



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

Amended

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: June 23, 2020

The following committee meetings will be held on **Tuesday, June 23, 2020** prior to the City Council Meeting:

05:30 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)

[https://us02web.zoom.us/s/85119559298](https://us02web.zoom.us/j/85119559298) OR (312) 626 6799 Meeting ID 851 1955 9298

To Discuss: (a) RWU Monthly Report

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

[https://us02web.zoom.us/s/83016845483](https://us02web.zoom.us/j/83016845483) OR (312) 626 6799 Meeting ID 830 1684 5483

To Discuss: (a) An Ordinance Authorizing A Joint Procurement Agreement With The Rogers Water Utilities For The Purchase Of Cityworks Software Licenses; Waiving Competitive Bidding For The Software Licenses; Amending The 2020 Budget To Appropriate \$40,000 From General Fund Reserves Into Account #100-09-70256 Software Licensing

05:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Carmichael*, Townzen,

Hayes) **[https://us02web.zoom.us/s/85119559298](https://us02web.zoom.us/j/85119559298) OR (312) 626 6799 Meeting ID 851 1955 9298**

To Discuss: (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-DP To NBT (George)
(b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From N-R To NBT (Copeland)

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

[https://us02web.zoom.us/s/83016845483](https://us02web.zoom.us/j/83016845483) OR (312) 626 6799 Meeting ID 830 1684 5483

To Discuss: (a) A Resolution Authorizing The Rogers Public Library To Dispose Of Certain Property In The Landfill; Recognizing That The Property Is Worthless; Acknowledging The Oversight For Disposal

06:00 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Carmichael, Townzen)

[https://us02web.zoom.us/s/85119559298](https://us02web.zoom.us/j/85119559298) OR (312) 626 6799 Meeting ID 851 1955 9298

To Discuss: (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into Two Contract Amendments With Garver, Llc, Of North Little Rock, Arkansas To Amend The Master Engineering Services Agreement, In A Total Amount Not To Exceed \$295,600.00 For The Construction Of The Taxilane/Reconstruct Taxiway Project At The Rogers Executive Airport
(b) Street Closure Request -Susan G. Komen
(c) Street Closure Request -Kenrick Fincher



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ROGERS CITY COUNCIL
***AMENDED* AGENDA**

JUNE 23, 2020
6:30 PM

<https://us02web.zoom.us/j/86442780624> OR (312) 626-6799 ID: 864 4278 0624

PUBLIC HEARING:

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

- 1. June 9, 2020

REPORTS OF BOARDS AND STANDING COMMITTEES:

- 1. ORD. Re: Authorizing A Joint Procurement Agreement With The Finance Committee
Rogers Water Utilities For The Purchase Of Cityworks
Software Licenses; Waiving Competitive Bidding For
The Software Licenses; Amending The 2020 Budget To
Appropriate \$40,000 From General Fund Reserves Into
Account #100-09-70256 Software Licensing

- 2. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Community
Certain Lands From R-DP To NBT (George) Environment &
Welfare Committee

3. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From N-R To NBT (Copeland) Community Environment & Welfare Committee
4. RES. Re: Authorizing The Rogers Public Library To Dispose Of Certain Property In The Landfill; Recognizing That The Property Is Rendered Worthless; Acknowledging The Oversight For Disposal Resources & Policy Committee
5. RES. Re: Authorizing The Mayor And City Clerk To Enter Into Two Contract Amendments With Garver, Llc, Of North Little Rock, Arkansas To Amend The Master Engineering Services Agreement, In A Total Amount Not To Exceed \$295,600.00 For The Construction Of The Taxilane/Reconstruct Taxiway Project At The Rogers Executive Airport Transportation Committee

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

1. Reappointment of Jaclyn Henderson to the Civil Service Commission; with a new term to expire on April 1, 2026.

Reappointment of Roger Surly to the Rogers Waterworks and Sewer Commission; with a new term to expire on February 1, 2028.

ANNOUNCEMENTS:

ORDINANCE NO. 20-_____

AN ORDINANCE AUTHORIZING A JOINT PROCUREMENT AGREEMENT WITH THE ROGERS WATER UTILITIES FOR THE PURCHASE OF CITYWORKS SOFTWARE LICENSES; WAIVING COMPETITIVE BIDDING FOR THE SOFTWARE LICENSES; AMENDING THE 2020 BUDGET TO APPROPRIATE FORTY THOUSAND DOLLARS (\$40,000) FROM GENERAL FUND RESERVES INTO ACCOUNT #100-09-70256 SOFTWARE LICENSING; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, there is a need to purchase licenses for certain municipal and utility management software known as Cityworks;

WHEREAS, a Cityworks software license is acquired from Azteca Systems, LLC, a Delaware limited liability company;

WHEREAS, soliciting bids for Cityworks would not produce competitive bids as Azteca Systems, LLC is the sole provider of the desired software that is being requested by Rogers Waterworks Utilities (“RWU”) and the City;

WHEREAS, an exceptional situation exists such that seeking the required software through competitive bidding is not feasible or practical;

WHEREAS, it is advantageous to purchase Cityworks licenses as part of a joint procurement with the RWU. Both RWU and the City will equally share in the cost to purchase the software licenses and will also be proportionally sharing the cost of the associated software integration and implementation services;

WHEREAS, the Rogers Waterworks and Sewer Commission has passed its Resolution No. 20-14, waiving the requirements of competitive bidding for purchase of the Cityworks licenses and authorizing RWU to enter into a Joint Procurement Agreement with the City; and

WHEREAS, City staff and RWU have negotiated the terms of a Joint Procurement Agreement for Purchase of Cityworks Software Licenses and Implementation Services.

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

Section 1: The Mayor and City Clerk are authorized to enter into a Joint Procurement Agreement with RWU for Purchase of Cityworks Software Licenses and Implementation Services.

Section 2: The Mayor and City Clerk are authorized to enter into a Cityworks License and Maintenance Agreement with Azteca Systems, LLC, a Delaware limited liability company, on behalf of the City and RWU, subject to the terms of the Joint Procurement Agreement with RWU. The Mayor and City Clerk are authorized to approve the final form and content of the Cityworks License and Maintenance Agreement, their approval to be indicated by their signature thereon.

Section 3: The 2020 Budget is hereby amended to appropriate forty thousand dollars (\$40,000.00) from General Fund Reserves into Account #100-09-70256 Software Licensing.

Section 4: This appropriation will be used to pay the City's share of the first year of the cost of the license agreement for Cityworks Software as part of the joint procurement with RWU.

Section 5: 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 purchase of the Cityworks software licenses.

Section 6 - Emergency Clause: The need to acquire the Cityworks software and the associated software integration and implementation services 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 on and after the date of its passage.

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.

Section 8 - Repeal of Conflicting Ordinances: All Ordinances of the City Council, or parts of Ordinances of the City Council, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this ____ day of _____ 2020.

APPROVED:

C. GREG HINES,
Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Rogers Water Utilities and City Staff

Prepared by: John M. Pesek, Staff Attorney and Robert A. Frazier, Counsel for Rogers Waterworks and Sewer Commission and Rogers Water Utilities

For Consideration By: Finance Committee

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM R-DP 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, on June 16, 2020, the City Council has found that certain lands hereinafter described are better suited for NBT 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 NBT and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Lots 6 and 7 in Block 1, Oakview Addition to the City of Rogers, Arkansas.

LAYMAN'S DESCRIPTION:

403 & 405 N 6th Street

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

SECTION 4: **Emergency Clause.** 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 5: **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 6: **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

ATTEST:

APPROVED:

JESSICA RUSH, CLERK

C. GREG HINES, MAYOR

Requested By: Jeffery George
Prepared By: Elizabeth Johnson, Community Development Planner
For Consideration By: Community Environment & Welfare Committee

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, on June 16, 2020, the City Council has found that certain lands hereinafter described are better suited for NBT 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 NBT and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

The East 52 2/3 feet of Lots 21, 22, 23, and 24 in Block 3 in Duckworth’s Addition to the City of Rogers.

