



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

6:00 P.M. STATE OF THE CITY ADDRESS - Mayor Greg Hines
via ZOOM <https://us02web.zoom.us/j/82240823371> OR By Phone (312) 626-6799 ID: 822 4082 3371

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: March 9, 2021

The following committee meetings will be held on **Tuesday, March 9, 2021** prior to the City Council Meeting:

05:00 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Legere, Townzen)
<https://us02web.zoom.us/j/89820088800> OR (312) 626-6799 ID: 898 2008 8800

- To Discuss:
- (a) Street Closure Request - Children's Advocacy Center Glow Run
 - (b) Parking Lot Closure Request - Rogers Heritage High School Dance Team
 - (c) A Resolution Amending The City Of Rogers' 2021 Budget To Recognize Federal Grant Revenue In The Amount Of \$91,162.00
 - (d) A Resolution Amending The City Of Rogers' 2021 Budget To Recognize Grant Proceeds In The Amount Of \$3,348,138.00 And Appropriate Said Grant Proceeds And Airport Fund Reserves In The Amount Of \$3,426,692.00 To Various Accounts
 - (e) A Resolution Amending The City Of Rogers' 2021 Budget To Recognize Grant Proceeds In The Amount Of \$340,000.00 And Appropriate Said Grant Proceeds And Street Fund Reserves In The Amount Of \$3,855,650.00 To Various Accounts
 - (f) An Ordinance Changing The Name Of "West Capitol Avenue" To "Founders Way"
 - (g) An Ordinance Authorizing The Mayor And City Clerk To Enter Into A Contract With Carroll Electric Cooperative Corporation, Of Berryville, Arkansas, In The Amount Of \$336,464.62, Waiving Competitive Bidding

05:20 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Kruger, Legere)
<https://us02web.zoom.us/j/89820088800> OR (312) 626-6799 ID: 898 2008 8800

- To Discuss:
- (a) An Ordinance Authorizing The Mayor And City Clerk To File A Clean-Up Lien For The Removal Of A Nuisance Structure At 1602 South 1st Street Located Within The City Of Rogers, Benton County, Arkansas

05:30 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Legere*, Townzen, Hayes)
<https://us02web.zoom.us/j/89820088800> (312) 626-6799 ID: 898 2008 8800

- To Discuss:
- (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 And R-DP To C-2 (Hickman) [Staff Report](#)
 - (b) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To R-DP (Sosa) [Staff Report](#)

05:40 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)
<https://us02web.zoom.us/j/89820088800> OR (312) 626-6799 ID: 898 2008 8800

To Discuss:

- (a) A Resolution Amending The City Of Rogers' 2021 Budget To Recognize Funds From The U.S. Department Of Homeland Security, Staffing Adequate Fire And Emergency Response (SAFER) Grant To Provide Additional Personnel To The Rogers Fire Department In The Amount Of \$157,829.00

- (b) A Resolution Amending The City Of Rogers' 2021 Budget To Recognize Grant Proceeds In The Amount Of \$145,823.00 And Appropriate Said Grant Proceeds And General Fund Reserves In The Amount Of \$1,542,967.00 To Various Accounts

- (c) A Resolution Amending The City Of Rogers' 2021 Budget To Appropriate Fire Act 988 Fund Reserves In The Amount Of \$820.00 To Account Number 339-39-80100 Capital Expenditures

- (d) A Resolution Amending The City Of Rogers' 2021 Budget To Appropriate CMRS 911 Fund Reserves In The Amount Of \$1,180,718.00 To Account Number 352-52-84007 Police Facility Expansion (Dispatch)

- (e) A Resolution Amending The City Of Rogers' 2021 Budget To Appropriate Court Automation Fund Reserves In The Amount Of \$82,979.00 To Account Number 338-38-70251 Court Automation Expense

- (f) A Resolution Amending The City Of Rogers' 2021 Budget To Appropriate Fire Act 833 Fund Reserves In The Amount Of \$34,610.00 To Account Number 324-24-80100 Capital Expenditures



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6:00 P.M. STATE OF THE CITY ADDRESS - Mayor Greg Hines
via ZOOM <https://us02web.zoom.us/j/82240823371> OR By Phone (312) 626-6799 ID: 822 4082 3371

