel 02-21013-000 at the NE corner of S. 28th Place and S. Bellview Road

SECTION 3: Zoning. That the above described lands are better suited for RMF-23B than C-2 (PUD) and zoning and same should be and are hereby zoned RMF-23B.

SECTION 4: Density Concept Plan. That the Density Concept Plan entered into by and between The Greens at Blossom Way Homes LLC and the City of Rogers, as approved by the Rogers Planning Commission on April 21, 2020, 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 \_\_\_\_\_, 2020.  
ROGERS, ARKANSAS**

**APPROVED:**

ATTEST:

\_\_\_\_\_  
JESSICA RUSH, CLERK

\_\_\_\_\_  
C. GREG HINES, MAYOR

Requested By: Daniel Ellis  
Prepared By: Community Development Department  
For Consideration By: Community Environment & Welfare Committee

**ORDINANCE NO. 20-\_\_\_\_\_**

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM RMF-15B AND C-2 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 April 21, 2020 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:**

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT MARKING THE NORTH RIGHT-OF-WAY OF ARKANSAS STATE HWY #94 WHICH IS N03°04'05"E 39.06' FROM THE THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG THE EAST LINE OF SUNNY ACRES SUBDIVISION N03°04'05"E 538.16' TO THE SOUTH LINE OF QUAIL RUN ADDITION PHASE I, THENCE ALONG SAID SOUTH LINE S86°23'29"E 753.14', THENCE LEAVING SAID SOUTH LINE S02°31'38"W 531.08' TO AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT MARKING THE NORTH RIGHT-OF-WAY OF ARKANSAS STATE HWY #94, THENCE ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING: N87°00'41"W 441.71' TO AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT, N63°12'16"W 38.10' TO AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT, N86°24'50"W 40.01' TO AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT, S54°50'58"W 32.03' TO AN EXISTING ALUMINUM HIGHWAY RIGHT-OF-WAY MONUMENT, N85°40'41"W 216.42' TO THE POINT OF BEGINNING, CONTAINING 9.27 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

**LAYMAN'S DESCRIPTION:**

9.27 acres on the north side of W. New Hope Road, west of S. 8th Street

SECTION 3: Comprehensive Growth Map. That the City's Comprehensive Growth Map has been amended by Planning Commission to classify the subject property as the "Neighborhood Center" Growth Designation rather than the "Neighborhood" Growth Designation.

SECTION 4: Zoning. That the above described lands are better suited for C-3 than RMF-15B and C-2 zoning and same should be and are hereby zoned C-3.

SECTION 5: Density Concept Plan. That the Density Concept Plan entered into by and between Landmarc Custom Homes LLC and the City of Rogers, as approved by the Rogers Planning Commission on April 21, 2020, 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 6: 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 7: 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 8: 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 \_\_\_\_\_, 2020.

ROGERS, ARKANSAS

APPROVED:

ATTEST:

\_\_\_\_\_  
JESSICA RUSH, CLERK

\_\_\_\_\_  
C. GREG HINES, MAYOR

Requested By: Geoff Bates  
Prepared By: Community Development Department  
For Consideration By: Community Environment & Welfare Committee

**ORDINANCE NO. 20-\_\_\_\_\_**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF ROGERS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; ASSIGNING SUCH TO WARDS; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, a petition was filed, pursuant to A.C.A. § 14-40-609, for the annexation of certain territory into the City of Rogers, Arkansas;

**WHEREAS**, the Benton County Assessor and the Benton County Clerk have completed the following:

- a. Verified the identity of the petitioner(s);
- b. Verified that there are no property owners included in the petition that do not wish to have their property annexed;
- c. Verified that the property or properties are contiguous with the City of Rogers;
- d. Verified that no enclaves will be created if the petition is accepted by the City of Rogers; and
- e. Presented the petition and their respective verifications to the Benton County Judge; and

**WHEREAS**, the County Judge has completed the following:

- a. Reviewed the petition and verifications for completeness and accuracy;
- b. Determined that no enclaves will be created by the annexation;
- c. Confirmed that the petition contains a schedule of services;
- d. Found that the land to be annexed shall include certain dedicated public roads and rights of way abutting or traversing said property; and
- e. Issued an order articulating these findings and forwarded the petition and order to the contiguous City of Rogers for consideration; and

**WHEREAS**, it is the desire of the Rogers City Council that said territory be annexed.

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

Section 1: That the following described territory, contiguous to the City of Rogers, be and the same is hereby accepted as part of, and annexed to and made a part of the City of Rogers, Arkansas:

PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) AND PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY-ONE (31) WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 26, SAID POINT BEING A COMPUTED POINT IN ROBERTS ROAD; THENCE ALONG THE EAST LINE OF SAID SE 1/4 OF THE SE 1/4 AND ALONG SAID ROBERTS ROAD, S02°27'09"W A DISTANCE OF 208.71 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING A COMPUTED POINT IN ROBERTS ROAD; THENCE CONTINUING ALONG SAID EAST LINE AND SAID ROBERTS ROAD, S02°27'09"W A DISTANCE OF 556.00 FEET TO A POINT; THENCE LEAVING SAID EAST LINE AND SAID ROBERTS ROAD, S89°59'09"W 417.80 FEET TO A FOUND IRON PIN WITH CAP "MIKE JAMES RLS 985"; THENCE S02°27'09"W A DISTANCE OF 321.63 FEET TO A FOUND IRON PIN WITH CAP "MIKE JAMES RLS 985"; THENCE N87°12'48"W A DISTANCE OF 1567.81 FEET TO A FOUND IRON PIN WITH CAP "MIKE JAMES RLS 985"; THENCE N02°38'02"E A DISTANCE OF 1104.04 FEET TO A FOUND IRON PIN WITH CAP "MIKE JAMES RLS 985" ON THE NORTH LINE OF SAID SW 1/4 OF THE SE 1/4; THENCE ALONG THE NORTH LINES OF SAID SW 1/4 OF THE SE 1/4 AND THE SE 1/4 OF THE SE 1/4, S87°17'29"E A DISTANCE OF 1564.32 FEET TO A FOUND IRON PIN WITH CAP "MIKE JAMES RLS 985"; THENCE LEAVING SAID NORTH LINE, S02°27'09"W A DISTANCE OF 208.71 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S87°17'29"E A DISTANCE OF 417.40 FEET TO THE **POINT OF BEGINNING**, CONTAINING 45.15 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF ROBERTS ROAD ON THE EAST SIDE THEREOF, AND ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT

**LAYMAN'S DESCRIPTION:** Approximately 45.15 acres West of Roberts Road, South of Haxton / Pleasant Grove Road and South of the new Bentonville school;

Section 2: That in addition, and also hereby accepted as part of, and annexed to and made a part of the City of Rogers, Arkansas is Right of Way as described in the attached **Exhibit "A"** and depicted in **Exhibit "B"**;

Section 3: That the following schedule of services shall be extended to the area by the City of Rogers within the statutorily required three (3) year period after the date the annexation becomes final, as follows:

- a. Law Enforcement,
- b. Life Safety, and
- c. Water and Sewer Services;

Section 4: That the above described territory shall be annexed to and made a part of Ward 3 of the City of Rogers, and the same shall henceforth be a part of said ward as fully as existing parts of said ward;

Section 5: That the above described lands are suited for RSF zoning and same should be and are hereby zoned RSF as above described;

Section 6: That the aforesaid real property should be added to the Rogers Comprehensive Growth Map and designated as "Neighborhood".

Section 7: That thirty (30) days after passage and publication or posting of this Ordinance as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the City of Rogers, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period;

Section 8: Notice - Within forty-five (45) days of the effective date of this ordinance the City Clerk shall provide written notice, along with complete documentation, to the County Clerk of each county in which the territory is affected;

Section 9: Emergency Clause - The need to annex this parcel 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 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 \_\_\_\_\_, 2020.

