



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: May 8, 2018

The following committee meetings will be held on **Tuesday, May 8, 2018** prior to the City Council meeting:

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

- To Discuss:
- (a) Request from Unwanted Society Car Club to close streets for a Car Show on Sunday, May 20, 2018 from 11:30 a.m. to 5:00 p.m.
 - (b) A Resolution Amending the 2018 Budget Recognizing \$1,224,513.00 to the “Fee in Lieu of Street Improvements” Acct. #200-16-49736; Recognizing \$35,958.00 to the “Fee in Lieu of Drainage Improvements” Acct. #200-16-49737; Appropriating \$1,220,500.00 to the “Bellview Road Extensions – Garrett” Acct. #200-16-85052; Appropriating \$39,971.00 to the “Fee in Lieu of Expense” Acct. #200-16-70976
 - (c) A Resolution Accepting the Lowest Qualified Bid for Concrete Services; Authorizing a Contract for Concrete Services

6:15 p.m. – COMMUNITY SERVICES COMMITTEE: (Wright, Hayes and Kruger)
Committee Room #1

- To Discuss:
- (a) An Ordinance Waiving Competitive Bidding for Repair Work at the Rogers Aquatics Center



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ROGERS CITY COUNCIL

AGENDA

MAY 8, 2018

6:30 P.M.

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES: April 24, 2018

REPORTS OF BOARDS AND STANDING COMMITTEES:

- 1. RES. Re: Amending the 2018 Budget Recognizing \$1,224,513.00 to the "Fee in Lieu of Street Improvements" Acct. #200-16-49736; Recognizing \$35,958.00 to the "Fee in Lieu of Drainage Improvements" Acct. #200-16-49737; Appropriating \$1,220,500.00 to the "Bellview Road Extensions – Garrett" Acct. #200-16-85052; Appropriating \$39,971.00 to the "Fee in Lieu of Expense" Acct. #200-16-70976 - Transportation Committee
- 2. RES. Re: Accepting the Lowest Qualified Bid for Concrete Services; Authorizing a Contract for Concrete Services - Transportation Committee
- 3. ORD. Re: Waiving Competitive Bidding for Repair Work at the Rogers Aquatics Center - Community Services Committee

OLD BUSINESS:

ROGERS CITY COUNCIL AGENDA

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NEW BUSINESS:

1. ORD. Re: Rezone from A-1 to C-2, 2 Acres ± Between Interstate 49 and S. 27th Street - Mike Holmes

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R-18 _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ROGERS AMENDING THE 2018 BUDGET RECOGNIZING ONE MILLION TWO HUNDRED TWENTY-FOUR THOUSAND FIVE HUNDRED THIRTEEN DOLLARS (\$1,224,513.00) TO THE “FEE IN LIEU OF STREET IMPROVEMENTS” ACCOUNT, NO. 200-16-49736; RECOGNIZING THIRTY-FIVE THOUSAND NINE HUNDRED FIFTY-EIGHT DOLLARS (\$35,958.00) TO THE “FEE IN LIEU OF DRAINAGE IMPROVEMENTS” ACCOUNT, NO. 200-16-49737; APPROPRIATING ONE MILLION TWO HUNDRED TWENTY THOUSAND FIVE HUNDRED DOLLARS (\$1,220,500.00) TO THE “BELLVIEW ROAD EXTENSION – GARRETT” ACCOUNT, NO. 200-16-85052; APPROPRIATING THIRTY-NINE THOUSAND NINE HUNDRED SEVENTY-ONE DOLLARS (\$39,971.00) TO THE “FEE IN LIEU OF EXPENSE” ACCOUNT, NO. 200-16-70976; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to an interlocal agreement between the City of Rogers and Rogers Public School District, the City of Rogers Planning Commission has authorized the Department of Community Development to collect fees in lieu of street and drainage improvements in the amount of one million two hundred twenty thousand five hundred dollars (\$1,220,500.00) to be used in furtherance of the Garrett Road portion of the Bellview South Road Project; and

WHEREAS, the City of Rogers Planning Commission has authorized the Department of Community Development to collect additional fees in lieu of street and drainage improvements for various projects totaling thirty-nine thousand nine hundred seventy-one dollars (\$39,971.00) that the Department of Community Development wishes to use for needed street or drainage projects in the City.