ROGERS CITY COUNCIL
AGENDA

MARCH 9, 2021
6:30 PM

via ZOOM <https://us02web.zoom.us/j/82240823371> OR By Phone (312) 626-6799 ID: 822 4082 3371

PUBLIC HEARING:

1. Notice Of Filing Clean-Up Lien For The Removal Of A Nuisance Structure At 1602 South 1st Street, Rogers, AR

ROLL CALL:

ACTION ON MINUTES:

1. February 23, 2021

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. ORD. Re: Authorizing The Mayor And City Clerk To File A
Clean-Up Lien For The Removal Of A Nuisance
Structure At 1602 South 1st Street Located Within The
City Of Rogers, Benton County, Arkansas PUBLIC SAFETY
COMMITTEE
2. RES. Re: Amending The City Of Rogers' 2021 Budget To
Recognize Federal Grant Revenue In The Amount Of
\$91,162.00 TRANSPORTATION
COMMITTEE
3. RES. Re: Amending The City Of Rogers' 2021 Budget To
Recognize Grant Proceeds In The Amount Of
\$3,348,138.00 And Appropriate Said Grant Proceeds
And Airport Fund Reserves In The Amount Of
\$3,426,692.00 To Various Accounts TRANSPORTATION
COMMITTEE

- | | | | |
|-----|----------|--|--|
| 4. | RES. Re: | Amending The City Of Rogers' 2021 Budget To Recognize Grant Proceeds In The Amount Of \$340,000.00 And Appropriate Said Grant Proceeds And Street Fund Reserves In The Amount Of \$3,855,650.00 To Various Accounts | TRANSPORTATION
COMMITTEE |
| 5. | ORD. Re: | Changing The Name Of "West Capitol Avenue" To "Founders Way" | TRANSPORTATION
COMMITTEE |
| 6. | ORD. Re: | Authorizing The Mayor And City Clerk To Enter Into A Contract With Carroll Electric Cooperative Corporation, Of Berryville, Arkansas, In The Amount Of \$336,464.62, Waiving Competitive Bidding | TRANSPORTATION
COMMITTEE |
| 7. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From C-2 And R-DP To C-2 (Hickman) | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |
| 8. | ORD. Re: | Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From A-1 To R-DP (Sosa) | COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE |
| 9. | RES. Re: | Amending The City Of Rogers' 2021 Budget To Recognize Funds From The U.S. Department Of Homeland Security, Staffing Adequate Fire And Emergency Response (SAFER) Grant To Provide Additional Personnel To The Rogers Fire Department In The Amount Of \$157,829.00 | FINANCE
COMMITTEE |
| 10. | RES. Re: | Amending The City Of Rogers' 2021 Budget To Recognize Grant Proceeds In The Amount Of \$145,823.00 And Appropriate Said Grant Proceeds And General Fund Reserves In The Amount Of \$1,542,967.00 To Various Accounts | FINANCE
COMMITTEE |
| 11. | RES. Re: | Amending The City Of Rogers' 2021 Budget To | FINANCE |

Appropriate Fire Act 988 Fund Reserves In The
Amount Of \$820.00 To Account Number 339-39-
80100 Capital Expenditures

COMMITTEE

12. RES. Re: Resolution Amending The City Of Rogers' 2021
Budget To Appropriate CMRS 911 Fund Reserves In
The Amount Of \$1,180,718.00 To Account Number
352-52-84007 Police Facility Expansion (Dispatch)

FINANCE
COMMITTEE

13. RES. Re: Amending The City Of Rogers' 2021 Budget To
Appropriate Court Automation Fund Reserves In The
Amount Of \$82,979.00 To Account Number 338-38-
70251 Court Automation Expense

FINANCE
COMMITTEE

14. RES. Re: Amending The City Of Rogers' 2021 Budget To
Appropriate Fire Act 833 Fund Reserves In The
Amount Of \$34,610.00 To Account Number 324-24-
80100 Capital Expenditures

FINANCE
COMMITTEE

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

ORDINANCE NO. 21-_____

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO FILE A CLEAN-UP
LIEN FOR THE REMOVAL OF A NUISANCE STRUCTURE AT 1602 SOUTH 1ST STREET
LOCATED WITHIN THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS;
PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, the following real property located in Rogers, Benton County, Arkansas, is owned as set out below:

PROPERTY OWNER: Estate of Germaine A. Christiansen

LEGAL DESCRIPTION: PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID 40 ACRES, RUN THENCE SOUTH 136 FEET; THENCE WEST 220 FEET; THENCE NORTH 136 FEET; THENCE EAST 220 FEET TO THE POINT OF BEGINNING. SUBJECT TO STREET ON THE NORTH AND EAST SIDES THEROF. LESS AND EXCEPT: BEING A PORTION OF THE LAND DESCRIBED IN DOCUMENT AT BOOK 99 PAGE 113791 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SE 1/4; THENCE S 02°17'03" E 24.45 FEET ALONG THE EAST LINE THEREOF; THENCE LEAVING SAID EAST LINE N 87°42'57" W 69.82 FEET TO THE POINT OF BEGINNING ON THE EXISTING WEST RIGHT-OF-WAY LINE OF SOUTH FIRST STREET, THENCE ALONG SAID EXISTING WEST RIGHT-OF-WAY THE FOLLOWING TWO COURSES: 62.65 FEET ALONG A CURVE TO THE RIGHT HAVING A 40.00 FOOT RADIUS AND A S42°35'00" E 56.4 FOOT CHORD; THENCE S 02°17'03" W 71.19 FEET; THENCE N87°30'15" W 27.00 FEET; THENCE N01°50'25" E 89.59 FEET; THENCE N46°11'50" W 32.52 FEET; THENCE S 87°27'0" E 12.23 FEET TO SAID EXISTING WEST RIGHT-OF-WAY AND THE POINT OF BEGINNING, CONTAINING 0.07 ACRES, MORE OR LESS.

LAYMAN'S DESCRIPTION: 1602 South 1st Street, Rogers, Benton County, Arkansas

TAX PARCEL NO.: 02-01498-000

WHEREAS, the owner was given notice, pursuant to Ark. Code Ann. §14-54-903, of the nuisance structure on the property described above and was instructed to clean up the property in accordance with §§ 18-55 through 18-68 of the Rogers' Code of Ordinances;

WHEREAS, the property owner of record failed to abate and remedy the nuisance structure on this property, and as a result, the City of Rogers abated the nuisance conditions on the property and incurred the following costs:

\$	10,600.00 clean-up costs
\$	55.20 certified mail fee (8 Notices x \$6.90ea)
\$	<u>22.00 filing fee costs</u>
TOTAL \$	10,677.20

WHEREAS, the property owner has been given at least thirty (30) days' written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903; and

WHEREAS, Ark. Code Ann. §14-54-904 authorizes the City Council to assert a clean-up lien on this property to collect the amounts expended by the City in abating and cleaning up the property.

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

Section 1: Pursuant to Ark. Code Ann. §14-54-904, the City Council certifies that the following real property shall have a lien placed in the records of the Benton County Tax Collector as delinquent taxes and collected accordingly:

\$	10,600.00 clean-up costs
\$	55.20 certified mail fee (8 Notices x \$6.90ea)
\$	<u>22.00 filing fee costs</u>
TOTAL \$	10,677.20

Section 2: The Benton County Tax Collector is hereby to add a 10% collection fee to the total amount of the City's lien as listed in Section 1 of this Ordinance. The tax collector is to add this lien on the following real property:

LEGAL DESCRIPTION: PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID 40 ACRES, RUN THENCE SOUTH 136 FEET; THENCE WEST 220 FEET; THENCE NORTH 136 FEET; THENCE EAST 220 FEET TO THE POINT OF BEGINNING. SUBJECT TO STREET ON THE NORTH AND EAST SIDES THEROF. LESS AND EXCEPT: BEING A PORTION OF THE LAND DESCRIBED IN DOCUMENT AT BOOK 99 PAGE 113791 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 30 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SE 1/4; THENCE S 02°17'03" E 24.45 FEET ALONG THE EAST LINE THEREOF; THENCE LEAVING SAID EAST LINE N 87°42'57" W 69.82 FEET TO THE POINT OF BEGINNING ON THE EXISTING WEST RIGHT-OF-WAY LINE OF SOUTH FIRST STREET, THENCE ALONG SAID EXISTING WEST RIGHT-OF-WAY THE FOLLOWING TWO COURSES: 62.65 FEET ALONG A CURVE TO THE RIGHT HAVING A 40.00 FOOT RADIUS AND A S42°35'00" E 56.4 FOOT CHORD; THENCE S 02°17'03" W 71.19 FEET; THENCE N 87°30'15" W 27.00 FEET; THENCE N 01°50'25" E 89.59 FEET; THENCE N 46°11'50" W 32.52 FEET; THENCE S 87°27'0" E 12.23 FEET TO SAID EXISTING WEST RIGHT-OF-WAY AND THE POINT OF BEGINNING, CONTAINING 0.07 ACRES, MORE OR LESS.

