



Office of the City Clerk-Treasurer  
301 W. Chestnut  
Rogers, Arkansas 72756  
479-621-1117  
[www.rogersar.gov](http://www.rogersar.gov)

### COMMITTEE SCHEDULE

TO: MAYOR  
CITY COUNCIL  
DEPARTMENT HEADS  
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: March 23, 2021

The following committee meetings will be held on **Tuesday, March 23, 2021** prior to the City Council Meeting:

**05:00 p.m. - PUBLIC WORKS COMMITTEE:** (Townzen\*, Brashear, Kendall)  
<https://us02web.zoom.us/j/84951275899> OR (312)626-6799 ID: 849 5127 5899

To Discuss: (a) RWU Monthly Report

**05:15 p.m. - TRANSPORTATION COMMITTEE:** (Kruger\*, Legere, Townzen)  
<https://us02web.zoom.us/j/84951275899> OR (312) 626-6799 ID: 849 5127 5899

To Discuss: (a) BikeNWA Slow Streets Program (Lauren Hildreth)

**05:30 p.m. - FINANCE COMMITTEE:** (Reithemeyer\*, Wolf, Kendall)  
<https://us02web.zoom.us/j/84951275899> OR (312) 626-6799 ID: 849 5127 5899

To Discuss: (a) A Resolution Amending The 2021 Budget; Recognizing Funds From The Rogers School District To The City Of Rogers Fire Department In The Amount Of \$14,651.00 Into Account #100-04-49255 Reimbursements

**05:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE:** (Legere\*, Townzen, Hayes)  
<https://us02web.zoom.us/j/84951275899> OR (312) 626-6799 ID: 849 5127 5899

- To Discuss:
- (a) An Ordinance Authorizing The Mayor And City Clerk To Enter Into A Contract With Cox Advanced Services Arkansas, LLC, Of Springdale, Arkansas, In The Amount Of \$143,481.58, For Underground Utility Installation And To Provide Power Necessary For Public Safety Related To The Walnut Widening Project; Waiving Competitive Bidding
  - (b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From RMF-6B To C-2 (Express Oil) [Staff Report](#)
  - (c) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-O And RO-CU To NBT (Jones) [Staff Report](#)
  - (d) To Discuss Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-O, C2-CU, And PUD To C-3 (Olive St.)



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**ROGERS CITY COUNCIL**  
**AGENDA**

**MARCH 23, 2021**  
**6:30 PM**

via ZOOM <https://us02web.zoom.us/j/84415354261> OR By Phone (312) 626-6799

**ID: 844 1535 4261**

**PUBLIC FORUM:**

**ROLL CALL:**

**ACTION ON MINUTES:**

- 1. February 23, 2021

**REPORTS OF BOARDS AND STANDING COMMITTEES:**

- 1. RES. Re: Amending The 2021 Budget; Recognizing Funds From FINANCE  
The Rogers School District To The City Of Rogers Fire COMMITTEE  
Department In The Amount Of \$14,651.00 Into  
Account #100-04-49255 Reimbursements
- 2. ORD. Re: Authorizing The Mayor And City Clerk To Enter Into COMMUNITY  
A Contract With Cox Advanced Services Arkansas, ENVIRONMENT &  
LLC, Of Springdale, Arkansas, In The Amount Of WELFARE  
\$143,481.58, For Underground Utility Installation And COMMITTEE  
To Provide Power Necessary For Public Safety Related  
To The Walnut Widening Project; Waiving  
Competitive Bidding
- 3. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning COMMUNITY  
Certain Lands From RMF-6B To C-2 (Express Oil) ENVIRONMENT &  
WELFARE  
COMMITTEE

4. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-O And RO-CU To NBT (Jones) COMMUNITY ENVIRONMENT & WELFARE COMMITTEE

### **OLD BUSINESS:**

1. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-O, C2-CU, And PUD To C-3 (Olive St.) COMMUNITY ENVIRONMENT & WELFARE COMMITTEE

### **NEW BUSINESS:**

### **APPOINTMENTS:**

1. Appointment of Emery Davis to the Museum Commission; term to expire December 31, 2023
2. Reappointment of John Ford to the Museum Commission; term to expire December 31, 2023
3. Reappointment of Mike Whitmore to the Museum Commission; term to expire December 31, 2022
4. Reappointment of Nancy Swearingen to the Museum Commission; term to expire December 31, 2022
5. Appointment of Steve Lane to the Planning Commission filling Tony Noblin seat; term to expire December 31, 2021
6. Appointment of Jorge Andrade to the Planning Commission filling Don Spann seat; term to expire December 31, 2027
7. Appointment of Derek Burnett to the Planning Commission filling Dennis Ferguson seat; term to expire December 31, 2027

### **ANNOUNCEMENTS:**

**RESOLUTION NO. R21-\_\_\_\_\_**

**A RESOLUTION AMENDING THE 2021 BUDGET; RECOGNIZING FUNDS FROM THE ROGERS SCHOOL DISTRICT TO THE CITY OF ROGERS FIRE DEPARTMENT IN THE AMOUNT OF FOURTEEN THOUSAND SIX HUNDRED FIFTY-ONE DOLLARS (\$14,651.00) INTO ACCOUNT #100-04-49255 REIMBURSEMENTS; APPROPRIATING THAT SAME AMOUNT TO VARIOUS EXPENSE ACCOUNTS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City Council passed a Resolution approving an Informal Agreement with the Rogers School District allowing off-duty paramedics of the Rogers Fire Department to serve as substitute nurses within the school;

**WHEREAS**, this provided a much needed level of community support during the Covid-19 pandemic; and

**WHEREAS**, pursuant to the Informal Agreement, costs for employment services shall be reimbursed by the Rogers School District.

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

Section 1: That the 2021 Budget is amended to recognize revenue in the amount of fourteen thousand six hundred fifty-one dollars (\$14,651.00) in Account #100-04-49255 Reimbursements;

Section 2: That the 2021 Budget is further amended to appropriate that same amount to the following accounts as follows:

Eleven thousand seven hundred twenty-five dollars (\$11,725.00) to Account #100-04-61110 Salaries and Wages – Overtime;

One hundred seventy-one dollars (\$171.00) to Account #100-04-61150 FICA Expense; and

Two thousand seven hundred fifty-five dollars (\$2,755.00) to Account #100-04-61165 Retirement Expense – LOPFI.

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 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 \_\_\_\_\_, 2021.

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

**ORDINANCE NO. 21-\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH COX ADVANCED SERVICES ARKANSAS, LLC, OF SPRINGDALE, ARKANSAS, IN THE AMOUNT OF ONE HUNDRED FORTY-THREE THOUSAND FOUR HUNDRED EIGHTY-ONE DOLLARS AND FIFTY-EIGHT CENTS (\$143,481.58), FOR UNDERGROUND UTILITY INSTALLATION AND TO PROVIDE POWER NECESSARY FOR PUBLIC SAFETY RELATED TO THE WALNUT WIDENING PROJECT; WAIVING COMPETITIVE BIDDING; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Department of Community Development, working with Cox Advanced Services Arkansas, has determined that the installation of underground utilities for the Walnut Widening Project is necessary for the public safety of the citizens of Rogers;

**WHEREAS**, this installation is not for the direct benefit of particular customers of the utility in their capacity as customers; and

**WHEREAS**, Cox Advanced Services Arkansas is the appropriate company to provide this service as they own all necessary equipment to perform this work and are familiar with the area and work involved; therefore, competitive bidding should be waived.

**NOW, THEREFORE, BE IT ORDAINED 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 contract with Cox Advanced Services Arkansas, LLC, of Springdale, Arkansas, for utility installation along the Walnut Widening project, in an amount not to exceed one hundred forty-three thousand four hundred eighty-one dollars and fifty-eight cents (\$143,481.58);

Section 2: This amount shall be paid from 2018 Street Bonds;

Section 3: The requirements of competitive bidding are neither practical nor feasible and the City Council waives the requirements of competitive bidding;

Section 4: Emergency Clause: The need to enter into said contract 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 5: 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 6: 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 \_\_\_\_\_, 2021.

APPROVED:

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

Attest:

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

Requested by: Lance Jobe, City Engineer

Prepared by: Bonnie Bridges, Staff Attorney

For Consideration By: Community Environment & Welfare Committee

**ORDINANCE NO. 21-\_\_\_\_\_**

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING  
CERTAIN LANDS FROM RMF-6B TO C-2, 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 March 16, 2021, the City Council has found that certain lands hereinafter described are better suited for C-2 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 DESCRIPTION:**

PART OF LOT 12A OF PINNACLE SPRINGS, AS PER PLAT RECORD 2014-171 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 12A OF SAID PINNACLE SPRINGS, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY OF SOUTH PROMENADE BOULEVARD; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING FIVE COURSES: THENCE 73.79 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 766.20 FEET AND A LONG CHORD OF S17°34'48"E 73.77 FEET; THENCE S20°20'21"E 327.22 FEET; THENCE 277.10 FEET ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 650.00 FEET AND A LONG CHORD OF S08°07'35"E 275.00 FEET; THENCE S14°53'37"W 144.08 FEET; THENCE S08°28'59"W 121.13 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY S89°24'58"W 115.33 FEET; THENCE N88°13'14"W 71.21 FEET; THENCE N02°36'20"E 57.16 FEET TO THE WESTERLY LINE OF SAID LOT 12A; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING THREE COURSES: THENCE 36.50 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 25.00 FEET AND A LONG CHORD OF N36°38'10"E 33.35 FEET; THENCE N05°11'40"W 124.85 FEET; THENCE 10.51 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 187.50 FEET AND A LONG CHORD OF N06°48'03"W 10.51 FEET; THENCE LEAVING SAID WESTERLY LINE N02°36'20"E 684.07 FEET TO THE NORTH LINE OF SAID LOT 12A; THENCE ALONG SAID NORTH LINE N78°02'32"E 26.03 FEET TO THE POINT OF BEGINNING, CONTAINING 3.38 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT

**LAYMAN'S DESCRIPTION:**

± 3.38 acres at the NW corner of W. New Hope Road and S. Promenade Blvd.

SECTION 3: **Zoning.** That the above described lands are better suited for C-2 than RMF-6B zoning and same should be and are hereby zoned C-2.

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 \_\_\_\_\_, 2021.

APPROVED:

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

Attest:

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

Requested by: Daniel Ellis

Prepared by: Amber Long, Planner I

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 21-\_\_\_\_\_

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM R-O AND RO-CU 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 March 16, 2021, 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:**

Lot 25, Block 3, Duckworth's Addition to the City of Rogers, Benton County, Arkansas as shown on Plat Record 19 at Page 13

Lot 26, 27, Block 3, Duckworth's Addition to the City of Rogers, Benton County, Arkansas, Replat PT LTS 13-17 Per Survey 19-13

**LAYMAN'S DESCRIPTION:**

± 0.62 acres at the NE corner of S. 7<sup>th</sup> & W. Oak Streets

SECTION 3: **Zoning.** That the above described lands are better suited for NBT than R-O and RO-CU 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 \_\_\_\_\_, 2021.

**APPROVED:**

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

Attest:

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

Requested by: Quiontayus Jones

Prepared by: Amber Long, Planner I

For Consideration By: Community Environment & Welfare Committee



**ORDINANCE NO. 21-\_\_\_\_\_**

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM R-O, C2-CU, AND PUD 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, on November 17, 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:**

PART OF DEED RECORD 2005-58619 AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK FOR BENTON COUNTY, ARKANSAS BEING A PART OF THE NW1/4 OF THE NE1/4 OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 30 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SAID NW1/4 OF THE NE1/4;  
THENCE N87°35'50"W 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 40TH STREET; THENCE ALONG SAID RIGHT-OF-WAY N02°12'10"E 30.92 FEET;  
THENCE N02°12'10"E 473.27 FEET TO A POINT ON THE NE CORNER OF DEED RECORD 2005-69711 AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK FOR BENTON COUNTY, ARKANSAS FOR THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID DEED RECORD 2005-69711 N87°47'43"W 119.97 FEET; THENCE N59°10'17"W 24.73 FEET; THENCE N87°47'43"W 158.51 FEET TO A POINT ON THE EAST LINE OF TRACT PC1A AS RECORDED AT PLAT RECORD 2004-426 IN THE OFFICE OF THE CIRCUIT CLERK FOR BENTON COUNTY, ARKANSAS; THENCE ALONG SAID EAST LINE N02°12'10"E 763.87 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OLIVE STREET AS RECORDED AT STREET RIGHT-OF-WAY GRANT 2008-44849 IN THE OFFICE OF THE CIRCUIT CLERK FOR BENTON COUNTY, ARKANSAS; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S86°38'04"E 274.00 FEET; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE S38°28'41"E 40.26 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID 40TH STREET;  
THENCE ALONG SAID WEST RIGHT-OF-WAY LINE S02°12'10"W 739.64 FEET TO THE POINT OF BEGINNING CONTAINING 5.27 ACRES, MORE OR LESS.

ALSO

PART OF DEED RECORD 2005-58619 AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK FOR BENTON COUNTY, ARKANSAS BEING A PART OF THE NW1/4 OF THE NE1/4 & PART OF THE SW1/4 OF THE NE1/4, ALL IN SECTION 9, TOWNSHIP 19 NORTH, RANGE 30 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID SW1/4 OF THE NE1/4;  
THENCE N87°35'50"W 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 40TH STREET FOR THE POINT OF BEGINNING; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE

S02°35'43"W 609.57 FEET TO THE NORTH LINE OF THE TRACT OF LAND AS RECORDED AT DOCUMENT NUMBER 2007-83146 IN THE OFFICE OF THE CIRCUIT CLERK FOR BENTON COUNTY, ARKANSAS;  
THENCE ALONG SAID NORTH LINE N86°22'10"W 300.34 FEET TO A POINT ON THE EAST LINE OF TRACT PC4FA AS RECORDED AT PLAT RECORD P3-873 IN THE OFFICE OF THE CIRCUIT CLERK FOR BENTON COUNTY, ARKANSAS;  
THENCE ALONG SAID EAST LINE N02°36'20"E 603.14 FEET;  
THENCE N02°12'10"E 29.88 FEET TO THE SW CORNER OF DEED RECORD 2005-69711 AS RECORDED IN THE OFFICE OF THE CIRCUIT CLERK FOR BENTON COUNTY, ARKANSAS;  
THENCE ALONG THE SOUTH LINE OF SAID DEED RECORD 2005-69711 S87°47'43"E 300.18 FEET TO SAID WEST RIGHT-OF-WAY LINE OF 40TH STREET;  
THENCE S02°12'10"W 30.92 FEET TO THE POINT OF BEGINNING CONTAINING 4.39 ACRES, MORE OR LESS.

**LAYMAN'S DESCRIPTION:**

9.66 ± Acres SW of the intersection of N. 40<sup>th</sup> St. and W. Olive St.

**SECTION 3: Zoning.** That the above described lands are better suited for C-3 than R-O, C2-CU, and PUD zoning and same should be and are hereby zoned C-3.

**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** \_\_\_\_\_, 2021.

ROGERS, ARKANSAS

ATTEST:

APPROVED:

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

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

Requested By: Daniel Ellis  
Prepared By: Amber Long, Planner I  
For Consideration By: Community Environment & Welfare Committee