



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

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: November 24, 2020

The following committee meetings will be held on **Tuesday, November 24, 2020** prior to the City Council Meeting:

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

<https://us02web.zoom.us/j/84010564069> OR (312)626-6799 ID: 840 1056 4069

To Discuss: (a) RWU Monthly Report

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

<https://us02web.zoom.us/j/84010564069> OR (312)626-6799 ID: 840 1056 4069

To Discuss: (a) An Ordinance Waiving Competitive Bidding For Additional Work Related To The Construction Of The New Emergency Dispatch Center

(b) A Resolution Authorizing The Mayor And City Clerk To Enter Into Contracts With Various Companies In A Total Amount Not To Exceed \$1,423,685.45 For The Finalization Of The Emergency Dispatch Center

(c) An Ordinance Waiving Competitive Bidding For The Relocation Of Existing And Purchase Of New Radio Equipment For The New Emergency Dispatch Center

06:00 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Carmichael*, Townzen, Hayes) **<https://us02web.zoom.us/j/84010564069> OR (312)626-6799 ID: 840 1056 4069**

To Discuss: (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From R-O, C2-CU, And PUD To C-3 (Tallgrass) [Staff Report](#)



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ROGERS CITY COUNCIL
AGENDA

NOVEMBER 24, 2020

6:30 PM

<https://us02web.zoom.us/j/88395465336> OR Phone (312)626-6799 ID: 883 9546 5336

PUBLIC HEARING:

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES:

- 1. November 10, 2020

REPORTS OF BOARDS AND STANDING COMMITTEES:

- 1. ORD. Re: Waiving Competitive Bidding For Additional Work Related To The Construction Of The New Emergency Dispatch Center FINANCE COMMITTEE
- 2. RES. Re: Authorizing The Mayor And City Clerk To Enter Into Contracts With Various Companies In A Total Amount Not To Exceed \$1,423,685.45 For The Finalization Of The Emergency Dispatch Center FINANCE COMMITTEE
- 3. ORD. Re: Waiving Competitive Bidding For The Relocation Of Existing And Purchase Of New Radio Equipment For The New Emergency Dispatch Center FINANCE COMMITTEE

4. ORD. Re: Amending Rogers Code Section 14-675 By Re-Zoning
Certain Lands From R-O, C2-CU, And PUD To C-3
(Tallgrass)

COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

ORDINANCE NO. 20-_____

AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR ADDITIONAL WORK RELATED TO THE CONSTRUCTION OF THE NEW EMERGENCY DISPATCH CENTER; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Police Department is finalizing construction at the new Emergency Dispatch Center;

WHEREAS, there is specific work that needs to be done and is outside the scope of the current building contractor; and

WHEREAS, Burris Project Solutions of Little Rock, Arkansas is already familiar with the needed work as it was the project manager for the AWIN installation and is actively involved in the operation of the radio network.

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

Section 1: That finished the work on the new Emergency Dispatch Center is necessary for public safety;

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 additional work needed at the new Emergency Dispatch Center;

Section 3: Emergency Clause: The need for the additional work at the new Emergency Dispatch Center 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 _____, **2020**.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Hayes Minor, Police Chief
Prepared by: Bonnie Bridges, Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. R20-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO CONTRACTS WITH VARIOUS COMPANYS IN A TOTAL AMOUNT NOT TO EXCEED ONE MILLION FOUR HUNDRED TWENTY-THREE THOUSAND SIX HUNDRED EIGHTY-FIVE DOLLARS AND FORTY-FIVE CENTS (\$1,423,685.45) FOR THE FINALIZATION OF THE EMERGENCY DISPATCH CENTER; AMENDING THE 2020 BUDGET TO APPROPRIATE ONE MILLION FOUR HUNDRED SEVENTY-EIGHT THOUSAND SIX HINDRED TWENTY-TWO DOLLARS (\$1,478,622.00) FROM CMRS FUND RESERVES TO ACCOUNT #352-52-84007 POLICE FACILITY EXPANSION (DISPATCH); AND FOR OTHER PURPOSES.

WHEREAS, Constant Technologies, Inc. of North Kingstown, Rhode Island, submitted a proposal to provide console furniture, the video wall, and technical advising, under a current TIPS contract, for the amount of five hundred forty thousand six hundred nine dollars and three cents (\$540,609.03);

WHEREAS, Motorola Solutions of Little Rock, Arkansas, estimated the cost of relocating existing radio equipment and purchasing needed new equipment to be eight hundred fifty-five thousand four hundred seventy-six dollars and forty-two cents (\$855,462.42); and

WHEREAS, Burriss Project Solutions of Little Rock, Arkansas, estimated the cost to complete work that is outside the scope of the current building contractor to be twenty-seven thousand six hundred dollars (\$27,600.00).

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

Section 1: The Mayor and City Clerk may enter into a contract with Constant Technologies, Inc. of North Kingstown, Rhode Island, in the amount of five hundred forty thousand six hundred nine dollars and three cents (\$540,609.03) to provide console furniture, a video wall, and technical advisement for the new Rogers Police Department's Emergency Dispatch Center;

Section 2: The Mayor and City Clerk may enter into a contract with Motorola Solutions of Little Rock, Arkansas, in the amount of eight hundred fifty-five thousand four hundred seventy-six dollars and forty-two cents (\$855,462.42) for the relocation and purchase of radio equipment to be used at the new Emergency Dispatch Center;

Section 3: The Mayor and City Clerk may enter into a contract with Burriss Project Solutions of Little Rock, Arkansas, in the amount of twenty-seven thousand six hundred dollars (\$27,600.00) for the completion of work that is outside the scope of the current building contractor for the new Emergency Dispatch Center;

Section 4: The 2020 Budget is hereby amended to appropriate one million four hundred seventy-eight thousand six hundred twenty-two dollars (\$1,478,622.00) from CMRS Fund Reserves into account #352-52-84007 Police Facility Expansion (Dispatch);

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 Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, **2020**.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Hayes Minor, Police Chief
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration By: Finance Committee

ORDINANCE NO. 20-_____

AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE RELOCATION OF EXISTING AND PURCHASE OF NEW RADIO EQUIPMENT FOR THE NEW EMERGENCY DISPATCH CENTER; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Rogers Police Department is finalizing construction of the new Emergency Dispatch Center;

WHEREAS, the relocated equipment is the current multimillion dollar radio system which was designed and installed by Motorola engineers;

WHEREAS, Motorola is the only vendor for the new equipment needed in order to ensure proper operation with the current system; and

WHEREAS, the engineering and installation services must be provided by Motorola system engineers to ensure proper functioning of the radio network.

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

Section 1: That the relocation of current and purchase of new radio equipment is necessary to complete the new Emergency Dispatch Center;

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 relocation of current and purchase of new equipment required for the new Emergency Dispatch Center;

Section 3: Emergency Clause: The need to relocate and purchase equipment for the new Emergency Dispatch Center 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 _____, **2020**.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Hayes Minor, Police Chief
Prepared by: Bonnie Bridges, Staff Attorney
For Consideration By: Finance Committee

ORDINANCE NO. 20-_____

**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. 40th 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** _____, 2020.

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