LAYMAN'S DESCRIPTION: 1602 South 1st Street, Rogers, Benton County, Arkansas

TAX PARCEL NO.: 02-01498-000

Section 3: Emergency Clause: The need to file the cleanup lien with the Benton County Tax Collector is immediate as the above described monies have been spent 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 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: William Hyde, Deputy Fire Chief – Risk Reduction

Prepared By: John M. Pesek, Staff Attorney

For Consideration By: Public Safety Committee

RESOLUTION NO. R21-_____

**A RESOLUTION AMENDING THE CITY OF ROGERS' 2021 BUDGET TO RECOGNIZE
FEDERAL GRANT REVENUE IN THE AMOUNT OF NINETY-ONE THOUSAND ONE
HUNDRED SIXTY-TWO DOLLARS (\$91,162.00) INTO ACCOUNT #315-15-48050 FEDERAL
GRANT; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Rogers' Executive Airport anticipates receipt of a grant from the Federal Aviation Administration under the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA);

WHEREAS, the City Council approved acceptance of the grant via Resolution R-21-03 on January 26, 2021;

WHEREAS, the amount of said grant will be ninety-one thousand one hundred sixty-two dollars (\$91,162.00), with no local matching funds required; and

WHEREAS, the grant funds will help offset financial impacts resulting from the COVID-19 pandemic, including fifty-seven thousand dollars (\$57,000.00) for costs related to airport operations and maintenance, and thirty-four thousand one hundred sixty-two dollars (\$34,162.00) for lawful expenses that support operation of the Air Traffic Control Tower.

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 hereby amended to recognize Federal Grant Revenue in the amount of ninety-one thousand one hundred sixty-two dollars (\$91,162.00) into Account #315-15-48050 Federal Grant.

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 Krutsch, Airport Manager
Prepared by: John M. Pesek, Staff Attorney
For Consideration By: Transportation Committee

RESOLUTION NO. R21-_____

A RESOLUTION AMENDING THE CITY OF ROGERS' 2021 BUDGET TO RECOGNIZE GRANT PROCEEDS IN THE AMOUNT OF THREE MILLION THREE HUNDRED FORTY-EIGHT THOUSAND ONE HUNDRED THIRTY-EIGHT DOLLARS (\$3,348,138.00) AND APPROPRIATE SAID GRANT PROCEEDS AND AIRPORT FUND RESERVES IN THE AMOUNT OF THREE MILLION FOUR HUNDRED TWENTY-SIX THOUSAND SIX HUNDRED NINETY-TWO DOLLARS (\$3,426,692.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2020 final budget for airport revenues and expenditures pending at year-end; and

WHEREAS, the Airport identified grant revenues and appropriations approved in 2020 where the receipt of the grant proceeds or the payment of the expense will not occur until 2021.

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

Section 1: The City of Rogers' 2021 Budget is amended to recognize grant proceeds in the amount of three million three hundred forty-eight thousand one hundred thirty-eight dollars (\$3,348,138.00) to the following Accounts:

Account	Account Title	In the Amount of
315-15-48050	Federal Grant	\$ 3,098,138.00
315-15-48060	State Grant	<u>250,000.00</u>
	Total	<u>\$ 3,348,138.00</u>

Section 2: The City of Rogers' 2021 Budget is further amended to appropriate three million four hundred twenty-six thousand six hundred ninety-two dollars (\$3,426,692.00) from said grant proceeds and airport fund reserves into the following Accounts for carryover projects:

Account	Account Title	In the Amount of
315-15-70155	Buildings and Grounds Maint.	\$ 34,286.00
315-15-81138	Construct Taxiway	<u>3,392,406.00</u>
		<u>\$ 3,426,692.00</u>

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 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/Drafted By: Casey Wilhelm, Director of Finance