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

Section 1: The City of Rogers 2018 Budget is amended to recognize one million two hundred twenty-four thousand five hundred thirteen dollars (\$1,224,513.00) to the “Fee in Lieu of Street Improvements” account, No. 200-16-49736;

Section 2: The City of Rogers 2018 Budget is amended to recognize thirty-five thousand nine hundred fifty-eight dollars (\$35,958.00) to the “Fee in Lieu of Drainage Improvements” account, No. 200-16-49737;

Section 3: The City of Rogers 2018 Budget is amended to appropriate one million, two hundred twenty thousand and five hundred dollars (\$1,220,500.00) to the “Bellview Road Extension – Garrett” Account, No. 200-16-85052;

Section 4: The City of Rogers 2018 Budget is amended to appropriate thirty nine thousand nine hundred seventy-one dollars (\$39,971.00) to the “Fee in Lieu of Expense” Account, No. 200-16-70976;

Section 5 - 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 6 - 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 McCurdy, Director of the Department of Community Development

Prepared By: Jennifer Waymack, Senior Staff Attorney

For Consideration By the Transportation Committee

RESOLUTION NO. R-18-_____

A RESOLUTION ACCEPTING THE LOWEST QUALIFIED BID FOR CONCRETE SERVICES; AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR CONCRETE SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, historically, the City may expend as much as two million dollars (\$2,000,000.00) in a year on concrete services for its various departments and projects, and, therefore, the City is best served by managing these costs by utilizing the lowest qualified bidder;

WHEREAS, bids were lawfully requested and submitted for continuing concrete services as needed by the City of Rogers; and

WHEREAS, bidders were asked to propose bids based upon historical usage data by the City, and J&L Concrete and Excavation of Rogers, Arkansas is the lowest qualified bidder.

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

Section 1: The bid submitted by J&L Concrete and Excavation of Rogers, Arkansas is hereby accepted;

Section 2: The Mayor may enter into a one year contract with J&L Concrete and Excavation of Rogers, Arkansas for concrete 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 _____, 2018.

APPROVED:

C. GREG HINES,
Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: John McCurdy, Director of Community Development
Prepared by: Jennifer A. Waymack, Senior Staff Attorney
For Consideration by the Transportation Committee

ORDINANCE NO. 18-_____

AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR REPAIR WORK AT THE ROGERS AQUATICS CENTER; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, in preparation for the opening of the Rogers Aquatics Center on May 26, 2018, staff has discovered a leak under the concrete of one of the pools which requires immediate repair;

WHEREAS, Multi-Craft Contractors, Inc. of Springdale, Arkansas is available to perform the work immediately, and has estimated that if there is no damage to the pool wall or floor the work will cost no more than twenty-eight thousand five hundred dollars (\$28,500.00);

WHEREAS, Flintco, LLC of Springdale, Arkansas is available to perform additional related work as needed immediately; and

WHEREAS, budgeted funds are available for the repair.

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

Section 1: There exists an exceptional circumstance whereby the requirements of competitive bidding are neither practical nor feasible and the City Council, therefore, waives the requirements of competitive bidding for the pool repair at the Rogers Aquatics Center;

Section 2 - Emergency Clause: The need to make repairs at the Rogers Aquatics Center 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 3 - 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 4 - 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: Jim White, Director of the Department of Parks and Recreation
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Community Services Committee

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM A-1 TO C-2, 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 C-2 than A-1 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-2 and that said lands being in Benton County, Arkansas, are described as:

Property to be zoned C-2:

A PART OF THE NW1/4 OF THE SE1/4 OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 30 WEST AND BEING ALL OF TRACT 2, ALL OF TRACT 3 AND ALL OF TRACT 4 AS DESCRIBED IN DEED RECORDED IN BOOK 2005 AT PAGE 32734 OF THE PLAT RECORDS OF BENTON COUNTY, ARKANSAS. ALSO DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SAID NW1/4 OF THE SE1/4; THENCE N89°58'08"W 36.66 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°58'08"W 129.19 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 49; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE N32°54'42"W 390.32 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY N89°54'28"E 374.61 FEET TO THE EAST LINE OF SAID NW1/4 OF THE SE1/4; THENCE ALONG SAID EAST LINE S00°34'40"E 274.20 FEET; THENCE N88°36'35"W 25.97 FEET; THENCE S10°28'57"W 55.72 FEET TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

LAYMAN'S DESCRIPTION: 2 acres, more or less, Between Interstate 49 and South 27th Street.

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

APPROVED:

ATTEST:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR