



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
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www.rogersar.gov

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: PEGGY DAVID, CITY CLERK-TREASURER

DATE: October 4, 2018

The following committee meetings will be held on **Tuesday, October 9, 2018** prior to the City Council Meeting:

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

- To Discuss:
- (a) Request by Heritage High School Orchestra to Close 1st Street and Parking Lot North of Stage, Half of Parking Lot East of Stage on October 16, 2018 from 4:00 p.m. to & 7:30 p.m. (Rain date – October 18, 2018)
 - (b) A Resolution Authorizing an Agreement to Grant a Utility Easement to Carroll Electric Cooperative Corporation

6:00 p.m. - FINANCE COMMITTEE: (Reithemeyer, Wolf, and Kendall) **Committee Room #2**

- To Discuss:
- (a) A Resolution Authorizing a 2018 Community Development Block Grant in the Amount of \$459,265.00; Appropriating the Grant Revenue and Expenditures to Various Accounts
 - (b) A Resolution Authorizing a Grant Agreement with the Walton Family Foundation to Accept Grant Funds Up to \$487,000; Amending the 2018 Budget to Recognize Grant Funds in the Amount of \$487,000 into Acct. #100-08-45600; Appropriating that Same Amount into Acct. #100-08-84512
 - (c) A Resolution Accepting a Staffing Adequate Fire and Emergency Response (SAFER) Grant from the U.S. Department of Homeland Security for the Purpose of Providing Additional Personnel to the Rogers Fire Department
 - (d) A Resolution Authorizing the Rate of Property Tax for the City of Rogers for the Year 2018 to be Collected in 2019

6:15 p.m. – PUBLIC SAFETY COMMITTEE: (Wolf, Kruger and Carmichael) **Committee Room #1**

- (a) A Resolution Authorizing an Agreement with Little Flock, Arkansas for the Purpose of Providing Emergency Medical Services to the Incorporated Areas of Little Flock, Arkansas



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ROGERS CITY COUNCIL

AGENDA

OCTOBER 9, 2018

6:30 P.M.

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES: September 25, 2018

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Authorizing an Agreement to Grant a Utility Easement to Carroll Electric Cooperative Corporation - Transportation Committee
2. RES. Re: Authorizing a 2018 Community Development Block Grant in the Amount of \$459,265.00; Appropriating the Grant Revenue and Expenditures to Various Accounts - Finance Committee
3. RES. Re: Authorizing a Grant Agreement with the Walton Family Foundation to Accept Grant Funds Up to \$487,000; Amending the 2018 Budget to Recognize Grant Funds in the Amount of \$487,000 into Acct. #100-08-45600; Appropriating that Same Amount into Acct. #100-08-84512 - Finance Committee
4. RES. Re: Accepting a Staffing Adequate Fire and Emergency Response (SAFER) Grant from the U.S. Department of Homeland Security for the Purpose of Providing Additional Personnel to the Rogers Fire Department - Finance Committee

ROGERS CITY COUNCIL AGENDA

OCTOBER 9, 2018

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5. RES. Re: Authorizing the Rate of Property Tax for the City of Rogers for the Year 2018 to be Collected in 2019 - Finance Committee
6. RES. Re: Authorizing an Agreement with Little Flock, Arkansas for the Purpose of Providing Emergency Medical Services to the Incorporated Areas of Little Flock, Arkansas - Public Safety Committee

OLD BUSINESS:

NEW BUSINESS:

1. ORD. Re: Accepting the Final Plat of Pleasant Crossing, Phase III - Leslie Tabor
2. ORD. Re: Rezone from A-1 to C-3, 9.25 Acres Located at 4504 S. Rainbow Road (Pleasant Grove Development, LLC) - Kelsey Kreher

APPOINTMENTS:

ANNOUNCEMENTS:

RESOLUTION NO. R-18-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT TO GRANT A UTILITY EASEMENT TO CARROLL ELECTRIC COOPERATIVE CORPORATION; AND FOR OTHER PURPOSES.

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

Section 1: That the property interests described in the Easement Agreement, attached hereto as Exhibit "A", and incorporated by reference as if set out word for word herein, are needed by Carroll Electric Corporation in order to assist with the preferred construction methods of the Estates at Southgate development project.

Section 2: That pursuant to Ark. Code. Ann. § 14-54-302, the Mayor and City Clerk are hereby authorized to convey the same in accordance with the procedures set forth in said statutes.

Section 3: Severability Provision - In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Resolution shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Resolution 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 Resolution shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein;

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 _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: Nathan Becknell, City Engineer
Prepared by: Bonnie Bridges, Staff Attorney
For Consideration by the Transportation Committee

RESOLUTION NO. R-18_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT A 2018 COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AMOUNT OF FOUR HUNDRED FIFTY-NINE THOUSAND, TWO HUNDRED SIXTY-FIVE DOLLARS (\$459,265.00); APPROPRIATING THE GRANT REVENUE AND EXPENDITURES TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS ARKNASAS:

Section 1: That the Mayor and City Clerk are hereby authorized to accept a 2018 Community Development Block Grant from the U. S. Department of Housing and Urban Development in the amount of four hundred fifty-nine thousand, two hundred sixty-five dollars (\$459,265.00). Said amount shall be appropriated into the following accounts:

| | | |
|----------------------|------------------------------|--------------|
| <u>Revenue:</u> | | |
| 342-42-45800 | Program Funding | \$459,265.00 |
| <u>Expenditures:</u> | | |
| 342-42-61135 | Salaries | \$ 78,600.00 |
| 342-42-70005 | Continuing Education | 4,000.00 |
| 342-42-70110 | Office Supplies | 500.00 |
| 342-42-70170 | Dues & Subscriptions | 1,500.00 |
| 342-42-70182 | Advertising | 3,000.00 |
| 342-42-70390 | Postage | 400.00 |
| 342-42-70296 | Public Service Projects | 68,800.00 |
| 342-42-70970 | Housing Projects | 210,965.00 |
| 342-42-79010 | Public Construction Projects | 91,500.00 |
| | Total | \$459,265.00 |

Section 2: Severability Provision - In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Resolution shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Resolution 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 Resolution shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein;

Section 3: 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.

PASSED this _____ day of _____, 2018.

C. GREG HINES, Mayor

ATTEST:

PEGGY DAVID, City Clerk
Requested by: Donna Johnston, CDBG Administrator
Prepared by: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

RESOLUTION NO. R-18-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A GRANT AGREEMENT WITH THE WALTON FAMILY FOUNDATION TO ACCEPT GRANT FUNDS UP TO FOUR HUNDRED EIGHTY-SEVEN THOUSAND DOLLARS (\$487,000.00); AMENDING THE 2018 BUDGET TO RECOGNIZE GRANT FUNDS IN THE AMOUNT OF FOUR HUNDRED EIGHTY-SEVEN THOUSAND DOLLARS (\$487,000.00) INTO ACCOUNT #100-08-45600 GRANTS AND DONATIONS; APPROPRIATING THAT SAME AMOUNT TO EXPENSE ACCOUNT #100-08-84512 RAILYARD PARK; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers will receive up to four hundred eighty-seven thousand dollars (\$487,000.00) in grant funds from the Walton Family Foundation to be used for Railyard Bike Park enhancements.

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

Section 1: The Mayor and City Clerk are hereby authorized to enter into a grant agreement on behalf of the City with the Walton Family Foundation in which the City shall accept up to four hundred eighty-seven thousand dollars (\$487,000.00) in grant funds;

Section 2: The 2018 Budget is hereby amended to recognize grant funds in the amount of four hundred eighty-seven thousand dollars (\$487,000.00) to Account #100-08-45600 Grants and Donations;

Section 3: The 2018 Budget is further amended to appropriate said four hundred eighty-seven thousand dollars (\$487,000.00) to Account #100-08-84512 Railyard Park;

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.

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: Jim White, Parks Director
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by Finance Committee

RESOLUTION NO. R-18_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT A STAFFING ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FROM THE US DEPARTMENT OF HOMELAND SECURITY FOR THE PURPOSE OF PROVIDING ADDITIONAL PERSONNEL TO THE ROGERS FIRE DEPARTMENT; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Fire Department has been awarded a Staffing Adequate Fire and Emergency Response (SAFER) Grant from the US Department of Homeland Security; and

WHEREAS, the grant will allow for the Rogers Fire Department to hire twelve additional firefighters to staff Fire Station #8.

WHEREAS, the purpose of the Staffing for Adequate Fire and Emergency Response (SAFER) program is to provide grants to fire service agencies to provide financial assistance for firefighter staffing, and;

WHEREAS, the goal of the grant program is to assist local fire departments with staffing and deployment capabilities in order to respond to emergencies, assuring communities have adequate protection from fire and fire related hazards, and;

WHEREAS, SAFER funding will pay 75 percent of the salary and benefit costs for newly hired firefighters (exclusive of overtime) for the first two years and 35 percent of the salary and benefit costs for the third year, and;

WHEREAS, the requested funding will pay for the twelve (12) firefighters for three (3) years, and;

WHEREAS, if awarded this grant it will allow the fire department to respond with sufficient personnel meeting OSHA standard 1910.134, and;

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 accept a Staffing for Adequate Fire and Emergency Response (SAFER) Grant from the U.S. Department of Homeland Security for the purpose of providing additional firefighting personnel to the Rogers Fire Department.

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: Tom Jenkins, Rogers Fire Chief

Prepared By: Bonnie Bridges, Staff Attorney

For Consideration by the Finance Committee

RESOLUTION NO. R-18-_____

A RESOLUTION AUTHORIZING THE RATE OF PROPERTY TAX FOR THE CITY OF ROGERS FOR THE YEAR 2018 TO BE COLLECTED IN 2019; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Annotated §26-25-102 provides that a city may levy a tax on the real and personal property located within the city for general purposes, in any one year, pursuant to the provision of the Arkansas Constitution;

WHEREAS, Arkansas Code Annotated §26-73-202 requires the City Council of any municipal corporation to make out and certify to the County Clerk the rate of taxation levied by the city on all the real and personal property within the city or town; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Rogers and its citizens to levy the rate of taxation on the real and personal property located within the said city as set forth herein, and to certify the same to the County Clerk, and authorize the Quorum Court of Benton County to levy said tax for the year 2018, to be collected in 2019.

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

Section 1: The property tax rate for the City of Rogers General purposes on the Real and Personal Property situated within the city and to be collected in the year 2019 shall be fixed and levied at the rate of Two and Four Tenths (2.4) mills on each dollar of assessed value of real and personal property.

Section 2: The property tax for *Library* purposes for the City of Rogers on Real and Personal Property situated within the city to be collected in the year 2019 shall be fixed and levied at the rate of Nine-Tenths (0.9) mills on each dollar of assessed value of real and personal property.

Section 3: The rate of taxation levied herein on the real and personal property within the City of Rogers shall, by this Resolution, be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

Section 4: The Quorum Court of Benton County is hereby authorized to levy the said tax as set forth herein for real and personal property located within the City of Rogers, for the year, 2019 at its regular meeting in November according to law.

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: Mayor C. Greg Hines
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by Finance Committee

RESOLUTION NO. R-18_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH LITTLE FLOCK, ARKANSAS, FOR THE PURPOSE OF PROVIDING EMERGENCY MEDICAL SERVICES TO THE INCORPORATED AREAS OF LITTLE FLOCK, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Ark. Code Ann. § 25-20-104, local government units may enter into contracts to cooperate or join with each other to provide services; and

WHEREAS, the City of Rogers Fire Department is capable of providing the needed emergency medical services to incorporated areas of Little Flock, Arkansas.