Reviewed By: John M. Pesek, Staff Attorney

For Consideration By: Transportation Committee

RESOLUTION NO. R21-_____

A RESOLUTION AMENDING THE CITY OF ROGERS' 2021 BUDGET TO RECOGNIZE GRANT PROCEEDS IN THE AMOUNT OF THREE HUNDRED FORTY THOUSAND DOLLARS (\$340,000.00) AND APPROPRIATE SAID GRANT PROCEEDS AND STREET FUND RESERVES IN THE AMOUNT OF THREE MILLION EIGHT HUNDRED FIFTY-FIVE THOUSAND SIX HUNDRED FIFTY DOLLARS (\$3,855,650.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2020 final budget for street fund revenues and expenditures pending at year-end; and

WHEREAS, the street department identified grant revenues and appropriations approved in 2020 where the receipt of the grant proceeds or payment of the expense will not occur until 2021.

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

Section 1: The City of Rogers' 2021 Budget is amended to recognize grant proceeds in the amount of three hundred forty thousand dollars (\$340,000.00) to the following Account:

Account	Account Title	In the Amount of
200-16-45110	Federal Grant	\$ 340,000.00

Section 2: The City of Rogers' 2021 Budget is further amended to appropriate three million eight hundred fifty-five thousand six hundred fifty dollars (\$3,855,650.00) from grant proceeds and street fund reserves into the following Accounts for carryover projects and unspent grants/donations:

Account	Account Title	In the Amount of
200-16-70268	Professional Services	\$ 200,000.00
200-16-70976	Fee in Lieu of Expense	459,872.00
200-16-70977	Fee in Lieu of Expense -Stormwater	42,718.00
200-16-80134	Downtown Alleyways	336,250.00
200-16-84529	Razorback Greenway Trail	280,810.00
200-16-84530	Railyard Loop Trail	733,000.00
200-16-85051	Poplar St/13 th St Improvement	497,000.00
200-16-85057	RAC to Railyard Park Trail	966,000.00
200-16-85802	Sidewalk Improvements TAP Grant	340,000.00
	Total	\$ 3,855,650.00

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 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/Drafted By: Casey Wilhelm, Director of Finance

Reviewed By: John M. Pesek, Staff Attorney

For Consideration By: Transportation Committee

ORDINANCE NO. 21-_____

**AN ORDINANCE CHANGING THE NAME OF “WEST CAPITOL AVENUE” TO
“FOUNDERS WAY”; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER
PURPOSES.**

WHEREAS, Section 14-524 of the Code of Ordinances, City of Rogers provides for the renaming of existing streets whenever road construction, public safety concerns, or changes to the Master Street Plan create the need to rename an already named existing street; and

WHEREAS, in response to requests from affected landowners, city staff has reviewed and recommended that City Council authorize the renaming of “West Capitol Avenue” to “Founders Way.”

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

Section 1: “West Capitol Avenue” will hereafter be known as “Founders Way.” The Fire Chief, Police Chief, and Director of Community Development are hereby directed to ensure that all appropriate and necessary parties are notified of this street name change. Further, the Director of Community Development shall update the name of the street during the next update to the City’s master street plan.

Section 2: Emergency Clause: The need to rename said street 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 3: 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 4: 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: BJ Hyde, Deputy Fire Chief
Prepared By: John M. Pesek, Staff Attorney
For Consideration By: Transportation Committee

ORDINANCE NO. 21-_____

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH CARROLL ELECTRIC COOPERATIVE CORPORATION, OF BERRYVILLE, ARKANSAS, IN THE AMOUNT OF THREE HUNDRED THIRTY-SIX THOUSAND FOUR HUNDRED SIXTY-FOUR DOLLARS AND SIXTY-TWO CENTS (\$336,464.62), FOR UNDERGROUND UTILITY INSTALLATION AND TO PROVIDE POWER NECESSARY FOR PUBLIC SAFETY RELATED TO THE PLEASANT GROVE ROAD PROJECT FROM RAINBOW ROAD (SOUTH) TO HIGHWAY 112; WAIVING COMPETITIVE BIDDING; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Department of Community Development, working with Carroll Electric Cooperative Corporation, has determined that the installation of underground utilities from Rainbow Road (South) to Highway 112 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, Carroll Electric Cooperative Corporation 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 Carroll Electric Cooperative Corporation, of Berryville, Arkansas, for utility installation for the Pleasant Grove Road Project from Rainbow Road (South) to Highway 112, in an amount not to exceed three hundred thirty-six thousand four hundred sixty-four dollars and sixty-two cents (\$336,464.62).

Section 2: The sum of three hundred thirty-six thousand four hundred sixty-four dollars and sixty-two cents (\$336,464.62) 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.

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: John McCurdy, Director of Community Development
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 C-2 and R-DP 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 2, 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 THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTH EAST QUARTER (SE 1/4) OF SECTION 36, IN TOWNSHIP 20 NORTH, RANGE 30 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 660 FEET WEST OF THE SOUTHEAST CORNER OF SAID FORTY ACRES, THENCE WEST 330 FEET, THENCE NORTH 1,320 FEET, THENCE EAST 660 FEET, THENCE SOUTH 990 FEET, THENCE WEST 330 FEET, THENCE SOUTH 330 FEET TO POINT OF BEGINNING. 17. 5 ACRES MORE OR LESS

AND ALSO PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 36 IN TOWNSHIP 20 NORTH OF RANGE 30 WEST DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 330 FEET WEST OF THE SOUTHEAST CORNER OF SAID FORTY ACRES, RUN THENCE WEST 330 FEET, THENCE NORTH 330 FEET, THENCE EAST 330 FEET, THENCE SOUTH 330 FEET TO THE POINT OF BEGINNING: 2.5 ACRES MORE OR LESS.

LAYMAN'S DESCRIPTION:

19.42 ± acres located at 701 W. Hudson Rd.

SECTION 3: Comprehensive Growth Map. That the City's Comprehensive Growth Map has been amended by Planning Commission to classify the entirety of parcel 02-02129-000 as the "Access Corridor" Growth Designation rather than the "Neighborhood" Growth Designation.

SECTION 4: Zoning. That the above described lands are better suited for C-2 than C-2 and R-DP zoning and same should be and are hereby zoned C-2.

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.

APPROVED:

C. GREG HINES, Mayor

ATTEST:

JESSICA RUSH, City Clerk

Requested By: Chris Bakunas, McClelland Consulting Engineers, Inc.

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 A-1 TO R-DP, 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 2, 2021, the City Council has found that certain lands hereinafter described are better suited for R-DP 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-DP and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

A Part of Lot 7 in Hardy's Subdivision of the South 1/2 of the NE 1/4 and SE 1/4 of the NW 1/4 of Section 19, Township 19 North, Range 29 West, Benton County, Arkansas, described as beginning at a point South 89 degrees 30 minutes 53 seconds East 154.77 feet from the Northwest corner of said Lot 7; thence South 89 degrees 30 minutes 53 seconds East 459.13 feet to the West right-of-way of Old Wire Road; thence with said right-of-way, South 10 degrees 11 minutes 07 seconds West 511.89 feet; thence leaving said right-of-way, North 77 degrees 39 minutes 30 seconds West 378.98 feet; thence North 00 degrees 13 minutes 07 seconds East 426.71 feet to the Point of beginning. Subject to the right-of-way of Old Wire Road across the East side and subject to covenants, easements, and rights of way, if any.

SUBJECT TO building lines, easements, mineral reservations and/or conveyances, and restrictions of record, if any.

LAYMAN'S DESCRIPTION:

4.41 ± acres located at 2038 S. Old Wire Rd.

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

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: Reina Sosa

Prepared By: Amber Long, Planner I

For Consideration By: Community Environment & Welfare Committee

RESOLUTION NO. R21-_____

A RESOLUTION AMENDING THE CITY OF ROGERS' 2021 BUDGET TO RECOGNIZE FUNDS FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY, STAFFING ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT TO PROVIDE ADDITIONAL PERSONNEL TO THE ROGERS FIRE DEPARTMENT IN THE AMOUNT OF ONE HUNDRED FIFTY-SEVEN THOUSAND EIGHT HUNDRED TWENTY-NINE DOLLARS (\$157,829.00) INTO ACCOUNT #100-04-45110 FEDERAL GRANT REVENUE; APPROPRIATING THAT SAME AMOUNT TO VARIOUS EXPENSE ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers accepted the Staffing Adequate Fire and Emergency (SAFER) Grant from the U.S. Department of Homeland Security (R-20-70);

WHEREAS, the City of Rogers has hired the three firefighters as required by acceptance of the SAFER Grant and said firefighters began their employment with the City on January 4, 2021;

WHEREAS, SAFER Grant funding will pay 100 percent (100%) of the salary and benefit costs for newly hired firefighters (exclusive of overtime) for three years; and

WHEREAS, the City of Rogers' 2021 Budget is amended to recognize grant proceeds and appropriate grant funds for 2021 The grant proceeds and expenditures for years 2022 and 2023 will be recognized in the budget process during those years.

