



Office of the City Clerk-Treasurer
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www.rogersar.gov

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: PEGGY DAVID, CITY CLERK-TREASURER

DATE: July 10, 2018

The following committee meetings will be held on **Tuesday, July 10, 2018** prior to the City Council meeting:

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

To Discuss: (a) A Resolution Amending the 2018 Budget; Recognizing a Reimbursable Grant from the Arkansas Historic District Preservation Program in the Amount of \$2,100; Increasing Acct. #100-01-45600; Appropriating \$2,100 to Historic District Commission Acct. #100-01-70297



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ROGERS CITY COUNCIL

AGENDA

JULY 10, 2018

6:30 P.M.

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES: June 26, 2018

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Amending the 2018 Budget; Recognizing a Reimbursable Grant from the Arkansas Historic District Preservation Program in the Amount of \$2,100; Increasing Acct. #100-01-45600; Appropriating \$2,100 to Historic District Commission Acct. #100-01-70297 - Finance Committee

OLD BUSINESS:

NEW BUSINESS:

1. ORD. Re: Rezone from A-1 to RMF, 2110 S. 30th Street and 3035 W. Green Acres Road (Mill Creek Manor, LLC and Pascal Trust) *Tabled at the last meeting* - Bill Watkins
2. ORD. Re: Rezone from A-1 to N-R, 17.47 Acres ± North of the Intersection of E. New Hope Road and S. “O” Street (Christ for the World Int.) - Chuck Bell

APPOINTMENTS:

ANNOUNCEMENTS:

A RESOLUTION AMENDING THE 2018 BUDGET; RECOGNIZING A REIMBURSABLE GRANT FROM THE ARKANSAS HISTORIC DISTRICT PRESERVATION PROGRAM IN THE AMOUNT OF TWO THOUSAND ONE HUNDRED DOLLARS (\$2,100.00); INCREASING THE GRANTS AND DONATIONS ACCOUNT NUMBER 100-01-45600 IN THE AMOUNT OF TWO THOUSAND ONE HUNDRED DOLLARS (\$2,100.00); APPROPRIATING THE SUM OF TWO THOUSAND ONE HUNDRED DOLLARS (\$2,100.00) TO HISTORIC DISTRICT COMMISSION GRANT EXPENSE ACCOUNT NUMBER 100-01-70297; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers desires to promote and preserve the Historic Downtown Rogers; and

WHEREAS, the City of Rogers has been awarded a reimbursable grant of two thousand one hundred dollars (\$2,100.00) from the Arkansas Historic District Preservation Program's certified local government grant program for matters related to the Rogers Historic District Commission.

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 a reimbursable grant in the amount of two thousand one hundred dollars (\$2,100.00) in Account Number 100-01-45600 Grants and Donations;

Section 2: The 2018 Budget is further amended to appropriate said two thousand one hundred dollars (\$2,100.00) to Account Number 100-01-70297 Historic District Commission Grant Expense;

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.

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 Finance Committee

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM A-1 to RMF, ACCEPTING THE AMENITY AGREEMENT,
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 RMF zoning.

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

SECTION 1: That Rogers Code Section 14-675 should be and the same hereby is amended as hereinafter provided.

SECTION 2: That the land hereinafter described should be and the same is hereby zoned as RMF, and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Part of the SW 1/4 of the NW 1/4 of Section 22, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Beginning at a point 660 feet North and 669.6 feet East of the Southwest corner of said SW 1/4 of the NW 1/4, running thence North 660 feet; thence East 330 feet; thence South 660 feet; thence West 330 feet to the point of beginning.

And

A part of the Northwest 1/4 of Section 22, Township 19 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, and being described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of Section 22, Township 19 North, Range 30 West, thence South 88 degrees 00 minutes East 511.9 feet; thence North 01 degree 43 minutes East 662.5 feet to a found iron pin; thence South 88 degrees 27 minutes 40 seconds East 487.45 feet to a set iron pin set on the centerline of Capps Road, said point being the true point of beginning; thence along said centerline South 88 degrees 27 minutes 40 seconds East 330.03 feet to a found iron pipe; thence leaving said centerline North 01 degree 42 minutes 16 seconds East 657.15 feet to a found iron pipe; thence North 88 degrees 19 minutes 19 West 329.64 feet to a set iron pin; thence South 01 degree 44 minutes 18 seconds West 657.95 feet to the true point of beginning and being subject to the right-of-way of Capps Road along the South side thereof and subject to covenants and easements if any.

LESS AND EXCEPT the South 100 feet thereof

LAYMAN'S DESCRIPTION: 2110 S. 30th Street and 3035 W. Green Acres Rd.

SECTION 3: Zoning. That the above described lands are better suited for RMF than A-1 zoning and same should be and are hereby zoned RMF

SECTION 4: Emergency clause. That because the City is herein zoning property which is subject to a present use and said use should be brought into conformity with the zoning laws of the City of Rogers, Arkansas, an emergency is declared to exist and in order to protect the public peace, health, safety and welfare, this ordinance shall be in full force and effect from the date of its passage and approval.

SECTION 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 _____, 2018.

ROGERS, ARKANSAS
APPROVED:

ATTEST:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM A-1 TO NR, 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, the City Council has found that certain lands hereinafter described are better suited for NR 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 NR and that said lands being in Benton County, Arkansas, are described as:

Property to be zoned NR:

A PART OF THE SW 1/4 OF THE SW 1/4, SECTION 17, TOWNSHIP 17 NORTH, RANGE 29 WEST, IN THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS; COMMENCING AT A POINT LOCATED 482.97 FEET S88°00'27"E OF THE SW CORNER OF THE SW 1/4 OF THE SW 1/4 OF SAID DESCRIBED SECTION 17 TO THE POINT OF BEGINNING; THENCE N01°43'49"E 1,335.61 FEET; THENCE S87°05'31"E 852.81 FEET TO THE WEST LINE OF MIDWAY SUBDIVISION; THENCE ALONG SAID WEST LINE S01°32'27"W 990.36 FEET TO A FOUND IRON PIN FOR THE NE CORNER OF MIDWAY MOBILE HOME PARK; THENCE LEAVING SAID WEST LINE N88°00'27"W 288.82 FEET; THENCE N01°32'27"E 411.97 FEET; THENCE N88°16'11"W 395.73 FEET; THENCE S01°43'49"W 331.29 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A CURVE DISTANCE OF 84.98 FEET, RADIUS OF 375.00 FEET, AND CENTRAL ANGLE OF 12°59'02"; THENCE S11°15'13"E 143.98 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A CURVE DISTANCE OF 96.31 FEET, RADIUS OF 425.00 FEET, AND CENTRAL ANGLE OF 12°59' 02"; THENCE S01°43'49"W 50.78 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A CURVE LENGTH OF 23.49 FEET, RADIUS OF 15.00 FEET, AND CENTRAL ANGLE OF 89°44'16"; THENCE S88°00'27"E 91.19 FEET; THENCE S01°32'27"W 25.00 FEET; THENCE N88°00'27"W 329.01 FEET TO THE POINT OF BEGINNING, CONTAINING 17.47 ACRES, MORE OR LESS, SUBJECT TO ANY KNOWN EASEMENTS OR RIGHTS OF WAY OR RECORD OR FACT.

LAYMAN'S DESCRIPTION: 17.47 ACRES, MORE OR LESS ON EAST NEW HOPE AND LONGVIEW DR

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