LAYMAN'S DESCRIPTION:

612 W Pine Street

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 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 5: **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 6: **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

ATTEST:

APPROVED:

JESSICA RUSH, CLERK

C. GREG HINES, MAYOR

Requested By: Hannah Cicioni
Prepared By: Ashton Robinson, Community Development Planner
For Consideration By: Community Environment & Welfare Committee

RESOLUTION NO. R20_____

A RESOLUTION AUTHORIZING THE ROGERS PUBLIC LIBRARY TO DISPOSE OF CERTAIN PROPERTY IN THE LANDFILL; RECOGNIZING THAT THE PROPERTY IS RENDERED WORTHLESS; ACKNOWLEDGING THE OVERSIGHT FOR DISPOSAL; AND FOR OTHER PURPOSES.

WHEREAS, the Director of the Rogers Public Library has certified that the items listed in the attached **Exhibit A** have been rendered worthless by damage or prolonged use;

WHEREAS, the property no longer meets the needs of the Rogers Public Library is now obsolete;

WHEREAS, the Director of the Rogers Public Library additionally certifies that disposal of said property in the landfill is proper and will be overseen to ensure compliance with Ark. Code Ann. §14-54-302(e)(2)(A); and

WHEREAS, the City Council of the City of Rogers approves the Director's affidavit of certification attached as **Exhibit A** and deems that disposal in the landfill is appropriate.

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

Section 1: The Director of the Rogers Public Library may dispose of the items identified in the attached **Exhibit A** in the landfill used by the City pursuant to Ark. Code Ann. §14-54-302 (e)(2)(A);

Section 2: The Rogers Public Library shall maintain a record of all items that are sent to the landfill in accordance with this Resolution;

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: Judy Casey, Director - Rogers Public Library

Prepared By: John M. Pesek, Staff Attorney

For Consideration By: Resources & Policy Committee

**AFFIDAVIT OF LANDFILL DISPOSAL OF CERTAIN PROPERTY OF THE ROGERS
PUBLIC LIBRARY WHICH HAS BEEN RENDERED WORTHLESS**

I, Judy Casey, Director of the Rogers Public Library, do hereby certify that the following property of the Rogers Public Library has been rendered worthless by damage or prolonged use, is no longer of value, and it is now appropriate to dispose of said property in a landfill as specified under Ark. Code Ann. § 14-54-302(e)(2)(A). I hereby certify that I will be responsible for overseeing that the property is removed for disposal. The records listed below contain a description of the property to be disposed of by landfill.

TYPE OF PROPERTY:

Description:	Count:
1. Non-working/ "dead" Microwave from Community Room Kitchen	(1)
2. CD Player & Cassette with speakers (silver) (obsolete)	(1)
3. EIKI CD Player (Grey) (obsolete, buttons sticking)	(2)
4. RCA CD Player (obsolete and not working well)	(1)
5. CRT TV's (obsolete, not compatible with today's technology)	(2)
6. Microsmatic II- filmstrip projector (obsolete, no longer use filmstrips)	(1)
7. 36" Wooden Speakers (over 20 years old and falling apart)	(2)
8. Audio-Visual cabinet (not compatible with current equipment)	(1)
9. VHS recorders (obsolete, no longer circulate VHS)	(3)
10. Table with power cord (unstable, no longer using equipment)	(1)
11. Wall Mount TV holder (for older models no longer being using)	(1)
12. SHARP Overhead projector (does not work with current technology)	(1)
13. Typewriter (outdated and replaced with PC's)	(1)
14. Office chairs (worn, broken)	(3)
15. Blue file cabinet (broken & unlockable)	(1)
16. Glider Rocking chair (glide broken unrepairable due to cost effectiveness)	(1)
17. Children's puzzle cube (broken, repaired, now unrepairable, choking hazard)	(1)
18. Papier Mache giraffe (deteriorating due to time and materials used to create)	(1)
19. Arrow whiteboard signs (broken signs)	(2)
20. Yellow/Orange children's bench (broken leg, not replaceable)	(1)
21. Tall computer table/desk (furniture from 1993 and no longer meets library needs)	(1)
22. Bookshelf (broken at base, not repairable)	(1)
23. Gray 52" x 18 1/2" wide x 28" deep file shallow drawer file cabinets for AV (AV no longer shelved there is no need for these)	(6)
24. Beige 52" x 14 1/2" x 25" file cabinet (use for portion of AV currently shelves)	(1)
25. Artificial trees (No appropriate space and unsafe for young children)	(2)
26. 16" x 14 1/2" two drawer green metal card file (No longer use file catalog or	(1)



