



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: April 13, 2021

The following committee meetings will be held on **Tuesday, April 13, 2021** prior to the City Council Meeting:

**05:00 p.m. - RESOURCES & POLICY COMMITTEE:** (Hayes\*, Reithemeyer, Brashear)

<https://us02web.zoom.us/j/89984186115> OR (312) 626-6799 ID: 899 8418 6115

To Discuss: (a) A Resolution Authorizing The Destruction Of Certain Records By The City Of Rogers Finance Department And Human Resources Department

**05:15 p.m. - TRANSPORTATION COMMITTEE:** (Kruger\*, Legere, Townzen)

<https://us02web.zoom.us/j/89984186115> OR (312) 626-6799 ID: 899 8418 6115

To Discuss: (a) An Ordinance Waiving Competitive Bidding For The Purchase Of A 2021 Dodge Ram 3500 Truck And A 2021 Dodge Ram 2500 Truck For Use By The City Of Rogers' Street Department

(b) Street Closure Request - Art On The Bricks

(c) Parking Space Restriction Request - Downtown Rogers Farmers Market

(d) Street Closure Request - Rogers Museum Founders Day

**05:30 p.m. - FINANCE COMMITTEE:** (Reithemeyer\*, Wolf, Kendall)

<https://us02web.zoom.us/j/89984186115> OR (312) 626-6799 ID: 899 8418 6115

To Discuss: (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Contract With Johnson Controls, Inc. Of Little Rock, Arkansas, To Perform An Energy Audit On City Owned Facilities

(b) A Resolution Amending The City Of Rogers' 2021 Budget To Recognize Revenue In The Amount Of \$5,075.00 Into Account #100-08-45600 Grants And Donations; To Recognize Revenue In The Amount Of \$2,225.00 Into Account #100-08-49195 Insurance Reimbursement

(c) A Resolution Amending The City Of Rogers' 2021 Budget To Recognize An Insurance Reimbursement In The General Fund Of \$39,197.00 Into Account #100-03-49195 Insurance Reimbursement

(d) An Ordinance Waiving Competitive Bidding For The Purchase Of A Rogers Police Department Patrol Vehicle

(e) A Resolution Amending The City Of Rogers' 2021 Budget To Appropriate \$176,225.00 From CID Drug Funds Into Account #337-37-80100 Capital Expenditures

(f) An Ordinance Waiving Competitive Bidding For The Purchase Of An Armored Vehicle From Lenco Armored Vehicles Of Pittsfield, Massachusetts

**05:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE:** (Legere\*, Townzen, Hayes)  
<https://us02web.zoom.us/j/89984186115> **OR (312) 626-6799 ID: 899 8418 6115**

To Discuss:

- (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To R-O, Amending The Comprehensive Growth Map (HAWGEYE)  
[Staff Report](#)

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- (b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To I-1 (HUDSON) [Staff Report](#)

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- (c) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 To RMF-20B, Accepting The Density Concept Plan (FENWICK)  
[Staff Report](#)

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- (d) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From RMF-25B And R-DP To RMF-9.5B, Accepting The Density Concept Plan (GROVE) [Staff Report](#)

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**ROGERS CITY COUNCIL**  
**\*AMENDED\* AGENDA**

**APRIL 13, 2021**  
**6:30 PM**

**<https://us02web.zoom.us/j/88101458755>** OR By Phone (312) 626-6799

**ID: 881 0145 8755**

**PUBLIC FORUM:**

**ROLL CALL:**

**ACTION ON MINUTES:**

- 1. March 23, 2021

**REPORTS OF BOARDS AND STANDING COMMITTEES:**

- 1. **ORD. Re:** Waiving Competitive Bidding For The Purchase Of A 2021 Dodge Ram 3500 Truck And A 2021 Dodge Ram 2500 Truck For Use By The City Of Rogers' Street Department **TRANSPORTATION COMMITTEE**
- 2. **RES. Re:** Authorizing The Destruction Of Certain Records By The City Of Rogers Finance Department And Human Resources Department **RESOURCES & POLICY COMMITTEE**
- 3. **RES. Re:** Authorizing The Mayor And City Clerk To Enter Into A Contract With Johnson Controls, Inc. Of Little Rock, Arkansas, To Perform An Energy Audit On City Owned Facilities **FINANCE COMMITTEE**
- 4. **RES. Re:** Amending The City Of Rogers' 2021 Budget To Recognize Revenue In The Amount Of \$5,075.00 Into **FINANCE COMMITTEE**

Account #100-08-45600 Grants And Donations; To  
Recognize Revenue In The Amount Of \$2,225.00 Into  
Account #100-08-49195 Insurance Reimbursement

5. RES. Re: Amending The City Of Rogers' 2021 Budget To  
Recognize An Insurance Reimbursement In The  
General Fund Of \$39,197.00 Into Account #100-03-  
49195 Insurance Reimbursement FINANCE  
COMMITTEE
6. ORD. Re: Waiving Competitive Bidding For The Purchase Of A  
Rogers Police Department Patrol Vehicle FINANCE  
COMMITTEE
7. RES. Re: Amending The City Of Rogers' 2021 Budget To  
Appropriate \$176,225.00 From CID Drug Funds Into  
Account #337-37-80100 Capital Expenditures FINANCE  
COMMITTEE
8. ORD. Re: Waiving Competitive Bidding For The Purchase Of An  
Armored Vehicle From Lenco Armored Vehicles Of  
Pittsfield, Massachusetts FINANCE  
COMMITTEE
9. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning  
Certain Lands From A-1 To R-O, Amending The  
Comprehensive Growth Map (HAWGEYE) COMMUNITY  
ENVIRONMENT &  
WELFARE  
COMMITTEE
10. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning  
Certain Lands From C-2 To I-1 (HUDSON) COMMUNITY  
ENVIRONMENT &  
WELFARE  
COMMITTEE
11. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning  
Certain Lands From C-2 To RMF-20B, Accepting The  
Density Concept Plan (FENWICK) COMMUNITY  
ENVIRONMENT &  
WELFARE  
COMMITTEE
12. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning  
Certain Lands From RMF-25B And R-DP To RMF-  
9.5B, Accepting The Density Concept Plan (GROVE) COMMUNITY  
ENVIRONMENT &  
WELFARE  
COMMITTEE

**OLD BUSINESS:**

**NEW BUSINESS:**

**APPOINTMENTS:**

**ANNOUNCEMENTS:**

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

**AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF A 2021 DODGE RAM 3500 TRUCK AND A 2021 DODGE RAM 2500 TRUCK FOR USE BY THE CITY OF ROGERS' STREET DEPARTMENT; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers' Street Department wishes to purchase a 2021 Dodge Ram 3500 truck and a 2021 Dodge Ram 2500 truck;

**WHEREAS**, the purchase price for both trucks was budgeted in the City of Rogers' 2021 budget; and

**WHEREAS**, Steve Landers CDJ Ram Toyota Kia of Little Rock, Arkansas, can provide the vehicles with the specifications necessary to the Rogers Street Department, and has agreed to give the City of Rogers the pricing set by the State of Arkansas procurement guidelines for state purchases.

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

Section 1: The City agrees to purchase a 2021 Dodge Ram 3500 truck and a 2021 Dodge Ram 2500 truck from Steve Landers CDJ Ram Toyota Kia of Little Rock, Arkansas for the purchase price of thirty-one thousand six hundred and twenty seven dollars (\$31,627.00) for the 2021 Dodge Ram 3500 tuck and twenty-eight thousand seven hundred sixty one dollars (\$28,761.00) for the 2021 Dodge Ram 2500 truck.

Section 2: 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 purchase of the 2021 Dodge Ram 3500 truck and a 2021 Dodge Ram 2500 truck for use by the City of Rogers' Street Department.

Section 3: Emergency Clause: The need to acquire and the availability of the two Dodge Ram trucks is immediate and 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 4: 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 5: 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: Frankie Guyll, Superintendent – Street Department  
Prepared by: John M. Pesek, Staff Attorney  
For Consideration By: Transportation Committee

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

**A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS BY THE CITY OF ROGERS FINANCE DEPARTMENT AND HUMAN RESOURCES DEPARTMENT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers' Finance Department and Human Resources Department desire to destroy certain archived records to create space for current records; and

**WHEREAS**, the list of records to be destroyed is set out in the attached Affidavit of Destruction.

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

Section 1: The City of Rogers Director of Finance and Director of Human Resources may destroy the following records of the Rogers Finance Department, pursuant Ark. Code Ann. §14-59-114 and Sec. 2-1 of the Code of Ordinances, City of Rogers, Arkansas:

- (a) Audited records four years or older: FOIA requests, cancelled checks, invoices, bank statements, receipts, deposit slips, bank reconciliations, check book register or listing, receipt listing, monthly financial report, payroll records, budget documents, bids, quotes, and related documentation;
- (b) Audited records seven years or older: bond files, board and committee agendas, board and committee files, lobbyist registration filings, meetings calendar, news and press releases, oaths of office (boards, commissions, advisory committees), statements of financial interest, state of the city address, fixed assets and equipment detail records, investment and certificate of deposit records, journals, ledgers, subsidiary ledgers, annual financial reports, payroll timesheets, application for employment (non-hired), and workers comp claims.

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.

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

APPROVED:

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

Attest:

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

Requested by: Casey Wilhelm, Director of Finance; Thomas Dunlap, Director of Human Resources

Prepared by: John M. Pesek, Staff Attorney

For Consideration by: Resources & Policy Committee

**AFFIDAVIT OF DESTRUCTION OF FINANCE DEPARTMENT RECORDS AND  
HUMAN RESOURCES DEPARTMENT RECORDS**

I, Casey Wilhelm and Thomas Dunlap, do hereby certify that the following records of the City of Rogers' Finance Department and Human Resources Department, have been retained for at least four (4) to seven (7) years as specified under Ark. Code Ann. §14-59-114 and Sec. 2-1 of the City of Rogers Code of Ordinances and have been audited as required by law. The records listed below, covering the time period stated, are to be destroyed in April, 2021, by shredding said records.

TYPE OF RECORD

TIME PERIOD

Applications for Employment	2012, 2013
Timesheets	2012, 2013
Accounts Receivables	2014, 2015
Budget Preparation, Working Documents, and Support for preparing Budget	2014, 2015
Journal Entries	2014, 2015
Payment Batch Registers	2014, 2015
Accounts Payable Invoices all funds	2014, 2015
Bank Statements	2014, 2015
Credit Card Receipts	2014, 2015
Bond Fund Invoices	2013, 2014, 2015

\_\_\_\_\_  
Signature Date  
Council Member

\_\_\_\_\_  
Signature Date  
Director of Finance  
Performing Destruction

\_\_\_\_\_  
Signature Date  
Director of HR and Development  
Performing Destruction

Approval by City Council noted in council minutes dated: \_\_\_\_\_

<p><u>To be filled out on date of Destruction:</u></p> <p>On this _____ day of _____, 2021, records as noted were destroyed.</p> <p>Witness: _____ Date: _____ City Clerk</p>
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**RESOLUTION NO. R21-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH JOHNSON CONTROLS, INC. OF LITTLE ROCK, ARKANSAS, TO PERFORM AN ENERGY AUDIT ON CITY OWNED FACILITIES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City desires an energy audit of its facilities;

**WHEREAS**, the Arkansas Energy Office’s Division of Environmental Quality is coordinating with Johnson Controls, Inc. of Little Rock, Arkansas, to provide energy assessments; and,

**WHEREAS**, there is no costs to the City of the initial energy audit if a performance contract is agreed to at the conclusion of the audit. However, if a performance contract is not executed, then the City will have to pay for the audit at a rate per square footage as set by the State of Arkansas.

**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 with Johnson Controls, Inc., of Little Rock, Arkansas to perform an energy audit of all City owned facilities.

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.

Section 3: 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: David Hook, Facilities Development Manager  
Prepared by: John M. Pesek, Staff Attorney  
For Consideration By: Finance Committee

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

**A RESOLUTION AMENDING THE CITY OF ROGERS' 2021 BUDGET TO RECOGNIZE REVENUE IN THE AMOUNT OF FIVE THOUSAND SEVENTY-FIVE DOLLARS (\$5,075.00) INTO ACCOUNT #100-08-45600 GRANTS AND DONATIONS; TO RECOGNIZE REVENUE IN THE AMOUNT OF TWO THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS (\$2,225.00) INTO ACCOUNT #100-08-49195 INSURANCE REIMBURSEMENT; APPROPRIATING FIVE THOUSAND DOLLARS (\$5,000.00) INTO ACCOUNT #100-08-70154 TRAILS MAINTENANCE; APPROPRIATING SEVENTY-FIVE DOLLARS (\$75.00) INTO ACCOUNT #100-08-70180 PRINTING AND PUBLISHING; APPROPRIATING TWO THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS (\$2,225.00) INTO ACCOUNT #100-08-70155 BUILDING AND GROUNDS MAINTENANCE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers received two thousand two hundred twenty-five dollars (\$2,225.00) in insurance proceeds from State Farm Insurance Company for the repair to the Maple Grove fence;

**WHEREAS**, the City of Rogers received five thousand dollars (\$5,000.00) from the Rogers Area Trail Supporters to add drop training features at the Railyard Bike Park; and

**WHEREAS**, The City of Rogers received seventy-five dollars (\$75.00) from Benjamin Jones for a memorial plaque at Lake Atalanta Park.

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

Section 1: The City of Rogers' 2021 Budget is amended to recognize two thousand two hundred twenty-five dollars (\$2,225.00) into Account #100-08-49195 Insurance Reimbursement and to recognize grant proceeds in the amount of five thousand seventy-five dollars (\$5,075.00) into Account #100-08-45600 Grants and Donations.

Section 2: The City of Rogers' 2021 Budget is amended to appropriate five thousand dollars (\$5,000.00) into Account #100-08-70154 Trails Maintenance, to appropriate seventy-five dollars (\$75.00) into Account #100-08-70180 Printing and Publishing, and to appropriate two thousand two hundred twenty-five dollars (\$2,225.00) into Account #100-08-70155 Building & Ground Maintenance.

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.

Section 4: Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are 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: Jim White – Director, Parks & Recreation Department  
Prepared By: John M. Pesek, Staff Attorney  
For Consideration By: Finance Committee

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

**A RESOLUTION AMENDING THE CITY OF ROGERS' 2021 BUDGET TO RECOGNIZE AN INSURANCE REIMBURSEMENT IN THE GENERAL FUND OF THIRTY-NINE THOUSAND ONE HUNDRED NINETY-SEVEN DOLLARS (\$39,197.00) INTO ACCOUNT #100-03-49195 INSURANCE REIMBURSEMENT; APPROPRIATING INSURANCE PROCEEDS OF THIRTY-NINE THOUSAND ONE HUNDRED NINETY-SEVEN DOLLARS (\$39,197.00) INTO ACCOUNT #100-03-80100 CAPITAL EXPENDITURES; APPROPRIATING NINETEEN THOUSAND SEVEN HUNDRED TWENTY-NINE DOLLARS (\$19,729.00) INTO ACCOUNT #339-39-80100 CAPITAL EXPENDITURES FROM ACT 988 FUND RESERVES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers received thirty-nine thousand one hundred ninety-seven dollars (\$39,197.00) in insurance for damage to a patrol vehicle involved in a motor vehicle collision; and

**WHEREAS**, the Rogers Police Department wishes to use the insurance proceeds and funds from the Act 988 fund for the purchase of a replacement patrol vehicle.

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

Section 1: The City of Rogers' 2021 Budget is amended to recognize an insurance reimbursement in the general fund of thirty-nine thousand one hundred ninety-seven dollars (\$39,197.00) into Account #100-03-49195 Insurance Reimbursement.

Section 2: The City of Rogers' 2021 Budget is amended to appropriate insurance proceeds of thirty-nine thousand one hundred ninety-seven dollars (\$39,197.00) into Account #100-03-80100 Capital Expenditures, and to appropriate nineteen thousand seven hundred and twenty-nine dollars (\$19,729.00) into Account #339-39-80100 Capital Expenditures from Act 988 Fund reserves.

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.

Section 4: Repeal of Conflicting Resolutions: All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are 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: Hayes Minor, Chief of Police  
Prepared By: John M. Pesek, Staff Attorney  
For Consideration By: Finance Committee

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

**AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF A ROGERS POLICE DEPARTMENT PATROL VEHICLE; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers' Police Department wishes to purchase a patrol vehicle to replace one that was involved in a motor vehicle collision; and

**WHEREAS**, Superior Chevrolet of Siloam Springs, Arkansas, can provide the vehicle with the specifications necessary to the Rogers Police Department, and has agreed to give the City of Rogers the pricing set by the State of Arkansas procurement guidelines for state purchases.

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

Section 1: The City agrees to purchase a police patrol vehicle from Superior Chevrolet of Siloam Springs, Arkansas for the purchase price of sixty thousand two hundred and fifty one dollars (\$60,251.00).

Section 2: 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 purchase of the police patrol vehicle for use by the City of Rogers' Police Department.

Section 3: Emergency Clause: The need to acquire and the availability of the police patrol vehicle is immediate and 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 4: 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 5: 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: Hayes Minor, Chief of Police  
Prepared by: John M. Pesek, Staff Attorney  
For Consideration By: Finance Committee

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

**A RESOLUTION AMENDING THE CITY OF ROGERS' 2021 BUDGET TO APPROPRIATE ONE HUNDRED SEVENTY-SIX THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS (\$176,225.00) FROM CID DRUG FUNDS INTO ACCOUNT #337-37-80100 CAPITAL EXPENDITURES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers Police Department needs to purchase an armored vehicle to protect the public peace, health, safety, and welfare of the citizens; and

**WHEREAS**, this vehicle will be purchased from Lenco Armored Vehicles, a company out of Pittsfield, Massachusetts.

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

Section 1: The City of Rogers' 2021 Budget is amended to appropriate one hundred seventy-six thousand two hundred twenty-five dollars (\$176,225.00) from CID Drug Funds into Account #337-37-80100 Capital Expenditures;

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 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: Hayes Minor, Chief of Police  
Prepared By: John M. Pesek, Staff Attorney  
For Consideration By: Finance Committee

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

**AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF AN ARMORED VEHICLE FROM Lenco ARMORED VEHICLES OF PITTSFIELD, MASSACHUSETTS; ALLOWING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR SAID PURCHASE; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Rogers Police Department needs to purchase an armored vehicle for use by the department;

**WHEREAS**, this purchase will be made from CID Drug Funds; and

**WHEREAS**, Lenco Armored Vehicles of Pittsfield, Massachusetts is the sole source manufacturer of this armored vehicles or its equivalent.

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

Section 1: That the Mayor and City Clerk are authorized to enter into a contract with Lenco Armored Vehicles of Pittsfield, Massachusetts, in the amount not to exceed one hundred seventy-six thousand two hundred twenty-five dollars (\$176,225.00), for the purchase of an armored vehicle.

Section 2: 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 purchase of an armored vehicle for use by the Rogers Police Department;

Section 3 - Emergency Clause: The need to acquire an armored vehicle for the Rogers Police Department 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 4 - 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 5 - 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: Hayes Minor, Chief of Police  
Prepared by: John M. Pesek, Staff Attorney  
For Consideration By: Finance Committee

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

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING CERTAIN LANDS FROM A-1 TO R-O, AMENDING THE COMPREHENSIVE GROWTH MAP, 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 April 6, 2021, the City Council has found that certain lands hereinafter described are better suited for R-O 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 R-O and that said lands being in Benton County, Arkansas, are described as:

**PROPERTY DESCRIPTION:**

Part of the S 1/2 of the NE 1/4 of the SE 1/4 of Section 8, Township 19 North of Range 30 West, described as beginning at the SE corner of the NE 1/4 of the SE 1/4, running thence North 210 feet, thence West 420 feet, thence East 420 feet to the place of beginning. Subject to County Road.

**LAYMAN'S DESCRIPTION:**

± 1.85 acres located at 318 S. 52nd St.

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

SECTION 4: **Comprehensive Growth Map.** That the City's Comprehensive Growth Map is hereby amended to classify parcels 02-00861-112 and 02-00861-113 as the "Commerce Corridor" Growth Designation rather than the "Neighborhood" Growth Designation.

SECTION 5: **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 6: **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 7: **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: Bill Watkins  
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 C-2 TO I-1, 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 April 6, 2021, the City Council has found that certain lands hereinafter described are better suited for I-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 I-1 and that said lands being in Benton County, Arkansas, are described as:

**PROPERTY DESCRIPTION:**

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING FROM THE NORTHWEST QUARTER OF SAID FORTY ACRE TRACT AND RUNNING THENCE ALONG THE NORTH LINE THEREOF S87°26'09"E 429.31', THENCE LEAVING SAID NORTH LINE S02°36'26"W 65.35', THENCE N87°23'34"W 41.97', THENCE S02°25'27"W 265.31' TO THE TRUE POINT OF BEGINNING AND RUNNING THENCE S87°06'34"E 143.30' TO AN EXISTING REBAR, THENCE S87°48'00"E 124.98' TO AN EXISTING REBAR, THENCE S02°45'10"W 133.71', THENCE N87°29'04"W 9.30' TO AN EXISTING REBAR, THENCE S02°53'34"W 199.91' TO AN EXISTING CONCRETE MONUMENT, THENCE N87°32'16"W 410.97' TO AN EXISTING REBAR, THENCE N02°11'35"E 332.37' TO AN EXISTING REBAR, THENCE S88°46'34"E 99.89' TO AN EXISTING REBAR, THENCE S87°06'34"E 55.87' TO THE POINT OF BEGINNING, CONTAINING 3.19 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

**LAYMAN'S DESCRIPTION:**

± 3.19 acres located South of the intersection of W. Hudson Rd. and N. 4<sup>th</sup> St.

SECTION 3: Zoning. That the above described lands are better suited for I-1 than C-2 zoning and same should be and are hereby zoned I-1.

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:

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JESSICA RUSH, CLERK

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

Requested by: Geoff Bates

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 C-2 TO RMF-20B, ACCEPTING THE DENSITY CONCEPT PLAN, 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 April 6, 2021, the City Council has found that certain lands hereinafter described are better suited for RMF-20B 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 RMF-20B and that said lands being in Benton County, Arkansas, are described as:

**PROPERTY DESCRIPTION:**

Lots 8, 9, 12, and the N ½ of Lot 13 in Block 6, in Smith and Hayes Addition to Rogers. Subject to all restrictions and easements of record.

**LAYMAN'S DESCRIPTION:**

± 0.59 acres on N. 8<sup>th</sup> Street between W. Persimmon and W. Rozell streets

SECTION 3: Zoning. That the above described lands are better suited for RMF-20B than C-2 zoning and same should be and are hereby zoned RMF-20B.

SECTION 4: Density Concept Plan. That the Density Concept Plan entered into by and between JS Fenwick Properties LLC and the City of Rogers, as approved by the Rogers Planning Commission on April 6, 2021, is hereby approved and made binding upon future development of the property described above, unless otherwise modified or amended by this Council, and the Mayor of the City of Rogers is authorized and directed to execute same.

SECTION 5: 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 6: 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 7: 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:

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JESSICA RUSH, CLERK

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C. GREG HINES, MAYOR

Requested by: Isabel Lane  
Prepared by: Ethan Hunter, City Planner  
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-25B AND R-DP TO RMF-9.5B, ACCEPTING THE DENSITY CONCEPT PLAN, 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 April 6, 2021, the City Council has found that certain lands hereinafter described are better suited for RMF-9.5B 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 RMF-9.5B and that said lands being in Benton County, Arkansas, are described as:

**PROPERTY DESCRIPTION:**

LOT 50 OF THE GROVE PHASE III, ROGERS, BENTON COUNTY, ARKANSAS.

**LAYMAN'S DESCRIPTION:**

± 24.78 acres between S. Dixieland Road, S. Concord Street, and W. Broadway Place

SECTION 3: **Zoning.** That the above described lands are better suited for RMF-9.5B than RMF-25B and R-DP zoning and same should be and are hereby zoned RMF-9.5B.

SECTION 4: **Density Concept Plan.** That the Density Concept Plan entered into by and between J&M Capital Ventures LLC and the City of Rogers, as approved by the Rogers Planning Commission on April 6, 2021, is hereby approved and made binding upon future development of the property described above, unless otherwise modified or amended by this Council, and the Mayor of the City of Rogers is authorized and directed to execute same.

SECTION 5: **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 6: **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 7: **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

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C. GREG HINES, MAYOR

Requested by: Adam Osweiler  
Prepared by: Ethan Hunter, City Planner  
For Consideration By: Community Environment & Welfare Committee