

CITY OF VAN BUREN, ARKANSAS  
REGULAR CITY COUNCIL MEETING  
MONDAY, MAY 18, 2020 @ 5:30 PM  
PUBLIC LIBRARY – 1409 MAIN STREET, VAN BUREN

**AGENDA**

1. Invocation and Pledge of Allegiance.
2. Roll Call.
3. Minutes from the April 27, 2020 Regular City Council Meeting.
4. Resolution – Setting a Public Hearing Date for a Public Alleyway Abandonment.
5. Resolution – Entering into a Contract with Crawford Construction for the Field of Dreams Flood Repair Project.
6. Resolution – Consider a Property Condemnation
7. Financial Statements.
8. Department Reports:  
    Police – Fire – Building Department – Public Works/Planning – Ambulance.
9. Miscellaneous and General Discussion.
10. Adjournment.

**CITY OF VAN BUREN, ARKANSAS**

**RESOLUTION NO. \_\_\_ - \_\_\_ - 2020**

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, A RESOLUTION TO BE ENTITLED:

**A RESOLUTION SETTING A PUBLIC HEARING DATE FOR ABANDONING A PUBLIC ALLEYWAY IN THE VISTA PLACE ADDITION INSIDE THE CITY OF VAN BUREN, CRAWFORD COUNTY, ARKANSAS.**

WHEREAS, Mac Werthmuller, represented by Satterfield Surveying, has petitioned the City Council of Van Buren, Arkansas, to vacate and abandon the public Alleyway along certain lots inside the Vista Place Addition more particularly described as follows:

Description of Existing 20.00 Foot Alleyway

Part of a platted alley in Block 14, Vista Place Addition to the City of Van Buren, Crawford County, Arkansas, being more particularly described as follows:

Beginning at a set rebar with cap marking the Northeast Corner of Lot 22, Block 14. Thence along the North line of Lots 22 thru 20, North 84 degrees 37 minutes 36 seconds West, 88.27 feet to a set rebar with cap. Thence North 03 degrees 15 minutes 13 seconds East, 20.01 feet to a set rebar with cap. Thence along the South line Lots 19 thru 17, South 84 degrees 37 minutes 36 seconds East, 88.53 feet to the Southeast Corner of Lot 17 Block 14. Thence South 03 degrees 58 minutes 07 seconds West, 20.01 feet to the Point of Beginning, containing 0.04 of an acre and subject to any Easements of Record

; and

WHEREAS, all of the property owners and adjacent property owners being affected by this Alleyway abandonment have consented by signed petition; and

WHEREAS, the City Council of Van Buren, acting under the authority of A.C.A. 14-199-103 and A.C.A. 14-301-302, has the authority to vacate public alleyways or segments thereof.

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

SECTION 1: A Public Hearing is set for June 22, 2020, at 5:30 P.M. in the Van Buren Public Library, at which time said Petition shall be presented to the City Council and the City Council will determine at that time if such portion of said public alleyway should be vacated and that all affected property owners and other persons directly interested have consented to such vacating.

SECTION 2: The City Clerk of Van Buren, Arkansas, is hereby directed to give notice by publication once a week for two consecutive weeks in some newspaper, published in Crawford County, advising the property owners and others affected, of said date and time the Council will hear said Petition.

**IN WITNESS WHEREOF,** the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of \_\_\_ for and \_\_\_ against, the foregoing Resolution at its regular meeting held on the 18<sup>th</sup> day of May 2020.

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Joseph P. Hurst  
Mayor

**ATTESTED:**

**APPROVED AS TO FORM:**

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Phyllis Thomas  
City Clerk/Treasurer

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Candice A. Settle  
City Attorney

**CITY OF VAN BUREN, ARKANSAS**

**RESOLUTION NO. \_\_\_ - \_\_\_ - 2020**

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN ARKANSAS, A RESOLUTION TO BE ENTITLED:

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT FOR FLOOD REPAIRS AT THE FIELD OF DREAMS SPORTS COMPLEX.**

WHEREAS, the City of Van Buren suffered historic flooding during the month of May 2019, causing substantial damage and requiring immediate repairs to the Field of Dreams Sports Complex; and

WHEREAS, Resolution No. 01-04-2020 authorized the Mayor to enter into a contract with Crawford Construction Company as Construction Manager for the Field of Dreams flood repair project.