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 revenues in the amount of one hundred fifty-seven thousand eight hundred twenty-nine dollars (\$157,829.00) in Account #100-04-45110 Federal Grant Revenue.

Section 2: The 2021 Budget is further amended to appropriate that same amount to the following accounts: \$117,734.00 to Account #100-04-60105 Salaries and Wages; \$27,667.00 to Account #100-04-61165 Retirement Expense - LOPFI; \$10,721.00 to Account 100-04-61175 Health Insurance Expense; and \$1,707.00 to Account #100-04-61150 FICA Expense.

Section 3: Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed.

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, Chief of Rogers Fire 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 GRANT PROCEEDS IN THE AMOUNT OF ONE HUNDRED FORTY-FIVE THOUSAND EIGHT HUNDRED TWENTY-THREE DOLLARS (\$145,823.00) AND APPROPRIATE SAID GRANT PROCEEDS AND GENERAL FUND RESERVES IN THE AMOUNT OF ONE MILLION FIVE HUNDRED FORTY-TWO THOUSAND NINE HUNDRED SIXTY-SEVEN DOLLARS (\$1,542,967.00) TO VARIOUS ACCOUNTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2020 final budget for general fund revenues and expenditures pending at year-end; and

WHEREAS, various departments identified grant revenues and appropriations approved in 2020 where the receipt of the grant proceeds or payment of the expense will not occur until 2021.

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 recognize grant proceeds in the amount of one hundred forty-five thousand eight hundred twenty-three dollars (\$145,823.00) to the following accounts:

Department	Account	Account Title	In the Amount of
Police	100-03-45620	Federal Grant CESF	\$ 75,500.00
Police	100-03-45624	Project Safe Neighborhoods Rev.	15,680.00
Police	100-03-45628	Edward Byrne Fed Grant Rev 2019	23,433.00
Police	100-03-45629	Edward Byrne Fed Grant Rev 2020	22,210.00
Fire	100-04-45305	State Grant Revenue	<u>9,000.00</u>
		Total	<u>\$ 145,823.00</u>

Section 2: The City of Rogers' 2021 Budget is amended to appropriate one million five hundred forty-two thousand nine hundred sixty-seven dollars (\$1,542,967.00) from grant proceeds and general fund reserves into the following accounts for carryover projects and unspent grants/donations:

Department	Account	Account Title	In the Amount of
Administration	100-01-70157	RLT Maintenance	\$ 34,687.00
Administration	100-01-70210	Improvements and Furnishings	53,000.00
Administration	100-01-70260	Public Relations	16,900.00
Administration	100-01-70265	Audit Services	6,738.00
Administration	100-01-70983	Storm Damage Hail	422,684.00
Risk Reduction	100-02-80100	Capital Expense	482.00
Police	100-03-70996	Project Safe Neighborhoods Exp.	17,272.00
Police	100-03-70998	CESF Grant Expense	30,707.00
Police	100-03-71203	Edward Byrne Fed Grant Exp 2020	22,210.00
Fire	100-04-70262	Fire Prevention and Safety	500.00
Fire	100-04-70830	Contract Services	10,000.00
Fire	100-04-70861	State Grant Expense	3,185.00
Library	100-06-60105	Salaries and Wages	95,237.00
Library	100-06-61150	FICA	7,286.00
Library	100-06-61155	APERS	14,590.00
Library	100-06-70155	Buildings & Grounds Maintenance	2,000.00

Library	100-06-70862	Grant Expense	\$ 36,874.00
Administration	100-01-72101	Interfund Transfer-out(Health Fund)	19,885.00
Parks and Recreation	100-08-70155	Buildings & Grounds Maintenance	20,000.00
Parks and Recreation	100-08-70995	Donation/Grant Expense	337,389.00
Parks and Recreation	100-08-80107	Pinnacle Hills Open Space	53,974.00
Information Systems	100-09-70256	Software Licensing	34,876.00
Information Systems	100-09-80100	Capital Expenditures	28,000.00
Adult Wellness	100-11-70106	Concession Products	4,000.00
Adult Wellness	100-11-70109	Fundraising Expense	5,000.00
Adult Wellness	100-11-70185	Janitorial Expense	20,000.00
Adult Wellness	100-11-70260	Public Relations	4,000.00
Adult Wellness	100-11-70995	Donation/Grant Expense	28,664.00
Adult Wellness	100-11-80100	Capital Expenditures	83,071.00
District Court	100-12-61110	Salaries and Wages -overtime	5,220.00
District Court	100-12-70268	Professional Services	13,080.00
District Court	100-12-70830	Contract Services	30,000.00
Community Dev.	100-18-70005	Continuing Education	5,000.00
Community Dev.	100-18-70830	Contract Services	74,800.00
Recycling	100-68-70160	Equipment Maintenance	1,656.00
		Total	<u>\$ 1,542,967.00</u>

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, 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/Drafted By: Casey Wilhelm, Director of Finance

Reviewed 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 FIRE ACT 988 FUND RESERVES IN THE AMOUNT OF EIGHT HUNDRED TWENTY DOLLARS (\$820.00) TO ACCOUNT NUMBER 339-39-80100 CAPITAL EXPENDITURES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2020 final budget for ACT 988 expenditures pending at year-end; and

WHEREAS, the City of Rogers' Fire Chief identified appropriations approved in 2020 where the payment of the expense will not occur until 2021;

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

Section 1: The City of Rogers' 2021 Budget is amended to appropriate eight hundred twenty dollars (\$820.00) from ACT 988 fund reserves to Account # 339-39-80100 Capital Expenditures for carryover projects.

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/Drafted By: Casey Wilhelm, Director of Finance
Reviewed 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 CMRS 911 FUND RESERVES IN THE AMOUNT OF ONE MILLION ONE HUNDRED EIGHTY THOUSAND SEVEN HUNDRED EIGHTEEN DOLLARS (\$1,180,718.00) TO ACCOUNT NUMBER 352-52-84007 POLICE FACILITY EXPANSION (DISPATCH); AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2020 final budget for CMRS 911 Fund expenditures pending at year-end; and

WHEREAS, the Police Chief identified appropriations approved in 2020 where the payment of the expense will not occur until 2021.

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

Section 1: The City of Rogers' 2021 Budget is amended to appropriate one million one hundred eighty thousand seven hundred eighteen dollars (\$1,180,718.00) from CMRS 911 fund reserves to Account # 352-52-84007 Police Facility Expansion (Dispatch) for carryover projects.

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/Drafted By: Casey Wilhelm, Director of Finance
Reviewed 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 COURT AUTOMATION FUND RESERVES IN THE AMOUNT OF EIGHTY-TWO THOUSAND NINE HUNDRED SEVENTY-NINE DOLLARS (\$82,979.00) TO ACCOUNT NUMBER 338-38-70251 COURT AUTOMATION EXPENSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2020 final budget for court automation expenditures pending at year-end; and

WHEREAS, the Rogers District Court identified appropriations approved in 2020 where the payment of the expense will not occur until 2021.

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

Section 1: The City of Rogers' 2021 Budget is amended to appropriate eighty-two thousand nine hundred seventy-nine dollars (\$82,979.00) from court automation fund reserves to Account # 338-38-70251 court automation expense for carryover projects.

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/Drafted By: Casey Wilhelm, Director of Finance
Reviewed 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 FIRE ACT 833 FUND RESERVES IN THE AMOUNT OF THIRTY-FOUR THOUSAND SIX HUNDRED TEN DOLLARS (\$34,610.00) TO ACCOUNT NUMBER 324-24-80100 CAPITAL EXPENDITURES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers reviewed the 2020 final budget for fire act 833 expenditures pending at year-end; and

WHEREAS, the City of Rogers' Fire Chief identified appropriations approved in 2020 where the payment of the expense will not occur until 2021.

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

Section 1: The City of Rogers' 2021 Budget is amended to appropriate thirty-four thousand six hundred ten dollars (\$34,610.00) from fire act 833 fund reserves to Account # 324-24-80100 Capital Expenditures for carryover projects.

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/Drafted By: Casey Wilhelm, Director of Finance
Reviewed By: John M. Pesek, Staff Attorney
For Consideration By: Finance Committee