shelf-list cards)

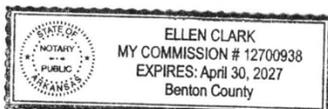
Judy Casey
Judy Casey

Date: 6/16/2020

[Signature]
Notary Public

Date: 6-16-20

Commission Expires: 4-30-27



RESOLUTION NO. R20 _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO TWO CONTRACT AMENDMENTS WITH GARVER, LLC, OF NORTH LITTLE ROCK, ARKANSAS TO AMEND THE MASTER ENGINEERING SERVICES AGREEMENT, IN A TOTAL AMOUNT NOT TO EXCEED TWO HUNDRED NINETY-FIVE THOUSAND SIX HUNDRED DOLLARS (\$295,600.00) FOR THE CONSTRUCTION OF THE TAXILANE/RECONSTRUCT TAXIWAY PROJECT AT THE ROGERS EXECUTIVE AIRPORT; AMENDING THE 2020 BUDGET TO APPROPRIATE TWO HUNDRED NINETY-FIVE THOUSAND SIX HUNDRED DOLLARS (\$295,600.00) FROM AIRPORT FUND RESERVES INTO ACCOUNT NUMBER #315-15-81138 CONSTRUCT TAXIWAY; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Executive Airport anticipates the receipt of a grant from the Federal Aviation Administration to reconstruct an existing aircraft taxiway and construct an aircraft taxilane at the Rogers Executive Airport;

WHEREAS, the Rogers Executive Airport has received a grant from the Arkansas Department of Aeronautics for various elements of the project;

WHEREAS, Garver, LLC is the engineer of record for the design and construction phase services for this project;

WHEREAS, the Rogers Airport Commission has reviewed the construction phase services contract amendments and recommended approval by unanimous vote;

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

Section 1: The Mayor and City Clerk are authorized to enter into a contract amendment with Garver, LLC, for Construction Phase Services associated with the Federal Aviation Administration (FAA) AIP 38 Construct Taxilane/Reconstruct Taxiway project in an amount not to exceed two hundred eight-two thousand dollars (\$282,000.00);

Section 2: The Mayor and City Clerk are authorized to enter into a contract amendment with Garver, LLC, for Construction Phase Services for the related Arkansas Department of Aeronautics funded elements of the Construct Taxilane/Reconstruct Taxiway project in an amount not to exceed thirteen thousand six hundred dollars (\$13,600.00);

Section 3: The execution of said contract amendments is subject to the receipt of FAA grant funding for the referenced project, with the awarded schedule predicated on the amount of funding received, and further subject to FAA review and approval;

Section 4: The 2020 Budget is amended to appropriate the sum of two hundred ninety-five thousand six hundred dollars (\$295,600.00) from Airport Fund into Account #315-15-81138 Construct Taxiway;

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.

RESOLVED this _____ day of _____, 2020.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: David Krutsch, Airport Manager – Rogers Executive Airport

Prepared By: John M. Pesek, Staff Attorney

For Consideration By: Finance Committee