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

SECTION 1: The Mayor and City Clerk are hereby authorized to enter into an agreement with Crawford Construction Company of Van Buren, Arkansas, for the repairs to the Field of Dreams Sports Complex, in the amount not to exceed \$293,324.85 (exhibit "A"), and to pay all expenses relating to this project.

**IN WITNESS WHEREOF**, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of \_\_\_ for and \_\_\_ against, the foregoing Resolution at its regular meeting held on the 18<sup>th</sup> day of May 2020.

\_\_\_\_\_  
Joseph P. Hurst  
Mayor

**ATTESTED:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Phyllis Thomas  
City Clerk-Treasurer

\_\_\_\_\_  
Candice A. Settle  
City Attorney

**CITY OF VAN BUREN, ARKANSAS**

**RESOLUTION NO. \_\_\_ - \_\_\_ - 2020**

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, A RESOLUTION TO BE ENTITLED:

**A RESOLUTION DECLARING THE EXISTENCE OF A NUISANCE UPON CERTAIN REAL PROPERTY WITHIN THE CORPORATE CITY LIMITS, LOCATED AT 1102 NORTH 28TH STREET, FOR THE PURPOSE OF CONDEMNING SAID STRUCTURE; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES.**

WHEREAS, the structure set forth above has been found by the Van Buren Code Enforcement Department to be dangerous, unsightly, unsanitary, dilapidated, obnoxious, unsafe, unfit for human habitation and/or otherwise detrimental to public welfare of Van Buren citizens in violation of Van Buren Municipal Code § 11.28.01 *et seq*; and

WHEREAS, the condition of such property, as set forth in Exhibit "A" attached hereto, constitutes a serious fire, health, and/or safety hazard to the Public and to the City of Van Buren, and unless immediate action is taken to remedy these conditions, by removing, razing and/or abating said nuisance, there is great likelihood that the surrounding property may be damaged by fire originating from such unsafe hazardous structure. Moreover since the structure is without proper sanitary facilities, and as such is unsafe and hazardous, and provides a breeding place for rats, rodents and other dangerous germ carriers of disease, it constitutes a serious hazard to the health and safety of the citizens of Van Buren, and should be moved or razed for the purpose of eliminating such hazards. The city has given proper notice in accordance with Van Buren Municipal Code § 11.28.07.

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

SECTION 1: The Van Buren City Council hereby finds and declares the house located at the address identified herein to be dangerous, unsightly, unsanitary, dilapidated, unsafe, obnoxious, a fire hazard, and/or a menace to abutting properties, with the current condition of said structure not being fit for human habitation; and because of such conditions, the City Council hereby declares the same to be condemned as a public nuisance and is ordered to be abated, removed or razed by the owner thereof in accordance with City Ordinance and State law.

SECTION 2: In accordance with Van Buren Municipal Code § 11.28.08, the owner of record of the following described property is hereby directed to raze the same, or otherwise abate the above declared nuisance within thirty (30) days after the posting of a true copy of this Resolution at a conspicuous place upon the structure constituting the nuisance described herein, to-wit:

Lot 45, Rolling Hills Subdivision in the City of Van Buren, Crawford County, Arkansas. (Parcel No. 700-06341-000, located at 1102 North 28<sup>th</sup> Street and owned by Verna and Russell Bagley.)

**SECTION 3:** If the aforementioned structure has not been razed and/or removed within thirty (30) days after posting a true copy of this resolution at a conspicuous place upon the structure constituting the nuisance, or the nuisance otherwise abated, the structure shall be torn down and/or removed by the City of Van Buren, or a duly designated representative. Each day after the aforesaid thirty (30) days in which said nuisance is not abated shall constitute a separate and distinct offense punishable by fine up to \$25.00 per day (Van Buren Ordinance 26-1997).

**IN TESTIMONY WHEREOF**, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against, the foregoing Resolution at its regular meeting held on the 18<sup>th</sup> day of May 2020.

\_\_\_\_\_  
Joseph P. Hurst  
Mayor

**ATTESTED:**

\_\_\_\_\_  
Phyllis Thomas  
City Clerk/Treasurer

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Candice A. Settle  
City Attorney