APPROVED:

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

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested by: Bill Watkins

Prepared by: Bonnie Bridges, Staff Attorney

For Consideration By: Community Environment & Welfare Committee

EXHIBIT "A"

FILED

2019 MAY 28 AM 10: 37

Right of Way description for Roberts Road for CC2019-09 annexation  
A 50 foot right of way, being 25 feet on either side of the following:

BOSSY MARRELL  
CO & PROBATE CLERK  
BENTON COUNTY AR

Commencing at the Northeast corner of the SE1/4 of the SE1/4 of Section 26, Township 19 North, Range 31 West Benton County, AR; thence S2°27'20"W 208.71 feet to the Point of beginning; thence continuing S2°27'20"W 556.00 feet to the Point of terminus.

2019 1804

Exhibit "B"  
CC 2019-09

2019 1805

FILED

Abutting ROW to Annexation

2019 MAY 28 AM 10:37

BE I ST HANKELL  
CO & PROBATE CLERK



Legend

-  ROW to be Annexed
-  Parcels
-  Sections

**RESOLUTION NO. R20-\_\_\_\_\_**

**A RESOLUTION APPROVING THE 2020 ACTION PLAN FOR THE USE OF 2020  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; AND FOR OTHER  
PURPOSES.**

**WHEREAS**, in accordance with the guidelines established by the Department of Housing & Urban Development for the use of Community Development Block Grant Funds, a 2020 Action Plan has been developed; and

**WHEREAS**, in accordance with the same, a final Public Hearing on the matter was held on April 14, 2020.

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

Section 1: The Mayor is hereby designated as the authorized official to execute all official documents pertaining to the Community Development Block Grant Program;

Section 2: The 2020 Action Plan for use of Community Development Block Grant Funds in the amount of four hundred fifty-nine thousand fifteen dollars (\$459,015.00) is approved;

Section 3: The approved 2020 Action Plan for the use of Community Development Block Grant Funds is authorized for submission to the Department of Housing and Urban Development for its approval;

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 \_\_\_\_\_, 2020.

APPROVED:

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

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested By: Donna Johnston, CDBG Administrator  
Prepared By: Bonnie Bridges, Staff Attorney  
For Consideration By: Resources & Policy Committee

**RESOLUTION R20- \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS OF THE ROGERS DISTRICT COURT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers District Court desires to destroy certain archived court records to create space for current court 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 District Court Clerk may destroy the following records of the Rogers District Court, pursuant to Arkansas Code Annotated §16-10-211:

- (a) Audited records three (3) years or older: bank reconciliations, check book registers and check listings, cancelled checks, bank statements, deposit collection records, distribution reports, receipt and disbursement journals, time payment records, citation book logs, served, recalled, or quashed arrest warrants, copies of citations, alternate service or community service time sheets, uniform filing fees collection remittance forms and fine reports, miscellaneous fee and fine collection reports, served or unexecuted search warrants, and other miscellaneous items.
- (b) Audited records seven (7) years or older: complete case files and written exhibits for all courts, not including civil or small claims division cases in which the judgment is not satisfied, show cause orders, case information including arrest reports and affidavits, files concerning cases resulting in a suspended imposition of sentence.

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 \_\_\_\_\_, 2020.

APPROVED:

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

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested by: Dana Burk, District Court Clerk  
Prepared by: Bonnie Bridges, Staff Attorney  
For Consideration By: Resources & Policy Committee

**AFFIDAVIT OF DESTRUCTION OF DISTRICT COURT RECORDS**

I, Dana Burk, do hereby certify that the following records of the Rogers District Court, have been retained for at least three (3) years as specified under Ark. Code Ann. §16-10-211 and have been audited as required by law. The records listed below, covering the time period stated, are to be destroyed on after April 29, 2020 by burning/shredding said records.

<u>TYPE OF RECORD</u>	<u>TIME PERIOD</u>
Bank reconciliations	2013 – 2015
Check book registers and check listings	2013 – 2015
Cancelled checks	2013 – 2015
Bank statements	2013 – 2015
Deposit collection records	2013 – 2015
Distribution reports	2013 – 2015
Receipts and disbursement journals	2013 – 2015
Time payment records	2006 and before
Citation book logs	
Served, recalled or quashed arrest warrants	2014 – 2016
Alternative service or community service time sheets	2014 – 2016
Uniform filing fees collection remittance forms and fine report	2013 – 2015
Miscellaneous fee and fine collection reports	2013 – 2015
Served or unexecuted search warrants	2012 – 2015



Dana Burk  
District Court Clerk

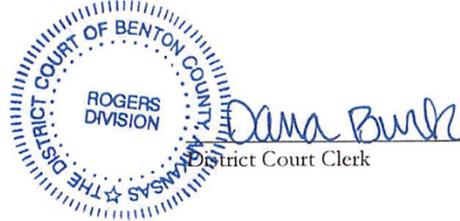
Subscribed and Sworn to me this 16 day of April, 2020.

Mackenzie Smith  
Notary Public



Other Records Found to Destroy:

- 2015 Unclaimed Property
- 2011 Set Off Program Documents
- 2009 – 2011 Checks Returned due to Insufficient Funds
- 2007 – 2011 Notices of Checks Returned, Checks Not Cashed, Money Sent to City
- 2012 – 2015 Online Payments
- 2014 – Accounts Payable
- 2013 – Misdemeanor Affidavits for Warrant (BCSO/Other Agencies)
- 2015 – Invoices



Subscribed and Sworn to me this 16 day of April, 2020

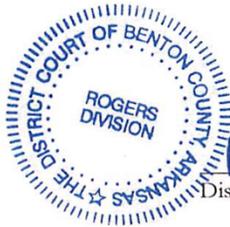
Mackenzie Smith  
Notary Public



AFFIDAVIT OF DESTRUCTION OF DISTRICT COURT RECORDS

I, Dana Burk, do hereby certify that the following records of the Rogers District Court, have been retained for at least seven (7) years as specified under Ark. Code Ann. §16-10-211 and have been audited as required by law. The records listed below, covering the time period stated, are to be destroyed on or after April 29, 2020, by burning/shredding said records.

<u>TYPE OF RECORD</u>	<u>TIME PERIOD</u>
Complete case files and written exhibits for all courts, not including civil or small claims division cases in which the judgment is not satisfied	<u>2012 and before</u>
Show cause orders	<u>2012 and before</u>
Case information, including arrest reports and affidavits	<u>2012 and before</u>
Files concerning cases resulting in a suspended imposition of sentence	<u>2012 and before</u>



Dana Burk  
District Court Clerk

Subscribed and Sworn to me this 16 day of April, 2020.

Mackenzie Smith  
Notary Public



RESOLUTION NO. R20\_\_\_\_\_

**A RESOLUTION AUTHORIZING THE ROGERS POLICE DEPARTMENT TO DISPOSE OF OBSOLETE PROPERTY NO LONGER USED BY THE CITY THROUGH INTERNET AUCTION OR OTHER AVAILABLE MEANS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Rogers Police Department has inventoried its old radio system, which is no longer used, for disposal;

**WHEREAS**, an excel spreadsheet with a detailed inventory of all the system components including, makes, models, serial numbers, and quantities has been submitted to the Finance Department for audit and record keeping purposes;

**WHEREAS**, the City Council of the City of Rogers has determined that the items identified in **Exhibit A** have become obsolete and are no longer used by the City;

**WHEREAS**, the items identified in **Exhibit A**, and incorporated by reference in the excel spreadsheet, are to be sold by internet auction or through other means whichever nets the highest value; and

**WHEREAS**, this Resolution is in accordance with Ark. Code Ann. § 14-54-302(e)(1).

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

Section 1: The City Departments may auction their items identified in **Exhibit A** through internet auction or other means whichever nets the highest value;

Section 2: The City Departments shall maintain a record of all items that are placed and sold through internet auction or by other means;

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 Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

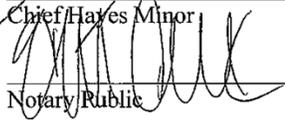
Requested By: Hayes Minor, Chief of Police  
Prepared By: Bonnie Bridges, Staff Attorney  
For Consideration By: Resources & Policy Committee

**EXHIBIT "A"**

**AFFIDAVIT FOR DISPOSAL OF PROPERTY BY AUCTION OF THE ROGERS  
POLICE DEPARTMENT WHICH HAS BEEN DEEMED OBSOLETE**

I, Hayes Minor, Chief of Police for the Rogers Police Department, do hereby certify that the following property of the Rogers Police Department has become obsolete, is no longer used by the City, and it is now appropriate to dispose of said property by public or internet auction as specified under Ark. Code Ann. § 14-54-302(e)(1). I hereby certify that I will be responsible for overseeing that the property is properly sold at public or internet auction. The records listed below contain a description of the property to be disposed of by auction.

Various components of the Rogers Police Department obsolete radio system. A detailed accounting of the makes, models, serial numbers, and quantities has been provided to the Finance Department, the Legal Department, and will be kept by the Police Department.

  
\_\_\_\_\_  
Chief/Hayes Minor  
  
\_\_\_\_\_  
Notary Public

Date: 4/20/2020

Date: 4-20-20

Commission Expires: 4.30.27



**RESOLUTION NO. R20-\_\_\_\_\_**

**A RESOLUTION AMENDING THE 2020 BUDGET TO APPROPRIATE FORTY THOUSAND DOLLARS (\$40,000.00) FROM ACT 988 FUND RESERVES INTO ACCOUNT #339-39-80100 CAPITAL EXPENDITURES AND FORTY THOUSAND DOLLARS (\$40,000.00) FROM ACT 833 FUND RESERVES INTO ACCOUNT #324-24-80100 CAPITAL EXPENDITURES; TO PURCHASE A BRUSH FIREFIGHTING BED, RIG, AND CHASSIS FOR FIRE STATION #8; AND FOR OTHER PURPOSES.**

**WHEREAS**, Fire Station #8 is in need of a brush firefighting bed, rig, and chassis in order to best provide fire protection and prevention for City of Rogers citizens in the coverage area; and

**WHEREAS**, this type of lightweight unit allows off-road access to better extinguish grass and brush fires.

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

Section 1: The 2020 Budget is amended to appropriate forty thousand dollars (\$40,000.00) from Act 988 fund reserves into Account #339-39-80100 Capital Expenditures;

Section 2: The 2020 Budget is further amended to appropriate forty thousand dollars (\$40,000.00) from Act 833 fund reserves into Account #324-24-80100 Capital Expenditures;

Section 3: These appropriations will be used to purchase a brush firefighting bed, rig, and chassis for Fire Station #8;

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 that are in conflict with this Resolution are repealed to the extent of such conflict.

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested By: Tom Jenkins, Fire Chief  
Prepared By: Bonnie Bridges, Staff Attorney  
For Consideration By: Finance Committee

**AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF A FORD F350 XL CHASSIS; ALLOWING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH SUPERIOR AUTOMOTIVE GROUP OF SILOAM SPRINGS, ARKANSAS; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Rogers Fire Department needs to purchase a Ford F350 XL chassis for its brush firefighting bed and rig which is needed at Station #8;

**WHEREAS**, the State bid for this type and size of item is for a Dodge Ram which is inconsistent with the Rogers Fire Department Fleet and would cause additional costs in maintenance, parts, and upkeep;

**WHEREAS**, Superior Automotive Group can supply the needed item on the timeline to coincide with Station #8 opening;

**WHEREAS**, the contracted amount for this purchase is thirty-nine thousand five hundred dollars (\$39,500.00).

**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 Automotive of Siloam Springs, Arkansas, in the amount of thirty-nine thousand five hundred dollars (\$39,500.00), for the purchase of a chassis for a brush firefighting bed and rig;

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 this purchase needed for Station #8;

Section 3 - Emergency Clause: The need to purchase this item for Station #8 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 \_\_\_\_\_, **2020.**

APPROVED:

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

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested by: Tom Jenkins, Fire Chief  
Prepared by: Bonnie Bridges, Staff Attorney  
For Consideration By: Finance Committee

**AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR CONSTRUCTION OF A BRUSH FIREFIGHTING BED AND RIG; ALLOWING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH CHIEF FIRE AND SAFETY OF CHICKASAW, OKLAHOMA; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Rogers Fire Department needs to purchase a brush firefighting bed and rig needed at Station #8;

**WHEREAS**, Chief Fire and Safety of Chickasaw, Oklahoma, previously constructed two brush units for the Rogers Fire Department and using this company ensures consistency and uniformity within the fleet;

**WHEREAS**, the contracted amount for this purchase is thirty thousand four hundred thirty-eight dollars (\$30,438.00).

**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 Chief Fire and Safety of Chickasaw, Oklahoma, in the amount of thirty thousand four hundred thirty-eight dollars (\$30,438.00), for the purchase of a brush firefighting bed and rig;

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 this purchase needed for Station #8;

Section 3 - Emergency Clause: The need to purchase this item for Station #8 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 \_\_\_\_\_, **2020**.

APPROVED:

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

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested by: Tom Jenkins, Fire Chief  
Prepared by: Bonnie Bridges, Staff Attorney  
For Consideration By: Finance Committee

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A LEASE AGREEMENT WITH THE RECON GROUP, INC., OF ROGERS, ARKANSAS, FOR CERTAIN SPACE LOCATED IN REAL PROPERTY KNOWN AS THE ROGERS STREET DEPARTMENT BUILDING; AND FOR OTHER PURPOSES.**

**WHEREAS**, when the City of Rogers purchased the building that currently houses the Street Department, The Recon Group, Inc. was a current tenant under a lease agreement with the previous building owner;

**WHEREAS**, the City assumed the lease which is set to expire May 1, 2020;

**WHEREAS**, The Recon Group, Inc. is attempting to find a suitable location to relocate its business within the city limits of Rogers and is desirous to extend this lease through December 31, 2020 in order to accomplish that goal;

**WHEREAS**, The Recon Group, Inc. is an integral part of the City’s business community and economically supports many City residents;

**WHEREAS**, entering into this lease is for the benefit of the citizens of Rogers.

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

Section 1: The Mayor and City Clerk may execute a business lease agreement with The Recon Group, Inc., of Rogers, Arkansas for certain space located in real property, known as the Rogers Street Department Building, in a form approved by the Mayor;

Section 2: This lease shall expire December 31, 2020;

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.

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

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

**RESOLUTION NO. R20-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT AND ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT FOR THE ROGERS EXECUTIVE AIRPORT IN THE AMOUNT OF ONE HUNDRED FIFTY-SEVEN THOUSAND DOLLARS (\$157,000.00); AMENDING THE 2020 BUDGET TO RECOGNIZE THAT AMOUNT INTO ACCOUNT #315-15-48050 GRANT REVENUE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers Executive Airport anticipates receipt of a grant from the Federal Aviation Administration under the CARES Act;

**WHEREAS**, the amount of said grant will be one hundred fifty-seven thousand dollars (\$157,000.00) with no local matching funds required; and

**WHEREAS**, the grant funds will help offset financial impacts resulting from the COVID-19 pandemic and may be used for any purpose for which airport funds may be lawfully used, pursuant to the Federal Aviation Administration (FAA) Office of Airports Revenue Use Policy, excluding development or land acquisition.

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

Section 1: The Mayor and City Clerk are authorized to accept and enter into a grant agreement with the FAA;

Section 2: The 2020 Budget is amended to recognize Federal Grant Revenue in the amount of one hundred fifty-seven thousand dollars (\$157,000.00) into Account Number 315-15-48050 Grant Revenue;

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.

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

Attest:

\_\_\_\_\_  
JESSICA RUSH, City Clerk

Requested by: David Krutsch, Airport Manager  
Prepared by: Bonnie Bridges, Staff Attorney  
For Consideration By: Transportation Committee