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

Section 1: The Mayor and City Clerk be, and hereby are, authorized to enter into an agreement with Little Flock, Arkansas for the provision of emergency medical services by the City of Rogers Fire Department.

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: Tom Jenkins, Rogers Fire Chief
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration by the Public Safety Committee

ORDINANCE NO. _____

CITY OF ROGERS, ARKANSAS

AN ORDINANCE ACCEPTING THE FINAL PLAT OF
PLEASANT CROSSING, PHASE III
ROGERS, BENTON COUNTY, ARKANSAS,
THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN;
AND DECLARING AN EMERGENCY

WHEREAS, the Final Plat has been submitted for Pleasant Crossing, Phase III, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

PROPERTY DESCRIPTION:

Lot 1CA of the lot line adjustment of Lots 1B & 1C, Pleasant Crossing, Phase II, Rogers, Benton County, Arkansas, as shown on Plat Book 2011 at Page 446.

WHEREAS, the City Council finds that the Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public ways be accepted and confirmed;

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

SECTION 1: The Final Plat of Pleasant Crossing, Phase III, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved and confirmed.

SECTION 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat.

SECTION 3: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

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: _____, 2018

CITY OF ROGERS, ARKANSAS

APPROVED:

C. GREG HINES, MAYOR

ATTEST:

PEGGY DAVID, CITY CLERK

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM A-1 TO C-3, 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 C-3 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-3 and that said lands being in Benton County, Arkansas, are described as:

Property to be zoned C-3:

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY (30) WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF THE SW 1/4 OF THE NE 1/4 OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 30 WEST; THENCE ALONG THE EAST LINE THEREOF NORTH 02°23'43" EAST A DISTANCE OF 174.55 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY OF WEST PLEASANT GROVE ROAD AS DESCRIBED IN DEED BOOK 2017, PAGE 57320; THENCE SOUTH 54°31'33" WEST A DISTANCE OF 54.80 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 305.00 FEET AN ARC LENGTH OF 177.30 FEET, HAVING A CHORD BEARING OF SOUTH 66°31'10" WEST AND A CHORD DISTANCE OF 174.82 FEET TO THE NORTHERLY RIGHT OF WAY OF WEST PLEASANT GROVE ROAD; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1156.98 FEET AN ARC LENGTH OF 230.73 FEET, HAVING A CHORD BEARING OF NORTH 63°46'50" WEST AND A CHORD DISTANCE OF 230.35 FEET; THENCE NORTH 58°04'03" WEST A DISTANCE OF 582.75 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 903.03 FEET AN ARC LENGTH OF 112.24 FEET, HAVING A CHORD BEARING OF NORTH 61°37'42" WEST AND A CHORD DISTANCE OF 112.17 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 27°50'23" A DISTANCE OF 175.24 FEET; THENCE SOUTH 87°34'35" EAST A DISTANCE OF 878.39 FEET TO THE WESTERLY RIGHT OF WAY OF SOUTH RAINBOW ROAD AS DESCRIBED IN DEED BOOK 2017, PAGE 57320; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 1222.43 FEET AN ARC LENGTH OF 150.69 FEET, A CHORD BEARING OF SOUTH 12°09'36" EAST AND A CHORD DISTANCE OF 150.59 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 964.10 FEET AN ARC LENGTH OF 107.40 FEET, HAVING A CHORD BEARING OF SOUTH 12°29'59" EAST AND A CHORD DISTANCE OF 107.34 FEET; THENCE SOUTH 02°23'43" WEST A DISTANCE OF 227.85 FEET TO THE POINT OF BEGINNING; CONTAINING 403,020.42 SQUARE FEET OR 9.25 ACRES AND BEING SUBJECT TO ANY EASEMENTS AND RIGHTS OF WAY OF

RECORD.

LAYMAN'S DESCRIPTION: 9.25 acres located at 4504 S. Rainbow Rd.

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